NORTHERN TERRITORY OF AUSTRALIA

## LEGISLATIVE ASSEMBLY

Fourth Assembly
Second Session

# Parliamentary Record

Tuesday 12 November 1985
Wednesday 13 November 1985
Thursday 14 November 1985

Tuesday 19 November 1985
Wednesday 20 November 1985
Thursday 21 November 1985
Friday 22 November 1985

Part I—Debates
Part II—Questions
Part III—Minutes

ISSN 0705-7601

G. L. DUFFIELD, Government Printer of the Northern Territory

# NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Fourth Assembly
Second Session

| | |
|---|---|
| Speaker | Roger Michael Steele |
| Chief Minister and Treasurer | Ian Lindsay Tuxworth |
| Opposition Leader | Bob Collins |
| Deputy Chief Minister and Minister for Industry, Small Business and Tourism | Nicholas Manuel Dondas |
| Attorney-General and Minister for Mines and Energy | Marshall Bruce Perron |
| Special Minister for Constitutional Development | James Murray Robertson |
| Minister for Education | Tom Harris |
| Minister for Transport and Works and Housing | Daryl William Manzie |
| Minister for Lands, Minister for Primary Production, Minister for Ports and Fisheries and Minister for Conservation | Stephen Paul Hatton |
| Minister for Community Development and Minister for Correctional Services | Barry Francis Coulter |
| Minister for Health and Minister for Youth, Sport, Recreation and Ethnic Affairs | Raymond Allan Hanrahan |

Price, including postage, $7.50 per calendar year. Subscriptions, made payable to the Collector of Territory Moneys, should be sent to the Editor, Hansard, G.P.O. Box 3721 Darwin, N.T. 5794.

# Members of the Legislative Assembly

| | |
|---|---|
| Arafura | Bob Collins |
| Araluen | James Murray Robertson |
| Arnhem | Wesley Wagner Lanhupuy |
| Barkly | Ian Lindsay Tuxworth |
| Berrimah | Barry Francis Coulter |
| Braitling | Roger William Stanley Vale |
| Casuarina | Nicholas Manuel Dondas |
| Elsey | Roger Michael Steele |
| Fannie Bay | Marshall Bruce Perron |
| Flynn | Raymond Allan Hanrahan |
| Jingili | Richard Alfred Setter |
| Koolpinyah | Cecilia Noel Padgham-Purich |
| Leanyer | Michael James Palmer |
| Ludmilla | Colin Charles Firmin |
| MacDonnell | Neil Randal Bell |
| Millner | Terence Edward Smith |
| Nhulunbuy | Daniel Murray Leo |
| Nightcliff | Stephen Paul Hatton |
| Port Darwin | Tom Harris |
| Sadadeen | Denis Wilfred Collins |
| Sanderson | Daryl William Manzie |
| Stuart | Brian Richard Ede |
| Victoria River | Terence Robert McCarthy |
| Wagaman | Frederick Arthur Finch |
| Wanguri | Donald Francis Dale |

Chairman of Committees — Mr Vale

Deputy Chairmen of Committees —
Mr D. W. Collins
Mr Finch
Mr Leo
Mr McCarthy
Mr Palmer

**House Committee**

Mr Speaker
Mr Bell
Mr Lanhupuy
Mrs Padgham-Purich
Mr Setter

**Standing Orders Committee**

Mr Speaker
Mr B. Collins
Mr Ede
Mr Hanrahan
Mr McCarthy
Mr Robertson

**Publications Committee**

Mr Bell
Mr D. W. Collins
Mr Dale
Mr Lanhupuy
Mr Setter

**Privileges Committee**

Mr B. Collins
Mr Firmin
Mr Leo
Mr Perron
Mr Setter

**Subordinate Legislation and Tabled Papers Committee**

Mr B. Collins
Mr Dale
Mr Finch
Mr Palmer
Mr Smith

**Sessional Committee — Environment**

Mr D. W. Collins
Mr Dale
Mr Ede
Mr Lanhupuy
Mrs Padgham-Purich

**Sessional Committee — New Parliament House**

Mr Speaker
Mr Finch
Mr Leo
Mr Smith
Mr Tuxworth

**Select Committee — Communications Technology**

Mr Dale
Mr Ede
Mr Firmin
Mr Hanrahan
Mr Lanhupuy

**Select Committee — Constitutional Development**

Mr B. Collins
Mr Dale
Mr Lanhupuy
Mr Palmer
Mr Smith
Mr Robertson

# PART I

# DEBATES

DEBATES

Tuesday 12 November 1985

Mr Speaker Steele took the Chair at 10 am.

BROADCASTING OF PROCEEDINGS

Mr SPEAKER: Honourable members, I lay on the table correspondence between Mr Mike Alsop, Station Manager 8CCC-FM Alice Springs, and myself concerning a request by Mr Alsop that that radio station broadcast the proceedings of the Legislative Assembly from the commencement of each day's sitting to the end of question time on similar terms and conditions to those laid down by the Assembly for the broadcast of question time by 8 TOP FM. Copies of the correspondence have been circulated to honourable members. I draw the attention of honourable members to the fact that Mr Alsop wishes to acknowledge the support of local Alice Springs businesses in covering the cost of Telecom lines from Darwin to Alice Springs in an announcement outside the actual broadcast. I do not believe that an announcement along the lines of that suggested by Mr Alsop in his telex to me of 22 October 1985 would contravene paragraph 2 of the resolution of the Legislative Assembly of 11 October 1985.

MOTION
Broadcasting of Proceedings

Mr TUXWORTH (Chief Minister)(by leave): Mr Speaker, I move that the resolution of this Assembly of 11 October 1983 authorising 8 TOP FM radio to broadcast direct the proceedings of the Assembly from the commencement of each day's sitting to the conclusion of questions be varied by inserting the words 'and 8CCC-FM radio' after the words '8 TOP FM radio' wherever occurring.

The arrangement by which 8 TOP FM radio has broadcast question time has proved very successful and the broadcast has generated a great deal of interest in Darwin. I am of the opinion that the question time should be broadcast as widely as possible throughout the Northern Territory. This motion will authorise 8CCC-FM in Alice Springs to broadcast question time also. The arrangements are that 8CCC-FM will take a split off 8 TOP FM's cover via a landline to Alice Springs and will broadcast question time to the people of Alice Springs live at the same time as 8 TOP FM radio is broadcasting. I commend the motion to honourable members.

Mr B. COLLINS (Opposition Leader): Mr Speaker, as all members would know, on a number of occasions in this Assembly, I have spoken of my desire to see the broadcasting of the proceedings of this Assembly extended beyond question time. Mr Speaker, I would imagine that it could be managed very easily in terms of an arrangement at your discretion between the broadcasters and yourself to determine those debates of particular public interest which the broadcasters may be interested in broadcasting.

I have also spoken of my desire, when it is financially possible, to see the proceedings of the Assembly televised on a discretionary basis at least through the medium of video. There are many isolated communities in the Northern Territory which do not have access to the proceedings of the Northern

Territory Legislative Assembly, except for that access provided by the print media, which is very limited. The opposition is pleased to support the motion.

Motion agreed to.

## SPEAKER'S STATEMENT
### Televising by the ABC of Sporting Events to Country Areas

Mr SPEAKER: Honourable members, in accordance with the directions of the Legislative Assembly of 29 August 1985, I forwarded to the Prime Minister a copy of the resolution of the Assembly on 29 August 1985 relating to the televising by the ABC of sporting events to country areas. I received the following reply from the Hon Lionel Bowen MP, Minister Assisting the Prime Minister:

> 'Dear Mr Steele, the Prime Minister has asked me to thank you for your letter of 11 September 1985 conveying a text of a resolution adopted by the Northern Territory Legislative Assembly concerning television services in remote areas. The views expressed have been noted and the text of the resolution drawn to the attention of the Minister for Communications, the Hon Michael Duffy, with a request that he arrange for a reply direct to you on behalf of the government.
>
> Yours sincerely,
>
> Lionel Bowen'.

## TABLED PAPER
### Auditor-General's Report on Treasurer's Annual Financial Statements for 1984-85

Mr SPEAKER: Honourable members, I lay on the table the report of the Auditor-General on the Treasurer's annual financial statements for the year ended 30 June 1985 and on other activities. I welcome to the Legislative Assembly Mr Isaacson, the Auditor-General.

## MOTIONS
### Auditor-General's Report on Treasurer's Annual Financial Statements for 1984-85

Mr TUXWORTH (Chief Minister): Mr Speaker, I move that the report be printed.

Motion agreed to.

Mr TUXWORTH (Chief Minister): Mr Speaker, I further move that the Assembly take note of the paper and seek leave to continue my remarks at a later time.

Leave granted; debate adjourned.

MOTION
Report of Solicitor-General on Conviction of Chamberlains

Mr PERRON (Attorney-General)(by leave): Mr Speaker, I table the report of the inquiry of the Solicitor-General into matters pertaining to the conviction of Mr and Mrs Chamberlain and move that the report be printed.

Motion agreed to.

MINISTERIAL STATEMENT
Submission from Chamberlain Legal Representatives

Mr PERRON (Attorney-General)(by leave): Mr Speaker, I also table a copy of the submission forwarded to me on behalf of Mr and Mrs Chamberlain comprising 7 documents.

Mr Speaker, on 4 June 1985, I received a submission from the legal representatives of Mr and Mrs Chamberlain seeking a judicial inquiry into their convictions. The Solicitor-General of the Northern Territory was required to examine the submission and report to me on its contents. No time constraints or resource limitations were imposed on this task. I have now received and carefully considered the Solicitor-General's report and arranged for a copy, together with my decision, to be delivered to the Chamberlains' legal representative. Due solely to the level of public interest in this matter, and as the submission made to me was released publicly by the applicants, I table in this Assembly a copy of the report and my advice to the applicants.

The submission sought to identify cogent new evidence to support the case for a judicial review as all avenues under the Northern Territory system of justice had been exhausted, including appeals to the Federal and High Courts of Australia. I find none of the 9 matters covered in the submission either forcible or convincing. Most of the material presented was dealt with extensively during the trial and reviewed by the 2 courts of appeal. Some of the claims are untrue and others irrelevant. I have concluded that there is nothing raised which is cogent or of such substance as to warrant the holding of the inquiry sought.

Mr Speaker, I move that the Assembly take note of the statement and seek leave to continue my remarks at a later hour.

Leave granted; debate adjourned.

APPROPRIATION BILL 1985-86
(Serial 137)

Continued from 28 August 1985.

Mr HANRAHAN (Youth, Sport and Recreation): Mr Speaker, I wish firstly to deal with budget matters relating to the Department of Youth, Sport, Recreation and Ethnic Affairs. On 21 December 1984, the Chief Minister announced the creation of a new Department of Youth, Sport, Recreation and Ethnic Affairs. The new department includes the Arts Branch, formerly located in the Department of Community Development. This department's review of its objectives, programs and procedures has resulted in the setting of firm and exciting objectives which will provide substantial benefits for people in all parts of the Territory.

The main thrust of the new department in the 1985-86 financial year will be to continue to provide opportunities for the participation of all Territorians in the arts, sports and recreational activities. The department will introduce programs to develop special talents and to improve performance standards in both sport and the arts. It will develop programs to promote a healthy lifestyle for all Territorians. It will be a resource for community organisations who will continue to be encouraged to provide programs and services to the community.

In keeping with our multicultural society, I intend to expand the interpreter and translator service to provide a more efficient service to the community. An outline for the development of an agreement between the Commonwealth and the Northern Territory has been accepted by the Commonwealth Minister for Immigration and Ethnic Affairs, the Hon Chris Hurford, with a suggested commencement date of April 1986. It is intended that the cost-sharing arrangement with the Commonwealth will result in an additional $180 000 being provided in the first year. The service will complement but not duplicate the existing Commonwealth telephone interpreter service. An advertising campaign will be conducted to ensure that those needing a service know about it.

Although this is a year of constraint, I am proud to announce that the Department of Youth, Sport, Recreation and Ethnic Affairs has been provided sufficient resources to commence the following new initiatives. A most exciting new initiative to improve the overall sporting performances of all Territorians is the introduction of a coaches-in-residence scheme. The scheme will enable the employment of top-level coaches on short-term contracts. The scheme will enable the resident coaches to work with the Northern Territory coaches, players and juniors as well as preparing teams for nationals. The scheme will aim to increase sports participation by young people and adults. Currently, we have a basketball coach employed for a period of 3 months until January 1986. He is conducting coaching clinics in basketball in all main centres and large Aboriginal communities throughout the Territory.

The Marrara International Indoor Sports Stadium will be promoted for international events with significant economic spin-offs for the Territory. For example, over 400 competitors from 28 nations will compete at the Marrara stadium in the Asian Taikwondo Championships early next year. We expect to promote more activities like this.

I will be making it my business to encourage all sports to develop plans that will ensure that, by 1995, all coaches will have appropriate accreditation, all sports organisations will have a development plan which will include coaching and umpiring needs and all major sports will have a coaching director. Honourable members will agree with the renewed emphasis on identification and development of junior talent in the Northern Territory. Financial assistance will be provided so that talented sports people may attend specialist clinics and national and international events. In 10 years, I hope every sports organisation in the Northern Territory will have introduced modified rules and will be providing opportunity for children to participate in modified activities. Financial assistance will be provided to sporting organisations which introduce modified sport and to those that identify and develop junior talent.

We will also be cooperating with the Department of Education to develop school sport and junior sport award schemes. I have also taken steps to expand the Aboriginal sport and recreation program to ensure the natural

talent which exists in our remote centres is not lost. Two sports development officers, one based in Alice Springs and one based in Darwin, are now focusing on this program. In addition, the new regional officers at Nhulunbuy and Katherine will be expected to promote Aboriginal participation in sport and recreation.

I have asked my department to investigate the possibility of establishing a north Australia games. It is hoped that these games will become a major event to provide Territorians with appropriate competition against Western Australia, north Queensland and our near Asian neighbours. I am also looking at the possibility of a national veterans games which would be held in Alice Springs in October 1986.

In addition, I expect to develop a pro-am golf circuit that will include Nhulunbuy, Darwin and Alice Springs. I have asked my department to investigate similar tournaments for squash and lawn bowls. I intend to ensure that the emphasis on youth in sports, recreation and arts, including an emphasis on Aboriginal, ethnic and disabled youth, will continue beyond the current international youth year.

Three youth centres are presently funded in Darwin and 2 in Alice Springs. Plans are already under way to establish further centres at Palmerston, Tennant Creek and Alice Springs and to upgrade existing centres at Jabiru and Nhulunbuy. I have also asked my department to investigate the need for youth worker training to assist in community organisations and a traineeship scheme for school leavers within the department.

This government will continue to develop international standard facilities, such as the Marrara complex in Darwin, and assist with other developments like Traeger Park in Alice Springs, and is taking steps to overcome the serious shortage of facilities for the teaching and practice of music, dance and drama in Darwin. Remote areas will not be forgotten and a host of smaller sporting, arts and recreational facilities will be encouraged throughout the Territory.

A healthy lifestyle for all Territorians will become an important focus within the Sports Development Branch. Statistics show that heart disease currently costs Australia $1700m each year. If only 50% of the adult population participates in appropriate physical activity, costs can be reduced by $274m now and $400m by the year 2000. As part of the healthy lifestyle focus, the department will investigate the feasibility of establishing a fitness assessment and counselling service to all sectors of the community and will aim, during a 10-year development phase, to provide a mobile unit to tour throughout the Territory.

I am currently examining 2 proposals in the arts area. One of these is for the creation of a professional state-type theatre company and the other is an exciting plan for stimulating creative activities in rural areas. I will be making separate announcements on both those matters at a later date.

In regard to establishing a Territory orchestra or Territory music ensemble, I believe this is a high priority which should be encouraged and, as soon as resources permit, it is my intention to assist with the establishment of a professional Territory music ensemble.

Our grants-in-aid programs will continue to be a major means of resourcing community organisations to develop programs and services across the Territory.

However, I will be insisting on rigorous monitoring and evaluation of grants-in-aid. With an eye to value received for dollars spent, the department will build monitoring procedures into all funded programs. It will annually review and evaluate all funded programs and ongoing funded projects to assess their effectiveness and efficiency. Organisations will be required to maintain appropriate bookkeeping and financial accounting practices and will receive departmental assistance in setting up these systems if required.

With its elevation to a department in December 1984, the department's budget has been considerably increased. This expanded budget reflects the government's belief that the healthy lifestyle embodied within sport, recreation and the arts is an investment in the future mental and physical well-being of all Territorians and, as such, saves rather than costs. At the same time, the government recognises that the financial environment is characterised by the need to control overall spending and is committed to ensuring that value is received for every tax dollar invested in youth, sport, recreation and cultural development. The new Department of Youth, Sport, Recreation and Ethnic Affairs is in the vanguard of the Northern Territory's commitment to its future. It delivers not only the opportunity for fitness and participation but provides a valuable opportunity to create a sense of pride in being a Territorian.

I would like to mention for the record some of the major projects that we are dealing with at the moment and the current appropriations. The Sommerville Community Services which operates various facilities in the Darwin area, mainly in relation to youth projects, is allocated $135 000. The Arunga Park Speedway, located in your electorate, Mr Deputy Speaker, has received an additional grant of $15 000 for the purchase of a grader. This has set a precedent and I dare say it will not be too long before I receive similar representations from Tennant Creek and Darwin. In fact, I know one is on the way from Tennant Creek. The North Australian Motor Sports Club has received $100 000 for future track development. The Tennant Creek Speedway has received $40 000 for the provision of amenities such as toilet blocks and grandstands. The Alyangula Squash Club has been allocated $40 000 for flooring and air-conditioning. The NT Netball Association has been allocated $32 000 for the upgrading of Parap courts for the Australian championships. The Palmerston Youth Centre has been allocated $100 000 for a youth centre which should open early in December. The Alice Springs Youth Leisure Centre has been allocated $100 000 for establishment and operating costs.

Recently, I addressed schools and spoke to various youth groups which will be represented on the management committee of the Alice Springs facility. It has been a long time since I have seen such enthusiasm and listened to such pointed comments and directions from a group of young people. I think it will be a very exciting facility for Alice Springs. Hopefully, it will operate on lines similar to the Fire Escape in the Casuarina Plaza. A similar upgrading of facilities at Tennant Creek and Nhulunbuy is planned. The Browns Mart Community Arts Project has been allocated $97 000 operational and project funding. The capital works program for Marrara in 1985-86 includes an allocation of $7.6m. Those are the major items.

Mr Speaker, I now move to the portfolio of Health. The increased spending by my department this year will allow existing standards of health care services to be maintained and a number of new initiatives to be commenced. Total appropriations have increased by 10.6%, from $116.9m in 1984-85 to $129.3m this year. The bulk of this increase relates to wage and price

escalation and the implementation of a 38-hour week for nursing and industrial staff.

Several new programs have been included in the 1985-86 allocations. My department has spent $330 000 on a fifth operating theatre at Royal Darwin Hospital. That facility was opened on 14 October and, with new day-bed accommodation, will ensure that waiting time for surgery at the Royal Darwin Hospital is kept to a minimum. Members would be aware that there has been considerable discussion relating to waiting time for surgery and this initiative has already greatly reduced waiting time, thus benefiting residents of Darwin.

Construction of a new $3m, 32-bed children's ward at Katherine Hospital has begun and it is expected to be completed in September next year. The initiative and involvement of the Katherine community in this project was significant. The department took the view that whatever was built should involve the whole community. It was certainly encouraging to see the way the whole community worked together. The Katherine Town Council, the service clubs, community groups and the Department of Health have made sure that the design of this facility is not only unique but well-suited to the Katherine environment.

I opened the Palmerston Health Centre and Dental Clinic on 16 October this year. That facility, with an estimated operating cost of $200 000, will service the rapidly growing population of Palmerston.

A renal dialysis service will be established at Alice Springs. We are spending $227 000 on this service which will allow Alice Springs residents to be dialysed locally, obviating the need to travel to southern dialysis units. At this stage, the ongoing cost will be $65 000 per annum.

The Menzies School of Health Research is now in its second year of operation and has already demonstrated its potential to make a valuable contribution to the field of health research in the Territory. In recognition of this work, budgetary funding for the school will increase by $100 000 to $1m. In July this year, the Menzies School of Health Research hosted a conference on chlamydial disease which attracted overseas and interstate delegates as well as local participants, including Aboriginal health workers. A major result of the conference was the identification of groups of scientists who were interested in providing expertise currently lacking in the Northern Territory. Activities of this nature can only lead to a greater understanding of our health problems and ultimately to possible solutions. Planning is currently under way for the establishment of a permanent laboratory facility for the school, incorporating the health-related laboratories of entomology and radiation. I commend the work of the Menzies School of Health Research to members who, I am sure, would be aware of the efforts of people working there and in the Department of Health to plan that facility. It has gone a long way towards putting Darwin on the map in relation to medical research.

Additional funding will be made available for refresher courses for nursing. In future, all nurses attending those courses will be paid normal award rates. Two refresher courses will be held at the Royal Darwin and Alice Springs Hospitals during 1986. The decision was taken as part of the effort to encourage nurses back into the hospitals. We have a significant problem in the Territory and I am pleased to say that I have already received some very favourable comment from nurses who are looking forward to attending

the refresher courses in order to come back into the system. The incentive of being paid for attending such courses has been effective. I will be making a major statement on the issue later in these Assembly sittings.

I have established a task force specifically to review the career structure for nurses in the Northern Territory. Tangible changes in the health care industry, which directly impinge on the value and worth of nurses, should be reflected in a nursing career structure. The dual demands of that structure and wage justice will be investigated by my department, and the proper processes of the Conciliation and Arbitration Commission will apply.

The budget provides an allocation of more than $9m for grants to community organisations for a wide range of health-related activities. These include a new jointly-funded home and community care program which provides an alternative to institutional care for the aged and disabled. Further, additional nursing home beds are due to be made available in Darwin in the new year. The Salvation Army has been successful in coming to an arrangement with the Commonwealth government for 100% funding of that facility, and that is certainly good news for Darwin.

A major portion of the 1985-86 program will be devoted to the establishment of a day-care centre at Parap in Darwin. During 1985-86, offers were made to the Darwin and Alice Springs councils in respect of devolution of health surveyor functions. I am pleased to say that the Alice Springs Town Council has accepted the offer and a first-time allocation is included in this budget for that purpose. I am still conducting negotiations with the Darwin City Council.

The Sexual Assault Referral Centre at the Royal Darwin Hospital has received additional support and protocols have been developed for use in other Territory centres. A Health Works Project will be established in Darwin at an estimated cost of $190 000. It will involve a Healthy Lifestyle Shop which will use a social marketing approach to sell the concept of good health to the public. Two similar shops operate successfully interstate and I will be officially opening the Darwin Healthy Lifestyle Shop at Casuarina Shopping Centre on Monday next week.

Ongoing media campaigns and health promotional services will continue. A detoxification unit which is specifically designed to meet the needs of people with acute alcohol problems has been established at the Royal Darwin Hospital. In association with this facility, an assessment and early intervention unit will also be introduced. Negotiations with community-based organisations are currently under way to develop further rehabilitation programs to ensure the most effective use of limited funding resources. I advise that, as soon as I can find an appropriate house to be used as a halfway house for rehabilitation in conjunction with the detoxification unit at the Royal Darwin Hospital, I will buy it and set it up. I am having some difficulty locating premises that the residents of Darwin find suitable.

Allocations relating to the drug and alcohol programs total in excess of $2m this financial year. Innovative new programs costing in the order of $226 000 will be mounted under the jointly-funded national campaign against drug abuse. Projects include community drug education, a media campaign for Aborigines in bush camp communities and a population survey on drug use. This campaign is aimed at minimising the harmful effects of drugs in the Territory. Honourable members may or may not be aware of Operation NOAH which is about to commence in Darwin and the Territory in general.

My department's communicable diseases program will be strengthened. In particular, a Territory-wide program has been established with some funding support from the Commonwealth. This program will concentrate on public education, counselling, treatment and blood testing. Other communicable diseases programs will also receive additional resources with a view to prevention, early identification and treatment.

Options for the establishment of a halfway house to provide transitional care for psychiatric patients discharged from hospital have now been considered and plans are under way for facilities at Alice Springs and Darwin. The Spragg report on mental health services confirms interstate and overseas experience that the provision of such facilities contributes to lower readmission rates and shorter hospital stays. This initiative will provide not only for a more effective delivery of services but also lead to a longer term saving in the use of costly hospital beds. Additional psychiatric programs will also be implemented in major centres. I advise honourable members that I will be making a statement during the current sittings on a community psychiatric service.

My department has allocated $4m, an increase of 14%, for its recently-created Barkly region. This new region of the Department of Health will allow a greater degree of autonomy for regional management and, accordingly, an increased responsiveness to local needs. My department will continue to provide a comprehensive range of services to promote and protect the health and well-being of all Territorians.

There are some issues currently before me that will impact additionally on the budget. The issue of the CT scanner at the Royal Darwin Hospital is currently under review and, as a result of the discussion in this Assembly at the last sittings, I can advise that the consultant from New South Wales has reviewed the radiology services, not only in Darwin but also in Alice Springs, and I am presently considering his report and recommendations. I am also awaiting a feasibility study on a private hospital development of 100 beds in Darwin. I anticipate that, when I have considered both reports, I will be making some very significant announcements.

Recently, on a tour of the Territory, particularly the east Arnhem area, I became aware of some significant problems in the member for Arnhem's electorate. I am able to announce that I have brought forward the proposed $100 000 for the building of a health centre at Lake Evella to ensure that the facility starts as soon as possible to meet the demands of the growing outstation movement in that area.

I also mentioned the 30 nursing home beds that have been made available through funding from the Commonwealth government. The successful operator will be the Salvation Army.

A task force has recently been established to investigate the career structure of nurses. I will be making a major statement later in the sittings on the impact of that, the terms of reference and the members on the task force.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, I would like to comment upon a few matters in relation to central Australia and, in particular, in relation to my own electorate of Sadadeen. I note that $175 000 has been allocated for the construction of a dangerous goods storage facility. This matter was of concern to many people in Alice Springs when it was first mooted. I have been

satisfied by the Department of Mines and Energy and the minister that this facility is necessary and that very small quantities will actually be stored there at this stage. The most modern and effective methods available for disposing of waste will be used. As new ones are developed, they will be used as well. I understand that the facility is being located in the central Australian region, some distance from the town of Alice Springs, because of the far drier climate. We do not have the rain and water problems of the Top End, although one would imagine that some waste would come from the Top End.

I note that the Ti Tree power-station has upgraded its generator set. As a small but very free-enterprise person in that area, I do not expect to be able to use too much of that power. But I know that local people welcome it for other developments that are going on there.

$1m has been allocated for stage 2 of the development of Sadadeen High School in my electorate and for upgrading the Anzac Hill buildings. With the decision that the senior-junior high school will start in 1987, that development will be necessary. Sadadeen High has been made the senior high school for the Alice Springs area and the old Anzac Hill site, where Alice Springs High first kicked off 25 years ago, will become another junior high school.

Subject to Commonwealth Tertiary Education Commission funding, some $300 000 will be made available for accommodation at the Community College of Central Australia's Centre of Appropriate Technology. I welcome this. It is an institution under the direction of Dr Bruce Walker. It does a great job in devising simple but effective technology. I am sure that all the people involved with that, and the beneficiaries are Aboriginal people, will welcome that funding.

The Todd River will have another bridge on the eastern approach to the Ross Highway. The people in that rural area, known as 'the old farm area', will welcome these developments because, during our infrequent floods, these people are cut off. I particularly welcome the Tunks Road causeway which is often referred to as the golf course crossing. This is just a dirt crossing. It washes out every time there is a flood. Of course, we have considerable development in the Mount John area. A bed-level causeway there will be very welcome indeed. It may require a little bit of scraping to remove sand after the occasional flood but that is one of those things that we will learn to live with.

I note also that $2.5m is earmarked for the Stuart Highway for the section between the 1293 km and 1310 km marks. The Stuart Highway has some excellent sections where one can pass a road train with comfort. There are other sections where one must leave the road. Particularly if it is wet, it can be very dangerous. Also, often the road shoulders are fairly high and one is likely to incur tyre damage. I am sure that the widening and the upgrading of the Stuart Highway will be welcomed by all those who use it.

Some $4m has been allocated for augmentation of sewage treatment and effluent disposal facilities, the effluent pumping station and rising main and evaporation basin. The sewage treatment is a big problem. Clearly, it is not a cheap problem to solve. I wonder what the Israelis might do if they had that quantity of water. They are indeed the past masters of using every bit of water that is available and using it time and time again wherever they possibly can.

I am pleased to see that there is funding for sewer rehabilitation from Todd Street to Gap Road. It has been of concern for a long time that the sewerage main in that area is very old. It collapsed at one end at the top of Todd Street a couple of years back. I hope that it can be done with minimum disruption to the area.

As we know, housing has been a continual problem in the Territory. We have been constructing units at a great rate. I commend the Housing Commission for the work it has been doing in Alice Springs. It has opened new blocks of flats and units which are doing much to shorten the waiting period for people in need of housing.

I note also that considerable funds are being spent in areas where there will be further development. Larapinta is already well under way. Next will be the Mount John and White Gums areas. We will soon have the report on further residential development in Alice Springs.

I am pleased to note also that the Arid Zone Research Institute is being looked after in a number of ways, along with Conservation Commission areas.

I am pleased to see that $65 000 is being provided to a small Aboriginal group in my electorate, the Ilpiye-Ilpiye group. In my book, they are the people who have the greatest claim to Alice Springs or any land in Alice Springs. Through force of circumstances, they have been the group that has been least looked after. It is pleasing to see that they are being assisted in this particular manner. Mr Speaker, I support the appropriations.

Mr B. COLLINS (Opposition Leader): Mr Speaker, to quote the government, we are dealing in this debate with a 'good news budget'. In fact, there is no good news in these documents. They are full of confusion and deliberate falsifications. They do not reveal very much, except for a sorry condemnation of this government.

We have heard a great deal about the effects of Mr Keating's and Senator Walsh's cuts to the Territory's funding. We are even more familiar with the Chief Minister's comment that 1% of the population suffered 8% of the cuts. Given the continued assertions of the Chief Minister on that point, I wondered whether anyone had picked up the logical error in his argument. He said again and again that it was grossly unfair for the Territory's population to bear more than 8% of the burden when we only had 1% of the population. If you carry that logic to its ultimate conclusion, you would have to consider that the Northern Territory should not get more than 1% of the Commonwealth's expenditure which would be a nonsense. It makes his argument a nonsense.

The Treasurer stated that the appropriation for 1985-86 is $1136m, an increase of 5.5% on the previous year. I am puzzled by those figures because the total appropriation for 1984-85 was in fact $1098m, indicating an increase of 3.5%. I will be seeking further explanations about that later from the Treasurer. Regardless of this situation, there has been a decline in real terms in funds available and, more significantly, there has been a decline in real terms per capita. To maintain the real per capita appropriation, the Territory would need an additional $120m over 1984-85 - $1219m. This may be a little unrealistic because it relies on a projection which the former Treasurer described as unrealistic.

The failure of the Territory to maintain real per capita appropriations resulted from a number of factors. Firstly, there was a change in the general

tax-sharing arrangement in the Memorandum of Understanding. Instead of an increase of some $102m expected under the old formula, the Territory received an additional $53m only. We also saw a number of other adjustments. There was a reassessment of the manner in which the Commonwealth paid for the Territory's borrowing and debit costing, involving a reduction of about $5m. The identified health grant was reassessed and increased, gaining about $1m for the Territory. A deduction was made because of the assessment of the Grants Commission that the Territory was at least $15m overfunded. That cost us about $18m. Finally, there was an adjustment for certain payments of a capital nature which had been incorrectly paid as the current grants and hence escalated at the fastest possible rate. That cost about $3.5m. Allowing for some other pluses and minuses in small programs, these factors account for some $80m of the so-called missing money.

There has been no end to the Chief Minister's efforts to blame these cuts on Canberra. We should be acutely aware of the fact that all southern politicians have myopia when they look past Brisbane. Funding cuts and neglect for the north and the west come easily to them, and it is in this context that the efforts of our own government must be closely scrutinised.

This statesman, our father of statehood, our fantastic Treasurer - sounds like a mantra provided by new-age thinking, and I am getting a little bit tired of it - had a plan to take to the Prime Minister and the federal Treasurer. This plan was to agree with the Commonwealth that the Territory was overfunded. Members will recall my astonishment at hearing those statements from the Treasurer. I took him to task for his misinterpretation of the Grants Commission report and all the other fumbling and bumbling mistakes that he made.

It was a strange plan. He admitted to the Commonwealth that a technical mistake at the time of self-government resulted in the Territory receiving additional money for most years. So the Chief Minister is on record as agreeing to cuts in the order of $19m for the Northern Territory's budget. I expressed my astonishment publicly on a number of occasions in relation to the attitude of the Chief Minister and Treasurer.

Then he proposed a change by which the Commonwealth payment known as 'debt charges assistance' would be modified. This payment is the agreement by which the Commonwealth meets all of our debit charges and interest on borrowings. The Treasurer expects this proposal to cost about $5m. I made it clear in the Assembly at the time that the Chief Minister and Treasurer himself sought a reduction in funding for the Northern Territory of $24m. It was a great start to his career as the Northern Territory's Treasurer.

This still leaves a considerable gap in the $80m I have identified as being taken from the broad area of general purpose and current payments. The bulk of that remaining amount, some $53m, results from changes to the formula for tax-sharing grants. As most members of this Assembly know, the original memorandum formula relied on 2 escalation factors: growth in personal income tax collections and the absolute growth in the Territory's population. This formula has been changed twice. Malcolm Fraser changed it in 1981-82 by moving from personal income tax collections to total Commonwealth tax collections. This cost the Territory $17.8m in that year, or an estimated $27.5m if real per capita amounts are maintained. This change was made unilaterally by the Fraser government. Again, I drew the attention of the Assembly to that at the time. We did not hear any complaints from this government. There were no mini-budgets then.

It was interesting to contemplate a statement made in explanation by the former Treasurer and now the almost completely retired member for Fannie Bay: 'The great fallacy is that his calculations apply as a calculation to a theoretical formula'. So nothing can go on forever. The second change to the memorandum was undertaken by Mr Hawke and Mr Keating. They have removed the 2 factors and replaced them with growth in the all group CPI in the 6 state capital cities and relative growth in the Territory's population. I stress 'relative growth'. As I have noted above, this change has cost us $53m.

I again quote the former Treasurer and fish farmer: 'The Commonwealth has limitations to the amount it is going to pay to the states and fulfill its own obligations'. It seems that all of this uproar about funding cuts comes to naught. Perhaps I should have referred to him as the part-time minister and full-time fish farmer. It was requested as part of normal changes. I must say that the Chief Minister's own performance in respect of the injury that it did to the Territory was a disgrace. The Treasurer may have foolishly offered his statesmanlike compromises in the hope that he would get off lightly. That is the best explanation I can offer for it. The fact is simply that the waste, extravagance and mismanagement of his government have left it and us with bitter enemies amongst sensible people in Canberra and only fair-weather friends amongst its pork-barrelling national friends. Indeed, this support in recent times has been less than warm. One could say that it has been almost frigid.

After an 11.4% pay increase for Northern Territory politicians, and the absurd and ridiculous statements made on national television in support of that by the Chief Minister - which made a fool of him and the Northern Territory government - the casino confiscation which cost us a cool $10m down the shute, the huge gifts of money to the casino operators and owners, and the constant expenditure on self-promotion, the then barely visible tip of the contingent liability iceberg became fully visible and the Territory had no case against accusations of government mismanagement. If the funding cuts were our only problem, there would still be the possibility of good news in this budget. However, the budget and its preamble of 4 June 1985 tell a sorry tale of increases in taxes and charges which are designed solely to raise funds to pay for the costly mistakes of this government. The Hon Peter Walsh, the Minister for Finance, has said a great many things that I profoundly disagree with and have disagreed with publicly. But he did say one thing with which I do not disagree and that is that the $55m hole left in this budget and the next budget by the gross mismanagement of the Northern Territory, something I have been discussing now for almost 2 years in the Legislative Assembly, would not be replaced by the federal government. I do not imagine that there is anyone on the Chief Minister's side of politics in Canberra, particularly in the current climate and with the current Leader of the Opposition, who would be silly enough to stand up and say: 'Sure, you made some gross errors in financial management which almost beggar description and understanding but we are quite happy to fill up the hole that was left by you to the tune of $55m in the next 2 budgets'. That is only the next 2 budgets. I support Senator Walsh completely in his statements that the rest of Australia should not have to bear the cost. That is what the reality is. It is not the Commonwealth government but it is other Australians, our fellow Australians, who are paying their taxes. Why they should have to support the unbelievable mismanagement and economic incompetence of this government is certainly beyond my understanding. Of course, Senator Walsh, on their behalf, has said they will not.

The budget indicated a sorry tale of drastic financial mismanagement beyond belief. That indeed is the reaction around Australia to the Northern Territory, its politicians and its second-rate government. The Northern Territory is gradually sliding. It is something I have noted with alarm for some years. It is gradually sliding into an operation of institutionalised political patronage. That is the sort of management that is operating in the Northern Territory at the moment. It is becoming something of a scandal. One of these days, the party will be well and truly over.

The net effect of all of these costly mistakes of the government was a reduction of $12.6m rather than the $17.6m stated by the Chief Minister. We find that all the funding cuts and all the tax hikes were a consequence of the direct proposals of this Northern Territory government. The appropriation total hides a further extravagance. In the amount appropriated for 1985-86 is a total of almost $35m which will simply be put in an envelope and posted off to Sydney or Melbourne or Atlantic City. I refer of course to the fiasco of the almost endless subsidies to Yulara, the Sheraton and the casinos. It has been a matter of some horror to other state treasurers that these moneys reflect a reduction of 3.1% in money available to Territorians for other public programs. That is 3.1% of our total budget.

Let there be no misunderstanding that, when this government speaks of spending $20m to purchase staff housing, sewerage and water facilities, it is not talking about spending $20m on new construction work in the Northern Territory. It is simply talking about a payment of money from Territory taxpayers to the south or overseas to purchase - and I quote the Northern Territory's Chief Minister - 'all of the non-commercial aspects of the Yulara project'. What a comfortable position for the equity partners in that project to be in. No new activity will be generated by the $27m ploughed into Yulara in this Territory budget. We have now spent or have budgeted to spend $64m of public money on Yulara. On the basis of the best estimates, we could be up for another $60m over the next 20 years. We will spend $124m and still face debts of $30m before we own anything. When the TIO gets Yulara, it will inherit an international hotel which, on the basis of the Perth Sheraton, will require a major refit at a cost of at least $4m to $5m without accounting for the impact of harsher climatic conditions. The total bill approaches $160m to $165m without estimating opportunity costs.

Let me deal with the impact of this mismanagement. The September quarter figures for the consumer price index indicate that the inflation rate between June and September for the Territory was 3.5%. This compares with a 6 state capital figure of 2.2%. The inflation rate in the Territory is 60% higher than in the rest of Australia. This government freely acknowledges the actual price levels in the Territory are somewhere between 15% and 20% higher than the rest of Australia. We now face the very real prospect that, if the Territory does not achieve precisely the same inflationary experience as the rest of Australia in the next 3 quarters, we will experience double digit inflation in the next year in the Northern Territory. The result of the latest figures mean that, whereas previously it cost 15% more to live in the Territory, it now costs 16.5% more, courtesy of the Northern Territory government. If we are to prosper and grow, we cannot allow this cost difference between us and the states to grow, and that is something I have talked about at length on previous occasions in the Assembly.

All Territorians should be aware of the price they all pay for this government. Let us review all of the charges and tax hikes the government introduced: payroll tax - a 1% increase of $3.6m; business franchise tobacco

tax - $2.1m; company fees - $0.2m; stamp duties - $4.5m; bank taxes - $0.35m; diesel fuel oil levy - $0.3m; school bus fares - $0.4m; and essential services charges - $1m. That is a total of $16m. However, that is still only half of the waste which has resulted from this government's ineptness.

These expenditure cuts are affecting every Territorian. Without them, we could reallocate funds for capital works in Palmerston, $3.5m, the DIT, $1.4m, local government $0.4m, and district allowance, $0.8m. Perhaps the $2m worth of jobs for Territorians in the Department of Transport and Works could be restored. Perhaps the $2.6m that was lost in jobs in the education areas or the $1.5m for the Conservation Commission could be restored. The list goes on and on. Perhaps this $34m could have been used to hold down the 15% increase in electricity charges which continue to grow quarterly.

This single fact is inescapable: regardless of the impact of federal budget cuts, the Tuxworth government was still able to find $34m of public money this year, which it simply picked up from the Treasury and transferred outside the Northern Territory. That is worth repeating. There has been screaming and yelling about federal budget cuts of $24m which, to my astonishment, were requested by the Northern Territory's new Treasurer publicly on more than one occasion. Despite a $100 per child expense for school bus fares, hikes in electricity costs, hikes in the cost of living that provided us with 1.5% of our last CPI figures - directly attributable to increased taxes and charges by this government - despite all these terrible conditions for ordinary Territorians, this government this year was still able to lift $34m out of our budget and plough it into the pockets of people down south or overseas.

This single act will drive the Territory to double digit inflation figures. It has robbed Territorians of adequate services and it has imposed unreasonable taxes and charges upon Territorians. This is not a 'good news budget' and it should be rejected by this Assembly.

Mr HATTON (Lands): Mr Speaker, I had intended to discuss a range of matters that are incorporated in the budget papers and which relate to my 4 departmental areas of responsibility. However, having read the response to the budget by the shadow Treasurer and having listened this morning to the Leader of the Opposition, I feel it is incumbent on me to make some comments in response to some of the misinformation that has been spread by those 2 members.

In his budget response on 30 August last year, the Leader of the Opposition said: 'The trouble with honesty in politics is that it is an extremely dangerous commodity and it should be used sparingly'. Obviously, that is a principle the Leader of the Opposition promotes with alacrity both for himself and his fellow members opposite.

I will deal briefly with some of the misinformation and distortions that we heard this morning. He said that the inflation rate in the Northern Territory is 60% higher than in the rest of Australia. That is selective quotation at best. He failed to mention that only in 5 of the last 18 quarters has the CPI for Darwin been up to or above that of the Northern Territory. He referred to 1 quarter. We knew it would be high because we had rammed down our necks early this year a series of financial attacks from the machine-gun kid in Canberra. We had to respond to that to provide properly for the Northern Territory. We had to increase taxes and charges. They naturally flowed into the September CPI figure. It is an aberration of

1 quarter, not an indication of a trend. It is total misinformation to suggest otherwise.

He also made the most outlandish statement that $34m of taxpayers' money has been lifted out of our budget. Not one cent has been taken out of the Northern Territory budget, let alone $34m. The facts are that the $34m the Leader of the Opposition was speaking about was borrowed by a consortium of the Territory Insurance Office and Capel Court. Those moneys were borrowed from the Canadian Investment Bank of Commerce on a 6-month note by those 2 organisations. Not one cent was taken out of the Northern Territory government budget.

That was typical of everything the Leader of the Opposition said. He spent most of his debate reiterating the distortions that he and the members opposite have been promoting in respect of the financial liabilities of the Northern Territory government over the last few months. He has been quoting various figures as to our liabilities and saying what a terrible shock they have been to himself and his system. I quote what the Leader of the Opposition said on 30 August last year: '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'. He referred there to our liabilities in respect of Yulara. He continued: 'But it certainly is possible for the government to do so in the future. In respect of the considerable financial risk - 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'. The Leader of the Opposition is now criticising what he accepted last year as necessary: the need to take risks to promote tourism in central Australia. The shadow Treasurer stated that the opposition accepted that governments need to intervene and take risks to promote development. He said that tourism was a major future industry for the Territory which deserved to be promoted by the government. We have promoted it.

I understand the difficulty opposition members have in trying to understand basic financial and economic matters. Key factors in our earlier assumptions have changed in the last 12 months. Two major considerations have been real interest rates and the lower-than-anticipated inflation rates. These had the effect of reducing estimated growth in room-occupancy rates. Inflation affected the income potential of Yulara in the short term and, at the same time, real interest rates led to increased costs. Any prudent government would recognise the changed situation, be open and honest about it and address the problem. That is precisely what this government is doing. We do not need the haranguing and misinformation that is flowing from the opposition on this particular question.

In his final statement, the shadow Treasurer said: 'The federal government in its budget established a climate for sound economic growth. It consists of a 4.5% growth rate, an inflation rate of 8%, dropping unemployment, and a dramatically reduced deficit. It all augurs well for the Australian economy in the next 12 months'. The federal government has today created a new record - a hat trick of records, in fact - in the field of ineptitude in economic management. The October balance of payments figures released today show a record monthly current account deficit of more than $1600m which I believe was some $400m above the worst result which had been expected by the money market. The balance of trade deficit was $552m - another all time record for a single month - and the invisible deficit was almost $1100m - and I understand this is another low in the depth of gloom

to which the federal government has driven the Australian economy. It is no wonder that the dollar is worth about US67¢ and falling when the current account deficit is now running at an annual rate of $1500m. If this rate holds true for the rest of this financial year, another record in economic mismanagement will be smashed by the Hawke government.

The Canberra colleagues of the members opposite pride themselves on their so-called ability as economic managers. In 1984, Treasurer Keating crowed about the strength of the Australian dollar. Today, the dollar has all the strength of a third-world currency. It is the peso of the South Pacific. What about the prices and incomes accord - this special relationship which the Hawke government claims to have with the trade unions? Where has that taken us? The accord promises all things to all men: reduced inflation and lower government deficits while maintaining living standards by holding up real wages. That could occur, and I do not deny it, if there was concurrent growth in the Australian economy or an improvement in the productivity performance of the labour force.

The accord has not delivered. Despite the federal government's rewriting of the document to do whatever Simon says, the government deficit has come down this financial year and last from the record deficit notched up by the Hawke government. After Treasurer Keating peddled a $9400m deficit lie for 2 years, we now know the truth that this Labor government has established a new record of its own by borrowing to the hilt and thus mortgaging our future and our children's future on the myth of its ability as an economic manager.

Because of the past 3 federal budgets, Australians have had to carry an accumulated deficit in the order of $19 000m. All of this must be financed by government borrowings. We saw what happened in the latest national wage case: Hawke and Keating gave the wink and the nod to their mates in the ACTU and said: 'She'll be right. Take the full 3.8% and damn the economic consequences'.

In the middle of this year, I had the honour to attend an EPAC meeting on behalf of the Chief Minister and Treasurer. At that particular meeting, Mr Keating made the point loud and clear, as he did publicly at that time, that we could not sell out the benefits of devaluation by passing it on to wages. But what happened? The ACTU bosses dragged him behind their iron curtain and beat him up. They walked out with a new interpretation of the accord that gave away the 3.8% on some amorphous promise that next year perhaps it will wind it back. Next year will be too late. Next year the damage will have been done: the dollar will be devalued further, interest rates will continue to rise and inflation will climb again.

The Financial Review responded to the wage case decision by saying: 'If inflation does keep rising and interest rates remain high, then our current account deficit may well worsen further, setting up another slide in the dollar and another bout of inflation'. We know that has happened. Last year, Treasurer Keating quoted the recovery of the Australian dollar during 1984 as the measure of his success as an economic manager. He crowed that his judges had judged him well by basing judgment on the strength of the Australian dollar. Well we know that the final judgment has now come into place with the collapse of the dollar. His judges have judged him a failure with the collapse of the Australian dollar. He floated the Australian dollar and it is now sinking right to the bottom of the harbour. We know the direction that interest rates are heading despite Mr Keating's and Mr Hawke's pre-election promises that they would fall. We all know that, because of our federal

economic manager, home buyers are living on mince and sausages to meet their rising mortgage payments.

These are the sorts of economic managers that are being promoted by the opposition as an example for us to follow. We will not follow them. We have maintained a policy of balanced budgets. We will continue to maintain a policy of balanced budgets. This is a balanced budget.

It gives me no pleasure to have to say these things in the Assembly today. It is not good for Australia; it is not good for the Northern Territory. The reason I am stirred to speak up is because of the lies, the propoganda, the glitter and the gloss that have been promoted by the members opposite. It is the continuation of that lie that is making it hard for Australians to make the hard decisions they need to make if they are going to get themselves out of this economic hole. We must accept that we are in for difficult times. We must accept the fact that we will need to change our attitudes to work, productivity and performance, and work our way out of our economic ills. We cannot be hidebound to the anachronistic, ancient attitudes and views of the trade union movement in respect of job demarcations and other restrictive practices that are certainly holding back productivity in Australia, particularly in our secondary industries.

I note that there was not too much support for employees and an employer this year in the Northern Territory when they tried to do something about it. Fortunately, they had the courage of their convictions and were successful in gaining something which has benefited the employees and the employer. In so doing, it will benefit the Northern Territory in the future. Of course, I am speaking about Mudginberri.

The reason we are having troubles in Australia now is because of the special relationship between the federal government and the trade union movement - it is a special, subservient relationship.

Mr Ede: You would rather send it interstate than operate under the tally system.

Mr HATTON: Mr Speaker, I have made the point quite clearly but members opposite still do not seem to get the message. Perhaps I should deal with the alternative proposal that has been brought to us by the shadow Treasurer. In his speech, he outlined Labor's alternative programs. Are they not brilliant? I suggest he did that because of the taunts he received last year about the fact that the opposition did not propose any alternatives.

It makes for interesting reading. I will just deal with the question of employment in the public service. The shadow Treasurer made a great deal about promoting youth employment. One of the great things he will do is have a greater proportion of A1 and A2 positions in the Northern Territory public service, and without cost. To achieve that, one must assume that higher level positions will be declared redundant - the number of lower positions would be increased by decreasing the number at the top. It seems to me that that would be the only way to do it without cost.

He wants to reduce the number of departments by almost 50%. He uses the terms: 'a smaller public service' and 'a common administrative core'. By this method, he will cut administration costs by $5m to $7m. The honourable member says that he will increase A1 and A2 jobs, decrease senior jobs and decrease the public service overall and, at the same time, he will cut out consultants.

From his jibes that we have maintained our MSA too low, presumably he will do that by replacing consultants with public servants. He will be increasing and decreasing and going round in circles, just on the question of employment. Those sorts of inconsistencies exist right through the policies promoted by the shadow Treasurer.

On the question of consultancies, it might be of benefit for members opposite to realise that we have a very small public service and a small economy. We do not necessarily have the work available to give a full-time job to every specialist. It is an efficient use of money to purchase specialist knowledge as and when required. It provides the flexibility to respond to demands without being locked into a hidebound system. It is false economics to promote the ideas of the shadow Treasurer in this sort of glossy garbage.

Dealing particularly with my own departments, the budget allocation for the Department of Primary Production is $33.1m, an increase of 18% or $5.1m on last financial year's actual expenditure. This increase underlies the significance of the department's role in the Northern Territory economy and its contribution to the well-being of our primary industries. More than half of the department's funding, $17.075m to be exact, is for the Brucellosis and Tuberculosis Eradication Campaign. This represents a significant increase on last year's $13.84m and attests to the strength of the Northern Territory government's commitment to B-TEC.

I note that recently we achieved a major success with the granting of provisionally free status from brucellosis to the whole of the Territory and the declaration of the whole of the Territory as being provisionally free of tuberculosis. This is an important victory in our B-TEC campaign and should be of great encouragement to pastoralists and authorities on whom we depend for the success of B-TEC. Although the major proportion of the department's total allocation is directed towards furthering the national B-TEC program, again the department will be undertaking a significant number of initiatives essential to the growth of primary production in the Territory.

I note that the opposition has recognised finally, after our 3 years of work to create a special Department of Ports and Fisheries, that fishing has a future in the Northern Territory. It is pleasing that opposition members have caught up with this at last. I might give them a few more prospective industries so they can announce as new Labor initiatives in next year's budget debate or perhaps they could save them for the election campaign and at that time pretend that they thought of them first.

Horticulture, ornamental horticulture, grain production and buffalo industry development are all very firm prospective industries with massive growth rates. Land under horticulture has been growing at 60% per annum since 1982 and ornamental horticulture, otherwise known as the nursery industry, has grown to the point where it is now worth in excess of $10m a year to the Northern Territory. It has quite exceptional opportunities for growth and development and that is a matter I would like to deal with later during these sittings.

Budgets are not just flash announcements of new initiatives but are the allocation of resources towards the goals of government. Within the Department of Primary Production budget, as within other departmental budgets, moneys are allocated and geared to fit in line with the initiatives and direction that government is taking. The Department of Primary Production is

working and has been working towards closer cooperation with the private sector in the development of industry. We have restructured our organisation. We are restructuring our research and extension services. We have allocated resources to be able to do that effectively. Our research programs are being determined in consultation with industry and they reflect the needs of industry and the potential future of industry in the Northern Territory.

I refer briefly to issues such as the development of the cashew industry in conjunction with CSR-Twentieth Century Foods. There is a budget allocation of $66 000 for this joint project which has all the signs of developing a good new cashew nut production industry in the Northern Territory. In respect of nurseries, which I mentioned briefly, we have allocated $60 000 towards the provision of research and advisory services in a new ornamental horticultural unit within the horticulture section of the Department of Primary Production to recognise the future of this industry. In addition, there is a $40 000 provision to assist the industry in the development of a nursery-clean scheme which will improve the hygiene and capacity for export of this industry into the future. We have heard much discussion about grapes in central Australia. We have allocated funds for grape disease monitoring in central Australia.

A major problem that is now finally getting public prominence is the matter of noxious weeds.

Mr Ede: Gidgee.

Mr HATTON: The member opposite has a fixation about gidgee. He must eat too much of it. This budget provides an additional $300 000 towards a more concerted attack on the weed problem. We have been working on developing biological control agents for a number of weeds but, in particular, this year there is an additional $150 000 for non-biological control of Mimosa pigra, a major problem in the Top End of the Territory. Funding has been provided to create a weeds unit in central Australia to direct attention for a concerted attack on the growing weed problem in the southern part of the Territory, including my honourable friend's gidgee problem.

Members will be aware of the major research that was carried out by W.R. Grace and Co on Mount Bundy Station. With W.R. Grace going out of the Northern Territory, we have been concerned not to lose the benefits of that. We have allocated $50 000 this year to enable the research there to be written up and recorded for future use by people in the Northern Territory so that we do not have to reinvent the wheel in the future.

Amongst a range of other issues, there is a provision of $15 000 towards a study into the buffalo industry. This is being done in conjunction with the Northern Territory Development Corporation to develop a strategy for the effective development of a solid buffalo domestication program in the future. In addition to that, we are working now on a major research study, in conjunction with NTDC, into the pastoral industry generally and towards the development at the end of 1986 and or early 1987 of a strategy for the pastoral industry, in conjunction with the industry, to the year 2000. We are trying to approach the industry on an organised, coordinated basis to develop clear directions and strategies. This contrasts with the hit-and-miss, glitter politics of the opposition.

The bicentennial program is also of interest, and the budget provides $197 000 towards it.

The new Department of Ports and Fisheries has a relatively small budget allocation of $2.8m this year. This represents an increase of 33% on the calculated expenditure for 1984-85, and reflects the growing commitment of the Northern Territory government to the development of this very promising industry.

The shadow Treasurer referred to fishing as an industry with good prospects, and I support that view. Unfortunately, he failed to recognise the real benefits which flow from it. For every fisherman at sea, it is estimated that between 7 and 9 jobs are created onshore. The real benefits of fishing - and I will be talking about this in more detail later in the sittings - come from encouraging the landing and onshore processing of fish products. If you simply have fishermen at sea without onshore facilities, you will not gain maximum economic benefit and job creation. We are committed to the development of this industry. We are currently assessing tenders for the construction of a safe anchorage in Darwin for small fishing boats, in particular the prawn fleet, during the closed season. It will be able to accommodate between 100 and 150 vessels. Furthermore, we have continued with phase 4 of the Norgaard consultancy. By this time next year, this will result in the completion of a harbour development plan for Darwin as the major fishing port on the north coast of Australia, with the potential to land and process product.

The Northern Territory Conservation Commission has been allocated $24.4m this financial year. This represents a reduction of some $1m on actual expenditure for 1984-85. I addressed those issues to some extent during the mini-budget debates. We have had to prune our administrative overheads to meet the restrictions placed on us by the Keating mini-budget. There has been a reallocation and a redirection of resources, resulting in some new and expanded initiatives. These include $119 000 to install a commission presence in the Stapleton National Park and for detailed planning for park infrastructure.

The budget has provided $190 000 for a similar exercise in the planned Kings Canyon National Park, including the allocation of 3 additional staff. Progress towards the declaration of Kings Canyon as a national park is very encouraging. As members know, the Chief Minister handed over title to living areas to the Luritja people this month. The Aboriginal people will be involved closely as partners with the Northern Territory Conservation Commission in the management of that park.

The budget also allocates $197 000 to the Conservation Commission for the continued development of the Berry Springs Wildlife Park this financial year. There is $177 000 allocated for crocodile husbandry. With the transfer of the salt water crocodile from CITES appendix 1 to CITES appendix 2, it is now incumbent on us to ensure that proper husbandry practices are in place so that we can reduce the currently unacceptably high mortality rates amongst branch stock and the closer supervision and monitoring of farming operations. We are responding and acting on that.

Feral pig control receives attention in this budget also. I refer members to questions that have been raised during the course of the year. We have allocated $50 000 towards the control of pigs - animals which can pose a very serious threat to agriculture and horticulture. Feral pigs are most likely to be involved in the spread of and persistence of many exotic animal diseases but the size and distribution of the Territory's pig population are unknown. Control using conventional methods is nearly impossible. The current

allocation for this area will enable a census to be made of the number of feral pigs in the area. That is the first groundwork that needs to be done towards developing a program to control and or eradicate this pest.

I turn my attention to the Department of Lands. The Department of Lands received a budget allocation of $31.568m this year, an increase of $4.456m over last year. Land development costs show up in several areas of the budget, particularly the Housing Commission, the Department of Transport and Works and the Department of Lands. I think it would be in order for me, as Minister for Lands, to speak on some of the significant developments which are taking place this financial year. To overcome the backlog of demand for serviced land in Alice Springs, an additional $8.2m will be spent in the town this financial year. $3.365m has been provided in the budget for government headworks on water, sewerage and stormwater drainage to meet the timetable for private developers in the Larapinta Valley.

This year already, we have 700 lots under development in Alice Springs. We are getting on top of the problem there at a rapid rate - to the point where the Master Builders' Association is getting nervous and accusing us of overflooding the market with land. The government will be actively pursuing the development of up to 2000 residential allotments in Alice Springs and its environs in the next 2 years. This will overcome any present shortages in serviced land.

As members would be aware, the draft structure plan for Alice Springs has been open to public comment, and the government intends soon to prepare firm development plans for Alice Springs to enable orderly progress to the 1990s. Just over a month ago, I announced that a joint planning study had recommended that the next new urban development for Alice Springs would be the first stage of Undoolya, east of the town. If the Undoolya development goes ahead, it will allow time for a full assessment of the suitability of developing the commonage area south of the town, and allow us to keep pace with urban development in Alice Springs well into the future.

Katherine is also a major growth area. The Department of Lands has prepared a strategy plan to guide the growth of Katherine to a population of 20 000 which is expected to occur within 30 years. Plenty of resources have been provided for this within the department for the moment and Katherine east stage 3 has been released as a tender.

Mr Bell: How much did it cost to start with?

Mr HATTON: Peanuts.

The Darwin rural area strategy plan is being developed. That will plan for the future development of the Darwin rural area. The budget provides $50 000 to the department to coordinate preparation of development plans for Aboriginal communities. This will help set down guidelines for supplying essential services and the location and use of buildings on communities.

The Land Information System of MAPNET is the best in Australia and one of the best in the world - to the point where we are now able to market it around the world. Specific proposals are in hand to make LIS information more widely available to the public this financial year. The development of MAPNET continues rapidly, and the return on the government's investment in this area is expected to continue to grow rapidly this financial year.

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

Mr McCARTHY (Victoria River): Mr Speaker, it is a pleasure to speak in support of the Treasurer and his 1985-86 budget. Unlike the harbinger of doom on the other side of the Chamber, I can see the wholly positive form that this budget has taken and the stimulus that is being provided to both social and capital improvements in the Territory. This is in the face of the vindictive funding cuts of the federal government in this financial year.

The Leader of the Opposition had some complaints about money being spent for the purchase of facilities at Yulara. I wonder why the government should not provide the same facilities at Yulara that it provides in other towns in the Territory. It is responsible for governments to stimulate areas of economic growth by the provision of facilities to bring about that growth. This is exactly what a responsible government, the NT government, has done. Thanks to a responsible electorate, we do not have to suffer the no-growth policies of a Northern Territory Labor government.

I want to say a few things about the areas in the Victoria River electorate that will be improved by the provisions we have in the 1985-86 budget. Firstly, Victoria River is set to become one of the major tourist growth areas in the Territory. There is no doubt of that because of the major parks that we will have in the Victoria River electorate. It is very interesting to note that ranger accommodation will be provided at Keep River, Gregory and Stapleton National Parks and at Daly River. I am particularly pleased about Stapleton National Park. I have expressed concern for a number of months about the dangers that that particular area is facing because of over-visitation and poor use of the area. Those parks, by the way, probably have some of the most unique natural attractions that we have in the Territory, and I do not exclude Uluru and Kadadu from that. The studies on the best use of those areas are continuing.

I was pleased also to note that land is to be made available at Timber Creek for the Housing Commission to provide houses this coming year. Timber Creek is the western gateway to the Northern Territory. It is the first major settled area along the Victoria Highway from the west. Obviously, it must grow, particularly with the growth of the Gregory National Park area.

In relation to primary production, I was very pleased to hear about the increases in the B-TEC program. I know that the cattlemen in Victoria River electorate are very much in favour of that increase and the improved facilities for B-TEC control that have been set up by the Department of Primary Production.

On the subject of mimosa control, some of the areas out along the north-eastern side of the Victoria River electorate have problems with mimosa control. The increased funding for that program is to be applauded.

In relation to agriculture, the continued turnoff of land at Douglas-Daly, Mataranka and hopefully other places in the next year or so is very important to the growth of that particular industry. The positive response of the Department of Primary Production to both grain and rice growers in the electorate has made me very happy. Certainly, the growers have been happy during the last 12 months, and certainly since this budget was introduced.

Mining is taking place in Victoria River electorate because of the responsiveness of the Territory government and its readiness to enter into

agreements for economic mines to get under way. It is a sure sign of the feeling that developers have for the Territory government's economic common sense that mines have opened recently: Pine Creek - gold; Woodcutters - silver, lead and zinc; and Greenbushes - tin and tantalum. There are a number of other prospects in the Pine Creek area, up as far as Hayes Creek, for gold and so on. These are all signs that our economy is healthy and improving.

The major upgrading of the Stuart Highway is being funded by direct federal government grants. It has been identified as the major highway and, of course, it is getting the majority of the funding. The Victoria, Buchanan and Arnhem Highways do not get the same level of funding directly but certainly some major upgrading and rehabilitation of areas that have failed on those highways will take place this coming year. That is good news for the people in those areas and certainly for me.

There will be continued improvements to pastoral properties access. The Point Stuart Road is being upgraded to accommodate the subdivision of those areas into buffalo blocks and tourist usage.

The Kakadu Highway from Pine Creek to Jabiru receives $3m in new works this year and that will create a great deal of economic growth in that area. Certainly, it will improve access into Kakadu. It would be nice if that road continued further.

Cox Peninsula road, one of the most dangerous roads in the Top End and probably right throughout the Territory, is to be improved by some major works, particularly through the worst part of that road, the Bulldog Pass. The Port Keats road, which I have just come back over, has already been improved. Stage 2 is going ahead this year.

For 18 months, I have been chasing the Department of Lands to get land release under way at Timber Creek. This year, that has been accommodated. A number of residential blocks are to be turned off. Residential works have been carried out in Elliott. Also, quite substantial residential works are occurring in Pine Creek to accommodate the growth of that town because of the goldmine that has opened there. Budgetary provision has also been made for water supply improvements at Pine Creek and the search for water sources in the Keep River National Park area. In addition, the budget allocated funds for power supplies to Cox Peninsula, the recently completed Katherine to Pine Creek power supply link and improvements to power supplies for Wadeye, Port Keats, Yarralin and other Aboriginal communities.

The Housing Commission has been active in providing Aboriginal housing, and I have seen the evidence of this in my electorate. New houses have been provided at places such as Wave Hill, Dagaragu and Port Keats. I understand there are some being provided at Peppimenarti and Daly River this financial year. These will certainly be of value.

Earlier this year, an announcement was made on the subject of single housing in the Territory, and I would like to briefly comment on the subject. Single housing is not so much a problem in the larger towns such as Darwin because there is plenty available on the private market. In smaller places such as Batchelor, Adelaide River, Timber Creek and Elliott, single housing is very much required. It is not available on the private market and therefore there is some responsibility on government to provide single housing in those areas.

The recent announcement on university facilities in the Northern Territory is to be applauded. Batchelor College stage 5 is well under way and appears to be nearing completion. It will provide increased and improved facilities for Aboriginal training in teaching and other fields. Post-primary facilities are to be built at Yarralin and Elliott and they are certainly required. I look forward to seeing them in operation.

Major construction work on the Katherine Hospital was announced earlier in the year. That is to be applauded. It certainly is required.

A number of other projects provided for in the budget will contribute strongly to economic growth in the Territory. The trade development zone is one of them. They do not reflect particularly on the Victoria River electorate. Although I am very happy with what the electorate has received, I would have liked it to have received more of course. I know that there are limitations but generally the budget reflects the commitment of the Territory government to provide facilities outside the major cities and towns.

I was very interested to hear the Minister for Primary Production talk about a couple of things that I did not know were happening. One was the pastoral industry study and the other was the allocation of $50 000 for feral pig control. This was the subject of a number of questions I asked last year, and I am pleased to see that it is going ahead.

Mr Speaker, I applaud the Treasurer and I think we can count on continued economic growth in the Territory.

Mr BELL (MacDonnell): Mr Speaker, in rising to make some comments on the Appropriation Bill this afternoon, I would like to commence by saying that I will be covering several areas. Not the least of them will of course concern my own electorate, extensive as it is.

I have responsibility within the opposition for the portfolios of transport and works, housing and lands. I was a little disappointed that the Minister for Lands spoke in this debate before I had the opportunity to do so because there are substantive issues of principle involved in what the Chief Minister said in his second-reading speech. In my second-reading speech, I will be referring to issues of principle. I will refer more specifically to appropriations for departments in my portfolios during the committee stage of this debate.

I would like to draw members' attention to the unfortunate lack of support for the proposition put forth constructively by Her Majesty's Loyal Opposition in this Assembly to establish an expenditure review or public accounts committee so that the financial activities of the government can be more purposefully invigilated. I have some concern that, within the confines of this debate, it may not be possible to discuss these matters fully. We will, however, do our best. If we cannot accomplish it, I sincerely hope that not only the Chief Minister but also the rest of his frontbench will look more kindly on our suggestion should it be put forward at some later date.

Speaking quite generally about this budget, both as the member for MacDonnell and in relation to the portfolio areas for which I am responsible, it is difficult to escape the conclusion that this is not a good budget. In his second-reading speech, the Treasurer mentioned various figures and economic indicators such as population growth and increased private sector investment in various areas in the Territory. It was of some disappointment

to me that he did not mention unemployment figures and other statistics that so consummately prove the extent of disadvantage amongst traditionally-oriented Aboriginal people who form such a large percentage of my electorate. That is an issue to which I will return later.

One of the most contentious aspects of the budget, and indeed the activities of the Tuxworth government, has been the financial arrangements, particularly financial arrangements in respect of Yulara which is one of the most attractive areas in my electorate. The shadow Treasurer and Deputy Leader of the Opposition has already referred in this debate to the $20m that will be spent at Yulara to purchase water, sewerage facilities and housing in this financial year. This expenditure has been allocated to 2 portfolios for which I am responsible: the housing portfolio and the transport and works portfolio. Before I comment on both of those areas, I will make some comments specifically about Yulara.

This expenditure comprises $14.2m ostensibly for public housing and $5.5m ostensibly for water and sewerage facilities. I say 'ostensibly' because they are nothing but disguised interest payments; they are nothing but liabilities incurred several years ago by this government and for which it must now pay. Of course, this is not news to us. It is a fiction to suggest that, in any real sense, this government is acquiring assets with this expenditure. The Treasurer has attempted vainly to lend a veneer of respectability and responsibility to this fiction by saying that the government is adopting its usual direct responsibility for providing essential service infrastructure just as in any other Territory town. I ask you, Mr Speaker: in which other Northern Territory town does the Housing Commission own 100% of the general housing? In which other Northern Territory town are all the houses owned and rented out by the Northern Territory Housing Commission?

In my view, the government would have done far better to have come clean and said: 'We took a gamble. We involved ourselves in these liabilities because we believed in the project and the costs are greater than anticipated. The gamble did not quite come off but, if we stick with it, it might'. That sort of honesty and direct dealing either with this Assembly or with the people of the Northern Territory is quite foreign to this bunch of rogues.

I presume the Minister for Housing was expecting some close questioning on this particular point and let him be in no doubt that he is going to get it. These are the questions that I want answered. Firstly, what is the average cost of the dwellings to be purchased at Yulara? Secondly, how does this compare with the average cost of similar dwellings constructed by the Housing Commission elsewhere? Thirdly, will my constituents at Yulara be paying normal Housing Commission rents?

Mr Palmer: Put them on notice.

Mr BELL: I think that is a fairly clear indication of the problems with this sort of inadequate invigilation of the budget. I digress.

Fourthly, will the isolation of the Yulara tourist facility be taken into consideration in the calculation of those rents? Fifthly, how did the Minister for Transport and Works arrive at the figure of $5.5m to be spent by his department to purchase the water and sewerage facilities at Yulara? Sixthly, how much do these acquisitions cost by comparison with what they would have cost the department to construct the facilities itself? Seventhly,

what charges will be levied now that these facilities have been acquired and how will those charges be calculated?

I turn to the housing portfolio. I want to make some general comments in respect of the housing budget. We note that the Housing Commission budget is down by 1.29% or $2.216m. On the surface of it, and this is the good news for the Minister for Housing, this looks like a tight, responsible budget. However, when we look more closely at the major areas of expenditure, we see that there have been some wide variations. As I have said, I will be taking some of these up with the minister during the committee stage of this bill.

A second housing portfolio matter that I do want to address is housing loans and the amount of money available in this budget under the Home Loans Scheme. The Treasurer justified a 30% reduction in funds available for the Home Loans Scheme on the basis that the private banks have taken up some of the slack. He said that private finances will fill the gap with no noticeable deleterious effect on the housing market. I really wonder whether the demand for home loan funds has decreased and there will in fact be no deleterious effect. I really wonder whether the people who come to the Northern Territory for work, who are unable to find accommodation and who, as a result, are forced as families to eke out a harassed existence in makeshift accommodation will agree that there has been no noticeable deleterious effect. Surely, his own backbenchers are aware of the problems of young couples. I certainly am as I am sure are the member for Braitling and other members of this Assembly who represent people from central Australia and perhaps other centres in the Northern Territory. I have spoken before of people coming to see me who are not necessarily constituents and who do not have adequate accommodation. Mum is living in a caravan with a couple of kids and going round the bend because of it and yet we have a 30% reduction.

Mrs Padgham-Purich: They wait 4 years in Victoria.

Mr BELL: We have been through this before but, for the slow learner who represents Koolpinyah, let me say that the fact of the matter is that we have people who have had to leave a family base in the southern states and who, by and large, do not have rental accommodation available to them, certainly not in Alice Springs. We have these people who represent the richest quarter of the Northern Territory's population saying that they have to wait 4 years in Victoria. What absolute nonsense! It is a clear indication of how out of touch with reality these people are.

There is, of course, a further question to be asked here. Is this $20m reduction for the Home Loans Scheme the downside to public investment in casinos and luxury hotels? I suspect it is. Has the Home Loans Scheme been cut because the Northern Territory government has made unwise public investments? Of course, these blokes are the socialists. As I said earlier, public risk taking, the socialist gamble at Yulara, was justified in my view and the view of the opposition. Of course, subsequently there has been extraordinary and unwise public investment in the casinos and the Sheratons in Alice Springs and Darwin.

Mr Tuxworth: Not the Sheraton again!

Mr BELL: I hear the honourable Treasurer; I have him going. Goodness me, it is good to hear him at it. I will look forward to hearing his response to that specific question. He will get his chance to reply and, when he replies, I will look forward ...

Members interjecting.

Mr DEPUTY SPEAKER: Order! There are too many across-the-floor interjections. The member for MacDonnell will address his remarks through the Chair.

Mr BELL: I will not go over it again. Clearly, the incisive mind of the Treasurer will have taken this on board and I look forward to hearing his reply at the end of this speech.

Mr Tuxworth: Reply to what?

Mr BELL: As I have said, it must surely be of concern to all Territorians when public investment in housing stock has to be reduced because the investment in casinos and luxury hotels has come unstuck. Looking at the overall figures, there can be no doubt that these reductions in expenditure on the Home Loans Scheme have been necessitated not by any significant increase in finance from the banks or building societies but by the desperate need of members of this government to extricate themselves from the financial mire into which they have dived so readily and in which, like their porcine antecedents, they wallow with such relish.

Let me turn to the portfolio of transport and works. As I did with the housing budget, I intend to address several specific inquiries on expenditure in this portfolio during the committee stage. I have 2 specific points to make. One relates to the format of the capital works program. I hope this will be regarded by the Minister for Transport and Works and the Treasurer as a constructive suggestion. I look forward to their responding to the suggestion in the constructive fashion of which I know them both to be capable.

I wish to make a general comment. Some, if not all members, will be aware that the capital works program, Budget Paper No 5, divides works into works in progress and new works. Each project comes into the program under new works and passes on to the works in progress if it takes more than a year to complete. In any year, the program will be several times the size of actually completed work. Obviously, it is sensible to have projects ready to begin or in progress whose total estimated cost exceeds the available cash in a particular year. Projects can be substituted when, for example, technical problems stop other projects. No doubt the minister and his colleagues would regard my suggestion as malign if I were to say that not only technical problems but also political priorities or advantaging a particular group of voters can stop some projects. However, I digress.

The major problem with Budget Paper No 5, and this is the nub of the issue, is that it reports relatively little. I will no doubt be accused of apostasy and being a traitor to the Northern Territory if I suggest that the Commonwealth does something better than we do. But I am afraid that is the risk I am prepared to run because the corresponding Commonwealth budget paper, Budget Paper No 12, entitled 'The Civil Works Program', reports far more detail. Given that the federal government's civil works program is, dare I say, somewhat larger than that of the Northern Territory, this is worthy of comment.

Members interjecting.

Mr BELL: Goodness me, I said at the outset that I am attempting to make constructive comments. One would think the peanut gallery would give me a go. The chief peanut - sorry, the Chief Minister - appears to be the worst offender too.

Unlike its Commonwealth counterpart, the Northern Territory capital works program does not provide a figure for the original estimated cost of a particular project, nor does it provide an estimate of total expenditure on the project to date in the case of works in progress. Finally, it does not provide an estimate of expenditure on the project in the last financial year. It is acknowledged that the Treasurer's annual financial statement tabled in this Assembly today details expenditure on capital works during the previous financial year but it does not provide the other details of original estimated cost and total expenditure to date. I am advised that this data is available. I look forward to the minister providing me, firstly, with that information for the 1985-86 capital works program and, secondly, undertaking to provide it in the future.

In addition to these details, I believe that it is also not unreasonable to expect the capital works program to provide the date of commencement of a project and an estimate of cost increases during the construction phase of the project. It is my belief that no project should pass out of the program unless, on a single page, the following details are published: the date of commencement, the original estimated cost, the actual cost and the date of completion. Any realistic assessment of both the management of projects and the control of costs requires those details.

If this Assembly is to be anything other than a rubber stamp, if there is to be satisfactory parliamentary invigilation of a capital works program of this government, those details must be provided. It is extraordinarily difficult for a humble backbencher such as myself to discover which capital works have been deferred or even cancelled. The minister and his government have a responsibility to provide more adequate information.

Before I pass on from the Department of Transport and Works, I make a comment on road funding.

Mr Robertson: Oh, no.

Mr BELL: I expect some interjections here because I have actually caught them out. The government has carried out some numerical sleight of hand with regard to road funding. In his second-reading speech, the Chief Minister said: 'The proposed new works program totals $42m and, when added to the works in progress of $26m, this produces one of the single most important areas of capital expenditure and employment in the Northern Territory'.

The fact is that the roads activity in the Northern Territory, as I have no doubt the Treasurer well knows, has suffered an 8% decrease in its appropriation. No doubt, we will hear loud squeals from that very Treasurer that this is in line with the 8% decrease in Commonwealth roads funding. It will be the big bad Commonwealth again. Let me hasten to say that I do not support that sort of decrease but the fact of the matter is that Commonwealth funding represents only 42% of the total allocation for roads in the Territory. If the Northern Territory government had maintained spending at 1984-85 levels, there would have been a reduction of only 3%. Mr Deputy Speaker, I am sure you will agree that that is sleight of hand.

On lands, I want to comment on 2 areas. First, I want to refer to the White Gums subdivision in Alice Springs and the principles involved in that. I believe at least some of them to be fairly shaky principles. There are 3 problems with the White Gums subdivision which, according to the Chief Minister's second-reading speech, would turn off 274 semi-rural, residential blocks. These were to be turned off by private developers. Firstly, the Northern Territory government is spending scarce public money on semi-rural, residential development.

Mrs Padgham-Purich: What is wrong with that?

Mr BELL: Since the member for Koolpinyah has interjected, I will pick her up on it. There is absolutely nothing wrong with semi-rural, residential blocks. I am sure she will recall my hearty and fulsome compliments to the new pioneers who reside in the farm areas on the fringes on many Northern Territory towns, and who are constructing new lives for themselves. I have no doubt they are the harbingers of a future for the Territory. However, the point is that they do it, and rightly so, at their own expense.

Mrs Padgham-Purich: Why?

Mr BELL: Scarce public funds should not be used for such developments. The member should be well aware that there are a multitude of projects where it cannot be justified. I have no complaint about the owner of the White Gums area subdividing some of his land and selling it off or even, dare I say, making a profit. I have no problem whatever with that. What I do have a problem with is part of it being footed by the public purse. That is wrong.

Mr Tuxworth: Would you extend that logic to outstations?

Mr BELL: That is the first problem.

Mr Robertson: Why does he choose to let that slide?

Mr BELL: I am damn sure, Mr Deputy Speaker, that I will not get an extension of time, but that is the sort of corrupt, mindless logic we get from these people. What about outstations? In the case of outstations, we are talking about one of the most uniquely disadvantaged sectors, not only of the Northern Territory population but of the Australian population.

I have arrived at the last part of my speech a bit sooner than I wanted to. I see my time is running out. The Treasurer might have seen the figures. If he has and he has not said so, it is an absolute shame. If he is not aware of it, equally that is a shame. The fact is that the per capita income of Aboriginal Territorians and Aboriginal Australians is $1500 per head. What is the corresponding figure for their non-Aboriginal counterparts? Here is the bloke who is good at his figures. I will tell him. The corresponding figure for his non-Aboriginal counterparts is $7000. That is damn near 5 times as much. They wonder why I do my block. There is absolutely no parallel with affluent Territorians like the Treasurer and like myself who can get into some semi-rural residential block. Then he has the gall to compare that with people who live in outstations - Aboriginal Australians who have all their associated difficulties in adjusting to 20th century life in the Northern Territory. That is a clear example of the sort of bankrupt logic that characterises these would-bes if they could-bes.

Mr Tuxworth: You are the would-bes if you could-bes.

Mr BELL: I will just place on record my further concern about White Gums: the environmental impact of the subdivision.

The other issue that needs to be addressed - and perhaps I will get the chance at some later stage - is the amount of money spent on the buy-back program. The buy-back program accounts for $14.5m of the total Department of Lands program. The Minister for Lands extolled the virtues of the land development process in the Northern Territory and said it is hunky-dory. Time does not remain to me to explain why he is wrong but I trust that, at some stage either during this debate or a little later in these sittings, I will be able to explain to him that a satisfactory situation does not yet apply in that particular regard.

With respect to my own electorate, I have some concerns. I want to mention some roads in my electorate. I refer to the Hermannsburg road, the Santa Teresa-Andado ring road and the Maryvale-Finke Road. I have referred to these in debate before but time is running out.

Equally, I want to place on record the failure of the government to proceed with capital works in respect of the Harts Range school and in respect of providing adequate schooling facilities at Docker River. Also, I want to place on record my desire for a permanent police presence at Santa Teresa. These are all issues that I have referred to in this Assembly before.

My final point concerns the question of employment for my constituents. Some 2 weeks ago, I went to one of the most distressing funerals I have ever attended. I am not going to go into any detail about the circumstances of the funeral. I am sure many of the central Australian representatives in this Assembly will know both the people concerned and the circumstances. I came away from that funeral determined to attack the problem of occupation and employment for young, traditionally-oriented Aboriginal people in my electorate. I am disappointed, as my colleague, the shadow Treasurer, also mentioned in his contribution, that the budget is certainly thin in the area of youth employment.

Let me say that, as an Australian and as a Territorian, I have a vision for the north: there will be full employment for all Territorians, and a just reward for it, and there will be a quality system of education for all Territorians appropriate to their needs and aspirations.

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

Mr DONDAS (Deputy Chief Minister): Mr Deputy Speaker, after listening to the member for MacDonnell, I am in a rather subdued mood. The usual gloom and doom of the opposition was evidenced in this debate. It talked about the lack of confidence by investors in the northern region. I wonder what it is talking about because daily very large companies look at investing in the northern part of Australia, particularly in Darwin. Of course, one company has been buying land in the Darwin area, especially the city area, for the last 2 months. It has bought over $2m worth of land.

Other development proposals include a resort-type development of the kind that the Leader of the Opposition has been saying is needed: medium range. Of course, we did not wait for the Leader of the Opposition to tell us what we needed. We were aware that our tourism infrastructure could not be all 5-star. Not everybody is a millionaire or in a corporate situation. We need to be able to cater for the many types of people who visit the Northern

Territory. I certainly do not support what has been said opposite about there being a lack of confidence in the Northern Territory as far as investors are concerned. But what else can one expect from the shadow Treasurer? I think it is his sixth budget. Every budget that has been before him has evoked the same attitude: dry, monotone, complaining, without reason and without direction. In fact, one really does not need to read his contribution to this debate to understand what is going on.

In the 1978-79 financial year, this Assembly's first budget represented a total of about $250m. I remind members that that first budget did not contain the subsequently transferred functions of education or law. I suppose the 1979-80 and 1980-81 budget figures would be more pertinent. However, the 1985-86 budget certainly highlights the fact that we have moved into the $1000m dollar age. Our budget is in excess of $1000m. When one compares that to a population of nearly 140 000 people, one sees that a lot of money is being spent by the Northern Territory government. Of course, I must also compliment the Commonwealth government on its commitment to Tindal. Between the Commonwealth government and the Northern Territory government, over the next 3 years, nearly $1m per week will be spent.

The opposition has been crying poor and has said that this has not been done and we have lacked direction in particular areas. The Leader of the Opposition spoke this morning about 'close scrutiny of the budget'. The financial situation is that the Commonwealth government has lopped $80m off the top. We framed our budget in a sensitive way to maintain the momentum in the Northern Territory, even though $80m has been lopped off.

Most members would be aware of the new administrative arrangements which came into operation in December last year. Of course, they included the setting up of the Department of Industry and Small Business. It has made significant progress over the past 11 months. The action taken by the Chief Minister has been in line with the growing acceptance that new investments, new jobs, good industrial relations and a trained work force are all part of the cohesive formula for successful economic growth. The department has been instrumental in achieving those goals. It has evolved rapidly. It has been successful with the formation of the new divisions of planning and development, special projects, industrial and labour relations, industry services which includes the small business services, and apprenticeship functions. The Commonwealth employment program, as members would be aware, is a joint Commonwealth-Territory project.

One of the significant areas of the department's function is the apprenticeship system. An examination of the budget will see a significant amount of money allocated for this purpose. Preliminary figures for September show a total of 1283 apprentices in training throughout the Territory, which represents an increase of 5.3% compared with the same time last year. I am sure members will be interested to know that 60 declared apprenticeship trades are being administered by the department. This will continue to be a key area of the department's plan for development. Coupled with this is the Apprentice of the Year Award through which one final-year apprentice is selected on the basis of excellence in apprenticeship. This award provides a national focus for the promotion of the apprenticeship system because the Territory's representative takes part in Australia's Apprentice of the Year Award. This year, Elizabeth Metcalfe, one of the 7 finalists, was selected. She is to be congratulated on her achievement.

Funding for the NTDC is slightly less this year than last year. I am quite sure that, during the committee stage, the shadow Treasurer will ask why. I will try to give him some information now on where there have been changes. They have been of a recurrent nature. The corporation's budgeted funding sources for the current year are as follows: the trust account balance carried forward was $6.481m; internal revenue was $6.725m; and the appropriation was $1.976m. That totals $15.182m. The reduction in direct appropriation from $6.513m in 1984-85 to $1.976m in the current year is due almost entirely to the receipt of $4m of semi-government borrowings on 26 June 1985, which is included in the trust balance carried forward to the 1984-85 year. Thus, the majority of the corporation's funding in the 1985-86 year is obtained through sources other than direct appropriation and is indicative of the corporation's modus operandi as a semi-commercial body. The corporation's receipts reflect an improved management of accounts resulting in increased payouts and hard decisions made to write off accounts where recovery was not possible.

One of the most important functions of the Northern Territory Development Corporation over the years has been to try to encourage private financial institutions to set up in the Northern Territory. Members would be aware that, over the last couple of years, many large organisations have set up offices. A recent example is the State Bank of South Australia which has certainly impacted on the Northern Territory financial scene both in Darwin and Alice Springs. It is thinking about setting up in other Territory centres in a very big way. It is starting to cause some concern to the established financial institutions that have been here for a number of years.

The Standard Chartered Bank is here. The Chartered Bank is probably one of its biggest banks in the Hong Kong region. The Standard Bank of the United States is also another very large bank. The merger of those 2 organisations has resulted in one of the largest financial institutions in the world, and yet it has an office in Darwin. Citibank also has an office and National Westminster recently set up a branch organisation in the Northern Territory. This has occurred purely because of the persistence of the government and the NTDC to try to encourage such financial institutions. If there was no confidence in the Northern Territory and if a dollar was not here to be made, why would such organisations have opened offices in the last 6 to 9 months? It refutes everything that the opposition has been saying about a lack of investor confidence in this region.

Other areas of initiative by the NTDC relate to the trade zone. The trade zone has been canvassed quite extensively in this Assembly and I hope, within the next couple of days, to be able to provide further information. The trade zone is on line and is a most exciting development.

The Northern Territory Development Corporation also assists in the provision of tourism infrastructure. I am not going to waste my time debating Yulara and the Sheratons. In the long run, they will prove themselves. I have figures that I will make available in the next 24 to 48 hours which should give the shadow spokesman on Treasury matters a lot of heart in so far as occupancy rates are concerned. I am trying to tidy them up and collate them at the moment. If I had them today, I would have provided them. I know the figures for the Alice Springs Sheraton. Although it has only been open for a couple of months, the occupancy rate is 43% which is well and truly above expectations. The average rate is about $66 a day. What those guys opposite do not understand - and I am not going to fly off the handle - is that it takes 2 or 3 years for international standard hotels anywhere in the world to maintain a reasonable level of occupancy.

Mr Smith: What about the Gap Hotel?

Mr DONDAS: We will talk about the Gap Hotel at some other time.

The important thing is that the Northern Territory government is involved in projects. One project that we may be able to make some positive announcement about is at Kings Canyon. The project developers, Jennings, are finalising a strategy to present to government whereby the Northern Territory government will have a very small equity, the Gagadju Association of the northern region will have a small equity and the CLC will have a reasonable equity. Of course, Jennings and also Bill King will be involved. We would try to do the same thing for the Gagadju Association if we could obtain permission from Ovington to put in reasonable infrastructure at Jabiru to cater for the tourism influx that will occur there. We decided to provide some financial assistance to the Gagadju Association in a joint venture arrangement because we are building infrastructure in Darwin. The Sheraton will come on line in June or July and the Beaufort in late December or early January. Those 2 will supplement what will be built in Kakadu. However, we cannot obtain permission from Professor Ovington to proceed with that development. As I understand it, considerable pressure is now being put on Professor Ovington and the Australian National Parks and Wildlife Service since the North Australian Development Seminar.

Another responsibility that I have within my portfolio is the Liquor Commission. From the budget papers, members would see that there is an increase this year of $140 000 over the allocation for the last financial year. That is mainly for salaries. An extra person was added to the Liquor Commission to enable it to streamline its revenue receipt recovery, operational expenses and capital items.

I was asked a question this morning by the member for Stuart in relation to a review of the restricted areas legislation. I told him that this review will cost some $40 000 and the Liquor Commission at the moment operates on a very tight budget. It has only a $780 000 budget which is very tight given the functions it undertakes. I must to go back to Cabinet for an additional $40 000 if we are to proceed with that review. I hope that my ministerial colleagues will support me because I think it is very important that we undertake this review. On the whole, things have started to quieten down but let us find out what really is going on out there.

In relation to the Northern Territory Tourist Commission's budget, the member for Millner waved his arms around and said: 'The Tourist Commission's budget has been cut by 35%. If we were in power, we would do this and we would do that'. In fact, he launched his 1988 election policy platform here 2 months ago.

The facts speak for themselves. We try constantly by every possible means - press releases, correspondence, briefings etc - to bring the opposition up to date. The fact is that we had 330 000 visitors in 1980. In the 1984-85 financial year, we had 594 000 visitors to the Northern Territory. The figures are there. It represents $280m for the Northern Territory economy which was an increase of 63% on the previous year. If one listened to the Leader of the Opposition over the last 2 months and his references to the Uluru and the Rock debacle, one would think that nobody will come to the Northern Territory and nobody will return to the Northern Territory. The indicators are that, in the first 3 months of this financial year, we will reach our projected target of 650 000 for this financial year. The

Deputy Leader of the Opposition is scratching his head and saying: 'There is Halley's Comet so maybe they will'. That is excluding the possible influx of visitors as a result of Halley's Comet.

The important thing is that there are 4300 jobs related to the tourist industry today. I believe that the number of jobs is even higher than in the mining industry today. 4300 jobs represents something like 8.5% of our work force. There would be more if the Commonwealth government, the ACTU and the unions could decide what will happen in so far as the Kirby and the Hancock Reports are concerned.

On 24 June this year, I provided a grant to the hospital and hotel division of the Alice Springs Regional Tourist Promotion Association to provide financial support for it to employ a coordinator who was to provide 12 young Alice Springs kids with jobs in training. Because the unions and the Commonwealth have not decided on the wage percentage that should be paid to these young kids in training, the whole exercise has been lost.

Mr Smith: That's rubbish. They are working now.

Mr DONDAS: They are working now at full wages and are not being trained. Is that the intention of the Commonwealth? We have been waiting for the last 4 months for the Commonwealth to implement training schemes to allow kids to get jobs so the employers would employ them at a reduced wage to help the unemployment situation. The Deputy Leader of the Opposition is saying that all those kids have jobs and there is no need to train them. What about another 12 kids whom the employers may have been able to provide jobs for? What a goose and gander! I have heard everything now.

The turnover in the bureaus in the 1984-85 financial year exceeded $10m. As I said, we are on target to get our 650 000 visitors this year and, not only that, we are also on target to have 1 million visitors to the Territory by the 1990s. Those results reaffirm the positive direction that this government has taken in relation to tourism. It is the Territory's major growth industry and it certainly vindicates the government's unequivocal commitment to growth and development.

If members opposite are still not convinced, let me take the opportunity to repeat the Australian Bureau of Statistics national accommodation figures for the June quarter of 1985 which again indicate the enviable position of Territory tourism. During this period, the Territory room occupancy rate increased by 2% over the rates for the corresponding period in the previous year to an average of 59.8%. Significantly, the national average was 54.5%. The Territory's 2% increase has been achieved despite the increase in the number of available beds from 6800 in 1984 to 7300 in 1985. The only region to exceed the Territory's achievement was the ACT, and it is not too hard to see why.

I turn now to the Sheraton Ayers Rock and the Four Seasons Yulara. Despite the hysteria being whipped up by the opposition at the supposed performance of those 2 establishments, they actually compare more than favourably with hotels of a comparable standard in southern states. Within the first 6 months of trading, the Sheraton Ayers Rock had achieved a 60.1% occupancy rate. In the same period, the Four Seasons Yulara had achieved a 92.3% occupancy rate. If members opposite and the media would simply take the time and trouble to compare the relative performance of both hotels with other notable examples, I have no doubt they would come away well satisfied.

Perhaps I can point them in the general direction. The Regent in Sydney is now operating profitably. However, it has taken some 3 years of trading to achieve that. The Hilton Adelaide commenced trading with an occupany rate of 11% and, this year, after some 2 to 3 years' trading, returned a loss in the order of $6m. I must add that the South Australian government had made the land available at a peppercorn rental. The Merlin in Perth is another example of an international hotel battling to establish profitability in its initial years of trading. No matter whom you talk to in the international hotel marketing scene, they all say that it takes 2, 3 or 4 years to establish profitability. It is not like opening a supermarket, where people stand outside the door at 9 o'clock and race in when the doors are opened. You must be patient. If we had not taken the decision to encourage the Sheraton group into the Territory to establish an international chain, Territory tourism would have stayed at a reasonable level but it would never have been able to envisage a million visitors per year. Members opposite are jealous because we will attract a million visitors by 1990, and their policy would not achieve anything like that.

The decision by the federal government to postpone the construction of our Darwin international airport has not helped matters, but I am quite sure that particular problem will resolve itself because I understand from the Minister for Transport and Works that the Commonwealth is starting to make soothing noises.

What are we doing at the same time? There is no point in having an international airport if we do not encourage people to come here. Recently, we appointed a senior officer in the Tourist Commission to concentrate solely on encouraging airlines to call at Darwin. He has been corresponding with 16 international carriers which have landing rights here. We have invited them to come here and to see the changes that have occurred in the last 3 or 4 years. We now have 5-star accommodation to offer their passengers. It was not available before. Try to book a room at the Travelodge. For many months of the year, it is impossible. If you do not have first-class rooms and if the government does not help organisations with part of their investment to build hotels, visitor numbers will never increase.

Mr Smith: Go to Perth and talk to them about that.

Mr DONDAS: You will see that I am right. Don't you worry about it, as Joh would say.

The Leader of the Opposition and the opposition spokesman on tourism say: 'We have been talking about bringing people down from the reef and taking them to Ayers Rock and to Kununurra'. Don't they realise we have been talking about that for 12 months? They get out of bed too late.

The reappearance of Halley's Comet in March or April certainly will have a significant impact on the centralian area. Originally, Alice Springs and Gosse Bluff were considered the ideal viewing locations. Expert opinion is now moving towards Tennant Creek as another suitable site. We are investigating that as well.

Another important factor in developing the tourist industry is the sealing of the Port Augusta to Alice Springs road. The member for Braitling has been instrumental in pushing governments of all persuasions to seal that road. As I have indicated in the past, the number of travellers using the highway is expected to peak in 1987 at about 153 000. This represents a 65% increase on

the 94 000 visitors who are estimated to have used the road in 1984. That figure is expected to stabilise in 1989 to 144 000, a 52% increase over the 1984 base figure.

The Territory cannot be isolated from the beneficial effects of the 1987 defence of the America's Cup in Perth. The member for Millner mentioned this. He said we should become more involved. We are. Our Tourist Commission is working in close cooperation with Western Australia and other state tourist authorities to ensure the widest possible dispersal of international visitors travelling to Australia for the cup defence. The Territory is ideally placed in that regard and packages involving the Barrier Reef, Ayers Rock and the America's Cup are key elements in current marketing strategies.

I have already mentioned that the RAAF installation at Tindal will produce significant benefits for the Katherine region during Australia's bicentenary.

In an ongoing strategy to extend the Territory's tourist season from the traditional peak in April to September, the Tourist Commission is currently conducting a summer season campaign. This campaign is designed specifically to encourage visitors to the Territory during what has historically been regarded as a period in which travel is extremely uncomfortable if not impossible. The commission is actively working to change that perception.

There is one final point I would like to make. This relates to the alleged 35% budget cut which the Deputy Leader of the Opposition spoke about. In this financial year, the Tourist Commission will spend $3.6m on national and overseas tourist sales and promotion. The Tourist Commission budget has been designed to continue the momentum created by its hefty emphasis on promotion in the past year. Included in the $1.4m advertising component will be the spending of $850 000 prior to the summer tourist season in order to focus attention on expansion of tourist infrastructure. The Tourist Commission's total budget of $10.8m will enable it to maintain a high profile in fostering tourism. Last financial year, there was an increase in bureau sales of some 11%, producing a total figure in excess of $10m.

The member opposite questioned the Tourist Commission budget and said it was cut by 35%. He did not take into account that there was $2.249m in recurring expenses which is not required this financial year. This includes: commission offices - $403 000; bureau offices - $665 000; overseas offices - $150 000; and promotional film production - just over $1m. The total is $2.249m.

The government view is that the Tourist Commission's budget allocation for this year ...

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

Mr DALE (Wanguri): Mr Speaker, I came here this afternoon with pen poised and pad ready to take down copious notes on matters that the opposition members would raise that we might have to rebut. The end result, of course, is a blank piece of paper. They often admit to the fact they they are a rather pathetic opposition. They usually put it down to lack of numbers. After their performance here today, there is no doubt that it is the quality of the people involved in the opposition and not the quantity that directs their performance.

The negative attitude of the opposition members never ceases to amaze me. It makes one wonder whom they are actually representing. They surely cannot be representing the people of the Northern Territory because, if the government followed through the arguments that they have put forward today, it would finish up with no Sheraton Hotels, no Yulara, no tourism industry, no hospitality industry etc. Is it not amazing that they have not mentioned the lack of a railway, the airport or the $22m that is stuck in the ground out there and wasted? They have not mentioned the stockpile or uranium out there at a cost of tens of millions of dollars to the federal government. None of these things have been mentioned. Do you know why? Because they are looking after the people they do represent. They represent the ALP in the Northern Territory and that is it. They represent the federal government in this place, not the people of the Northern Territory. That has been proven beyond doubt.

Because they have offered so little for me to rebut, my comments will be mercifully brief. In the Wanguri electorate, the quality of life continues to improve. It is almost melodious. I am very pleased with the announcement in the budget that the school-based community policing program introduced to counter juvenile crime is in place and is expanding. I certainly look forward to that happening at the Dripstone High School campus. I am sure that that program is working very well indeed.

The Fire Escape Youth Centre is another project in my electorate that is going extremely well. It is run by the Red Cross. I had the privilege of going to its first anniversary disco recently. I presented them with a cheque from the proceeds of the Northern Territory lotteries. I was very pleased to meet the management committee which is made up of young people. The club is run on a membership basis and is working very well at enticing young people from the northern suburbs to go along to a very healthy environment. They are having a wonderful time out there.

I am very pleased to be able to speak here today about negotiations between the surf life saving movement in the northern suburbs, the Minister for Conservation, the member for Wagaman, a couple of older blokes and myself. Negotiations are going along quite well. People appreciate the service that the surf life saving movement provides on the weekend at Casuarina Beach in particular and Nightcliff Beach. It wants to construct a clubhouse at Casuarina Beach. As I say, negotiations are well and truly under way for that to happen.

Another thing I am very pleased to see going ahead in leaps and bounds is the perennial that I mention here every year: the Tracy Village Social Club. It continues to improve. It now has 1500 to 1600 members. The improvements to the facilities are certainly a credit to Tony Lawrence, his treasurer, Pat Nash, and the committee. It is not a club that continually holds its hand out for moneys from government. It has shown the initiative to get off its butt and get things going for itself. The clubhouse is a credit to the committee. The facilities at the restaurant are first class.

I must say that negotiations are well under way with the Department of Defence to come to some agreement on the tenure of land out there. That is the perennial that I continue to talk about. We must keep in the back of our mind that the expiry date on the lease on the land out there is 1991. We are getting closer to that particular time.

Dripstone High School had a problem with acoustics in the science area of the school. It was causing both the teachers and students a great deal of inconvenience. In fact, it reached a point where I do not think they would have tolerated it for too much longer. Fortunately, after negotiations with the Minister for Transport and Works and myself, some $90 000 to $100 000 has been allocated to have that work done. In fact, I am led to believe that the work is being carried out right now. I can assure members that the teachers and students at Dripstone High School are finding life much easier.

Recently, it was very saddening to see that fire destroyed a great deal of the rainforest along Rocklands Drive, Casuarina Beach area. One thing it achieved by clearing that area was to illustrate some of the problems that have been causing flooding at the bridge at the entrance to the hospital and other areas around there. It is apparent that the place has not been burnt off since prior to Cyclone Tracy. It is obvious now that trees were blown over during Cyclone Tracy. They were blown across the creek bed. In the meantime, there has been a build-up of silt and other matter and that has caused the creek to try to find different paths. That has led to problems of flooding.

It has been interesting to work on the problem with Conservation Commission officers. They are putting together a submission to the Minister for Conservation. Perhaps we can look at a CEP or something like that to get somebody into the area to clean out all the fallen trees and to put in walkways which will make for easier management of that rainforest area. As I say, it is almost criminal that it was burnt out.

Development of the Northern Territory is clearly illustrated in and around my electorate. The new shopping centre that has just been completed at Casuarina is a clear illustration of the confidence that private enterprise has in the Northern Territory. As I say, the quality of life for the people in my electorate continues to improve. I am sure it is typical of the rest of the Northern Territory.

Debate adjourned.

## FIRE SERVICES ARBITRAL TRIBUNAL ACT REPEAL BILL
(Serial 108)

Continued from 22 August 1985.

Mr DONDAS (Industry and Small Business): Mr Speaker, once this bill had been passed by the Assembly, it was the government's intention to delay the commencement of the act. This was considered necessary because of a need to seek Commonwealth regulatory action. I wrote to the federal Minister for Employment and Industrial Relations seeking that. The federal minister advised on 11 October 1985 that his department had received advice from the Commonwealth Attorney-General. The Attorney-General has advised that each of the relevant members of the fire services is an employee for the purpose of division 1A of the Australian Conciliation and Arbitration Act and no further action is required. Accordingly, the bill should proceed and there need not be any deferral of the commencement date.

Motion agreed to; bill read a second time.

Mr DONDAS (Industry and Small Busines)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

## CRIMINAL INVESTIGATION (EXTRA-TERRITORIAL OFFENCES) BILL (Serial 133)

Continued from 28 August 1985.

Mr B. COLLINS (Opposition Leader): Mr Speaker, this bill provides for the issue of search warrants in the Territory in connection with indictable offences against laws of other states or territories. Currently, the situation is that, if an offence is committed outside the Territory, a search warrant cannot be issued in the Territory to assist investigations. Similarly, warrants will not be issued outside the Territory in respect of a suspected offence within the Territory. The Standing Committee of Attorneys-General has agreed to reciprocal measures to rectify this anomalous situation. This bill is the result of that agreement. These are uniform enactments to be introduced in the states and territories.

It should be noted that warrants will be issued only if the magistrate has reasonable grounds for believing an offence has been committed or is about to be committed and that objects relevant to an investigation are on premises or a person. The bill empowers the Attorney-General to make suitable arrangements for transmission of objects seized to the relevant state or Territory and their subsequent return if not disposed of by the court. It also sets out recovery procedures for seized objects. Owners are given written notice of their return to the Territory and given 21 days to claim them. The opposition supports the passage of this legislation.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, I think the Leader of the Opposition has fairly succinctly outlined the purpose of this bill. It is to permit the issue of search warrants interstate so that persons or premises can be searched and enable seizure of anything that may be related to the commission or the suspected commission of an offence. For example, if some person in the Territory decided to store some dynamite and there was information this dynamite was intended to be taken into South Australia to blow up some particular politician, as it stands at the moment the police in South Australia could do very little about it. Similarly, if somebody in another state is storing something which may be used in the Territory, we are again in a bind. The purpose of this bill is to allow reciprocal deals between the states and the Commonwealth so that, if there is information which will stand up to the usual rigours before a search warrant is issued, the criminal can no longer escape across state borders. I think that is the real nub of the matter.

I believe the civil liberties aspects are well protected by the standard restrictions on issuing of search warrants. The key issue is that criminals will not be able to flee across state borders as they have in the past. I am sure that every member of this Assembly will support the bill.

Motion agreed to; bill read a second time.

Mr PERRON (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.

## ADJOURNMENT

Mr ROBERTSON (Leader of Government Business): Mr Speaker, I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the recent imposition of school bus fares is yet another example of the ineptitude with which this government manages the economic affairs of the Territory. The callousness and irresponsibility displayed by the government in foisting these new charges upon the parents of Territory children was exacerbated by the fact that, at the same time as the fares were being imposed, the people of the Northern Territory were witnessing a typical display of extravagant and unproductive waste as their Chief Minister gallivanted around the country on a campaign of misinformation which did nothing but help to divide the nation and bring scorn upon the Northern Territory. For me, the most interesting returns from the $300 000 that was thrown away on that campaign were the editorials in The Australian and The Age, 2 newspapers with a combined circulation in excess of half a million. The editorials were a direct result of the full-page advertisements that were run at a cost of between $10 000 and $14 000 a page. They supported continuing Commonwealth control over Ayers Rock. It was not an unreasonable position for the 2 newspapers to adopt, considering that the full-page advertisements asserted that Ayers Rock belonged to all Australians. With devastating logic, the editorials agreed with that premise and it therefore followed that the appropriate government to administer Ayers Rock was the government that represented all Australians: the Commonwealth government.

That was an interesting return for $300 000 of taxpayers' money. In what was supposed to be a tight budget year, it was thrown away with both hands by the Northern Territory's Chief Minister. It was an interesting result because it attacked the very premise which the Northern Territory government is fighting. As we had been told by the Northern Territory's Minister for Conservation, the issue was not Aboriginal ownership but the question of Territory title. The Chief Minister was shot in the backside by the national press as a direct result of our full-page advertisements.

After watching the $300 000 being thrown away, Territory parents face the impost of a school bus tax which, on figures which have been given to me by the Department of Education, will net approximately $400 000 after administrative costs have been deducted. We saw the Chief Minister running around Australia practising to be Chief Minister - I think that was basically the object of the exercise - and trying to improve his media image and performance. They certainly needed it! If he had not thrown away that $300 000 in public speaking lessons, along with new-age thinking, bus fares for schoolchildren in the Northern Territory could have been cut by two-thirds.

When introducing school bus fares - or a school bus tax as it should be more appropriately called - the Minister for Education had the audacity to attempt to justify this imposition by arguing that the Northern Territory government had to demonstrate economic responsibility to the Commonwealth Grants Commission. What a laugh that was! What a form reversal that represents. We had to demonstrate to the federal Grants Commission that we were economically responsible by levying $100 per child - and with no family concessions - to travel by bus to school while, at the very same time, the Chief Minister was running around the country and putting full-page ads in The Age and The Australian at a cost of $14 000 each. I would be interested to

see the bill just for the final Saturday advertisements. All this was supposed to convince the Grants Commission of our economic responsibility!

Money is no object as far as the Chief Minister is concerned, provided it is not his. He has always been like that. He demonstrates his financial responsibility by slugging the parents of Northern Territory schoolchildren. Who could believe that the imposition of this particular slug on parents in the Territory will convince anybody that the Northern Territory government is now exercising economic responsibility? It is an incredible proposition, particularly in the wake of the revelations concerning the need for the government to use Treasury funds to bail out its troubled tourist developments. The imposition of school bus fares is just another example of the incorrigible nature of this government's economic irresponsibility. Few people will be convinced otherwise.

The decision to introduce this new impost, like so many other decisions taken by this government, displays a lack of foresight and proper planning and a total disregard for the interests of those people most directly affected by it. It is a fact that the departmental officers given the responsibility of oversighting the introduction of the school bus fares did not want to touch them with a barge pole, and neither did the school principals, the teachers, the school councils nor the parents. In the face of this across-the-board opposition, the government pushed ahead with the decision. The Minister for Education, in a classic display of hypocrisy, had the hide to say on talk-back radio that there is more consultation between the community and the government in the Northern Territory than anywhere else in Australia.

I want to take him to task directly about another matter on that talk-back program, which really shocked me. I want to inform him that, when Goff Letts was appointed Director of the Conservation Commission in the Northern Territory, not one word of protest was received from the opposition. The contrary was in fact the case. I personally commended that appointment. I worked for Goff Letts for 5 years and, despite the fact that he was the former head of the Country Liberal Party government, this opposition did not say 'jobs for the boys'. I stated that, because of his qualifications, background and expertise, he was fitted for the job and that his political affiliations should not have precluded him from getting it. When Ella Stack was appointed to her recent position, I did not bother pointing out that she had stood as a CLP candidate in elections and was a member of the CLP. How could I have argued responsibly against Ella Stack's appointment? She was fitted both by experience and by qualifications. I have consistently held that view in the 8 years that I have been a member of this parliament. In the face of the opposition's attitude on those appointments, the Minister for Education had the hide to say that one of the reasons that he could not work with the Northern Territory Teachers Federation was because the current secretary of the federation had stood as an endorsed Labor Party candidate in an election. He should hang his head in shame for that piece of blatant politicking, particularly in the face of the total absence of such behaviour from this side of the Assembly.

Despite the full-time operations of those opposite in channelling public money as fast as they can into the pockets of their CLP mates, when the Northern Territory government appoints to a senior position in the Northern Territory a person who is fitted by experience and qualifications to take it, that person will continue to receive support for that appointment from this side of the Assembly irrespective of his or her political affiliations, no matter what they may be. I was disgusted to hear that statement from the

Minister for Education. He is putting teachers on notice that, if they want to support an organisation, if they want to be members of an organisation that is to have some accord or some relationship with the Northern Territory government, they had better make sure that it does not have anyone in it who is a member of the Australian Labor Party. He should be thoroughly ashamed of himself for that. However, it is in total accord with the way in which he conducts his business as Minister for Education.

Despite the across-the-board opposition I have talked about, the government pushed ahead with this decision. The total absence of prior consultation became very obvious as soon as the bus fares were introduced and the real effects of the decision began to filter through to the community. It was then that the true ineptitude of the government was further exposed.

On talk-back radio, the Minister for Education, by implication, admitted the policy had been hastily conceived and poorly implemented. He acknowledged on air that there was considerable trouble with it, considerable confusion amongst the community and many problem areas had been identified already. He said that changes would have to be made. He demonstrated to all citizens of the Northern Territory that this government makes extremely important policy decisions on the run and, as the cracks appear, it attempts to patch them up with a kiss and a bandaid. Of course, the people upon whom the Northern Territory government is imposing this impost are the very people who can least afford it. Indeed, it was done to help patch up the hole left by posting $35m of public money this year out of the Northern Territory.

The minister admitted that school principals, whose undivided attention should otherwise be focused on the educational well-being of their schools, were being placed under a good deal of unnecessary pressure because of the problems involved in the implementation of the scheme. He said that the scheme is currently under review and that firm guidelines would be in place by next year so that no one would be disadvantaged. In the meantime, confusion reigns supreme.

Those parents who are currently being disadvantaged gain little solace from the minister's indecisiveness. Territorians, like all Australians, are entitled to expect the best education for their children. There must be equality of access to that education and no family should be disadvantaged simply because of the place it chooses to live or the number of children it chooses to have.

If we must, let us look at the practice in other states. I might add that this is in the face of some pretty breathtaking nonsense espoused by the Minister for Education about the fact that the Territory 'was simply being brought into line with the situation that exists in other states in Australia'. In New South Wales, free transport is provided to all students who live more than 1.6 km from the school they attend. Victoria and Queensland provide free transport for those who live more than 4.8 km from the nearest state school. Western Australia, a sparsely settled state, provides free transport for those who live more than 4.5 km from the nearest appropriate school. South Australia provides free transport under a fairly complicated scheme but basically those who live more than 5 km from the nearest state school or bus route travel free. In Tasmania, no student pays more than 60¢ per day to travel to school by bus. Tasmania and Queensland also provide generous petrol allowances for parents who drive their children to school. If all the states can provide this sort of service, so can the Northern Territory. The costs incurred by parents in educating their children

are high enough as it is. For families with more than one child, the cost can be considerable, yet the government has failed to show any consideration for larger families by failing to provide any sort of family concession.

The bus fare system, we are told, is under review already. Surely it is obvious that it has become an administrative nightmare. Its implementation is generating more expense than it is worth and there is a distinct lack of equity in its imposition. The irresponsibility exhibited by this government, which shows no contrition when otherwise wasting money on impetuous and unproductive causes, leaves me with no choice but to call on the government to get its priorities in proper perspective by reversing immediately its decision to introduce school bus fares.

I point out once again, in respect of this particular slug on citizens of the Northern Territory and in respect of the cost of educating the children of the Northern Territory, that money could have been put into the Northern Territory's Treasury without being taken out of the pockets of those parents simply by the Chief Minister trumpeting what he wanted to trumpet here in Darwin and saving us a lot of money in a totally wasteful and completely unproductive exercise. The results of throwing away $300 000 worth of Treasury money on top of all the rest he has thrown away in the Northern Territory have been shown, yet he is expecting Territory parents to fill up the gaps in the Treasury.

Mr FIRMIN (Ludmilla): Mr Speaker, I rise today to bring your attention to the poor state of affairs relative to the Australian tin production capacity in view of the overall world demand and the role the Northern Territory can play in fulfilling that demand. The question of world production capacity and overall economics has been a major area of research by myself and my advisers and has been looked at previously by several colleagues and many governments in the past. This area is currently in a situation of total turmoil. However, it should be realised that, if we are to continue with the high rate of overall development in the Northern Territory, we must also concentrate on the mining industry in the Northern Territory and assist where we can by direction to that industry. I therefore feel that, as a government, we can assist the tin industry which is in its relatively early stages of development up here but which in the past has been a major exporter in the Northern Territory. You may not be aware that the Northern Territory has some of the best tin deposits in the world, with the Mount Wells mine being ranked approximately in the top 5. Large areas such as the Finness, Bynoe and Maranboy claims rank extremely high as well.

In the past, the tin industry has struggled through the lack of water and the harshness of climatic conditions. But at least we have the ability now to introduce the infrastructure and mining development required, and this is available locally. The whole tin industry, however, is currently being stifled by the Australian government - by the introduction of a tin producers quota system and by its membership of what is known as the International Tin Council. This International Tin Council was set up to regulate world supply by imposing a national quota on tin producers within each country of origin of tin metal and, therefore, regulating the price of tin on the world market, and in particular through the London Metals Exchange on which tin is a listed commodity.

Unfortunately, not all producing countries, or in particular those countries with either tin metal or tin concentrates excess, have backed the philosophy of the International Tin Council by way of support, membership or

adoption of the professed ideals of regulation. Similarly, many countries which, in a production sense, are not able to support their own needs are also not willing to support the ITC and, consequently, attempt to restrict their buying capacity or their usage. This is evidenced by requests to smuggle either tin or tin concentrates out of this country.

It appears from the outside that Australia is one of the few countries attempting to abide by its agreement while other countries are attempting to or are taking advantage of the established price and world demand. Figures made available to me suggest that Australia has decreased its production capacity from 15 000 t per annum to 8500 t per annum during the period 1982 to 1984, and that overall world production during the same period has fallen by 7600 t based on 1984 figures released by the ITC. In other words, Australia has sponsored the total world drop in production for that period. I do admit, however, that some other countries have decreased production but others on the other hand have increased their production accordingly.

Australia as a whole, however, only contributes 5.1% of total world production and, as a consequence of its so-called planned reduction, is now an importer of both tin metal and tin concentrates. So much for government assistance to an industry. Its restrictions have not only decreased the livelihood of those producers but have created unemployment. It not only robs us of much-needed export income but puts the industry in a liability situation.

Continuing on the same philosophy and looking at the 1984 fiscal year, figures made available by the ITC and other figures suggest that, whilst Australia has been conscientiously decreasing its production capacity, other countries such as Great Britain and Canada have produced some 5000 t and 4500 t respectively outside of their quota allocation agreed with the ITC and have used this increased tin production internally within their own countries. If they can, why can't we? The answer is simple: Australia appears to be the only major supplier-consumer country which has an internally-imposed mine quota rather than an export tin metal quota. Malaysia, Thailand and Indonesia, on the other hand, although with good intentions, have also reduced their production capacity. But we believe they are having trouble attempting to stop the illegal smuggling of some 15 000 t per annum of tin finding its way onto the world markets. This in itself reflects some 9% of total world production and is currently some 205% of Australia's total production for the 1984 fiscal year.

In the meantime, as suggested earlier, several countries not affiliated with the ITC are going helter-skelter towards increased production capability to take into consideration the stabilised price. Using the 1984 figures again, Brazil has increased its production 50.3% to 19 957 t, Peru is up 29.1% to 3058 t, and Burma is up 23.5% to 1943 t. In defence, therefore, of the Australian tin producers whom we must rely on to be profitable on a world market, we must be in a position to direct, guide and assist those producers to a situation of equality, and not restrict them by government quota, restriction or imposition.

In its wisdom, the Department of Trade has adopted an internal quota system for those producers in Australia to restrict actual mine production at the mine itself. These restrictions or quota allocations are based on production levels in 1981-82 and do not take into consideration any new mines since that date, except for those initial quota holders. All quotas unable to be filled since that date have either been suspended or reallocated amongst

the remaining quota holders to a point where one company now has 46% of the total internal Australian quota and appears ready to increase that to 61%. By restrictions imposed, this has meant that a lot of small mines are now allocated a quota as low as 0.7 t per quarter, which obviously would not pay the power bill let alone overheads or direct costs. On such a scale, this has meant the non-operation of many small-scale mines. Mines which have a relatively large labour component are not opening or remaining open to a point where total Australian production is now officially at a level of 86% of the quota allocated by the ITC regardless of the necessity for Australia's own internal consumption. Australia is now producing officially at the rate of 7309 t per annum and is even at the point of importing some 1200 t per annum. From a recent unofficial survey carried out of 93.2% of tin producers, production is approximately 60% of that required to service our export quota.

This is obviously an area which suits the Northern Territory tin-producing industry. In this age of relaxation of the guidelines of the FIRB, floating of the currency, introduction of world-wide competition to the banking industry and the deregulation of controls on export minerals, tin production should be deregulated also, particularly internally if not on a world-wide basis. This would ensure that viable mining operations in this field will continue to operate and new mining ventures, if feasible, will be able to commence production and, in the overall sense, enable the removal of the dead wood and parasitic aspect of the industry.

We in the Northern Territory have operational mining activities which can produce tin concentrates 10% cheaper than elsewhere in Australia and we should support any move made by these producers towards deregulation of Australian production, if not solely for ourselves then for the country as a whole. In the meantime, at the highest level available we should call for the abandonment of the Australian membership of the ITC and lift all current restrictions imposed by the Department of Trade and stop supporting the remainder of the world's increasing production at our cost. Cartels do not work. Neither do quotas nor overregulation, and I believe we have woken up to this aspect in many other areas.

The Northern Territory government, as development specialists, should support the deregulation arguments of our producers and consequently assist in the development of the Northern Territory in this area.

Mr DALE (Wanguri): Mr Speaker, I would like to take the opportunity this afternoon to try to clarify the position that, unfortunately, the Leader of the Opposition has endeavoured to put out of all perspective. In his usual way of twisting words, he has tried to intimidate somebody. On 18 October this year, I issued a press release. I would like to read that press release:

> 'The member for Wanguri, Mr Don Dale, has called on the Attorney-General, Mr Marshall Perron, to ask the federal Attorney-General, Mr Bowen, to explain under what circumstances a person becomes eligible to receive legal representation from the North Australian Legal Aid Service. Mr Dale's request comes after the reporting of Northern Territory parliamentarian, Mr Wes Lanhupuy, being represented by Mr Greg Jones of the North Australian Legal Aid Service in a recent court case in Nhulunbuy.
>
> "Normally, legal aid is granted under very stringent conditions and I have known of many Territorians who have not received assistance because of their level of income", Mr Dale said. "That level has

been less than half of Mr Lanhupuy's. Those people have then had themselves and their families placed under severe financial strain due to the cost of subsequent private representation", he said. "I can't see why some Australians are ineligible for legal aid while others, highly-paid Australians, are receiving it at the taxpayers' expense"'.

On the same day apparently, the Leader of the Opposition issued a press release. I would like to read it:

'Labor parliamentary leader, Bob Collins, has responded to public statements by Wanguri MLA, Don Dale, on the legal representation provided to Labor MLA, Wesley Lanhupuy, during a court appearance in Gove this week. "If Mr Dale wishes to indulge in public debate on the alleged indiscretions of MPs, I will be happy to accommodate him at the next sittings of the Legislative Assembly",Mr Collins said today'.

I do not know of any logical person who could read my press release and gain the impression that I was taking to task the problems that Mr Lanhupuy was receiving legal aid for in a recent court case in Nhulunbuy. I did not suggest what was going on in that court case. I did not suggest anything about the proceedings at all. I did not suggest there had been any indiscretions on the part of Mr Lanhupuy.

The point I wish to make here today is that I intend to continue to pursue this issue for one reason: I believe that it is a clear case of discrimination. How is it that, in the Northern Territory or for that matter Australia, you can have one person who is earning in excess of $40 000 per year obtaining legal aid while a pensioner who, in his own words, 'fought in the Second World War and earned that pension' goes to court and is refused legal aid? He is receiving a pension that is much less than $40 000 a year. I ask a simple question: why is it that one person can receive legal aid where the other cannot? It is a clear case of discrimination.

As I said, I intend to pursue this issue. The part that really irritates me is the fact that the Leader of the Opposition has taken time out on this particular issue to endeavour to intimidate me obviously into not pursuing the issue. I can assure this Assembly and certainly the Leader of the Opposition that I have been threatened in my day by bigger and better blokes than him. I will continue to represent my constituents and the people of the Northern Territory and I will pursue this issue until I come up with some answer.

Mr LEO (Nhulunbuy): Mr Speaker, I have a bit of background information for the member of Wanguri. In fact, Nhulunbuy has no town solicitors. The only solicitors who come to Nhulunbuy are legal aid solicitors. That may assist him in his pursuit of this matter. I will not pursue this matter further. I am sure Mr Lanhupuy will have something to say on the matter when he returns to the Assembly. It is a fact that Nhulunbuy has no resident solicitors. The only ones who go there are attached to the legal aid service. That is a fact of life.

Mr Robertson: I bet you anyone who is in business could not get one of those legal aid solicitors to represent him. I bet he would be told to import one.

Mr LEO: For the information of the Leader of Government Business, if he rings the Legal Aid Service, it will tell him that it represents almost everybody in Nhulunbuy. In fact, those people who have difficulty with the alleged quality of the solicitors employed by that service may import their own solicitors. However, they can avail themselves of the legal aid service and that service sends accounts to those clients who fall outside the criteria. That is a side matter.

Mr Speaker, I attended the NT Touch Football finals the other night. Like you, I am a great advocate of that sport. It was pleasing to see the grounds out there. Unfortunately, despite the best efforts of Nhulunbuy and its very valiant players, it did not quite take out the men's final. However, I am sure we will be back there next year.

It is a matter of some concern for persons playing in senior age sports competitions that they get very little in the way of financial assistance for their travel within or outside the Territory. NT Touch Football will be sending teams to Adelaide shortly. Indeed, there are other sports with senior teams which have great difficulty in attracting financial support for their representations outside the Northern Territory. Some of those teams are very wealthy. I certainly believe that all sporting codes should be responsible for raising as much of their finance as they possibly can. However, because of the nature of some sports, it is not always possible to raise very large sums of money. I hope that the Minister for Youth, Sport, Recreation and Ethnic Affairs will look favourably upon those various codes that do encourage older players to participate. In my case, members are looking at the results of not playing sport for a considerable number of years. But there are some persons of my age and perhaps older who are a lot fitter than I am, who indulge in sport and who contribute a great deal to Northern Territory social life.

Another matter I want to raise this afternoon concerns the TAB. I asked the Chief Minister this morning whether or not he supported the independence of the Northern Territory TAB board established at the same time as the TAB was introduced. The board must be independent and it must be seen to be independent if the Northern Territory TAB is to succeed. There can be no question of that. The Queensland TAB is in a great deal of difficulty because of alleged political interference. If the Chief Minister continues to treat the NT TAB as if it were some personal plaything, albeit that he perceives his interference in the interests of persons who were in a very difficult position, then it will not further the cause of that board now or in the future. It is not a plaything; it is a very serious financial venture.

There are many clubs which rely on the success of that venture. I have congratulated the government in making the correct decision in introducing the TAB but, if the Chief Minister, because of personal inclination and because of representations that are made to him by various politicians, continues to interfere in the operations of that board, then its success will be very shortlived indeed. The board makes decisions and recommendations on a commercial basis. If not, we have appointed a very poor board indeed. It will ensure the success of the TAB. However, that success should not be jeopardised by the Chief Minister's interference.

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, this morning I asked a question without notice. The Leader of the Opposition quite correctly picked me up. I made a technical error when I asked that question. I submit that, had I left it as one question, it would have been without error and we would

have received anyway the very clear and interesting answer that the Minister for Community Development gave and the examples that he offered on the privatisation of prisons.

However, I would suggest that the thing that stirred the Leader of the Opposition was the very word 'privatisation'. I believe it scares him silly. I am sure his cohorts in Canberra have instructed him to attack privatisation at every opportunity. Union leaders in particular are scared witless. Those fellows are not mugs. They have no doubt seen and studied privatisation, and they can see that it could be their undoing. Please note that I did not say union members; I said 'union leaders'. The misinformation campaign concerning privatisation, currently being spread by the ALP and the union movement, suggests that it is simply a matter of selling off profitable public institutions. This is indeed far from the truth.

There are 22 ways of implementing privatisation. Those methods will take people and businesses out of the public sector into the private sector. Every situation is studied carefully. Both the producer and the consumer are considered. Privatisation experts are very concerned to see that the consumer will receive a better deal. It might sound almost too good to be true but the scores are on the board. The successes are there. I will quote some examples which will be extremely interesting to members of this Assembly.

The Adam Smith Institute is a think-tank in London. I recently spent 2 hours with Dr Pirie, one of its directors, discussing privatisation and its successes in Great Britain. The institute floats its suggestions in the public arena. By doing this, it often receives feedback which improves its proposed solutions and sometimes identifies possible flaws. The Thatcher government has adopted many of the institute's suggestions as policy. For example, the Adam Smith Institute studied the bus service between Great Britain's major cities. It was a public company which lost millions of pounds every year. The institute advised the government to end its monopoly. On a specific date, private buses were allowed to start competing on that route. They began with fares as low as one third of those applying under the public monopoly. They installed coffee vending machines - these are relatively long journeys - and they introduced videos. There was even a story about one company which screened a video of dubious rating and was taken to court. Publicity did not do it any harm; customers flocked to it. The public company, the monopolising loss-maker, had to do something. It was forced to. It had to lower its fares and start responding to consumer wants. Lo and behold, the public bus company, which previously had its losses cushioned by the taxpayer, became profitable.

This demonstrates very clearly what happens so often in the public service where the producers of the service manage it for themselves at the expense of the consumer. This is fact. I heard it first on a video in Australia. I later spoke to many British politicians in Canada at the Commonwealth Parliamentary Association Conference and I spoke to individual Britons in the United Kingdom. When a public monopoly ends, the consumer suddenly receives a better deal.

There was another public monopoly in Britain: British Road Services. It had a monopoly to deliver goods between major cities. Dr Pirie frankly admitted that, even after study, the institute could not see a way to privatise the organisation. Privatisation in hundreds of cases - some quite small and others rather large - had started to catch on. Some farsighted people in the management of that public company could see that they could get

a great deal out of this. They had spent 12 months talking amongst themselves and to all the employees of that particular public company. Eventually, they went to the British government and put to it a proposition to privatise. They said that they wanted to take over the company for £53m and the government accepted.

About 3 years ago, those workers mortgaged houses and raised money so that they could buy into that particular company. As I said, it was a loss-making company. Had it not been a loss-making company, I am sure the Adam Smith Institute would have found a method by which it could be privatised. From day one, that loss-maker became a profit-maker. The fact is that those employees of that former public company have had a 1000% return on their investment. I think that really does tell a story.

What have they lost? I dare say they lost the cushion of the taxpayer coming in underneath and making up the difference between what it cost to run that company and its revenues. I am sure every one of them is very happy that he took the gamble. It is 10 to 1 that the consumers of that service in Great Britain are receiving a far better deal than they ever did before. Of course, the taxpayer does not have to foot the difference. Privatisation is really great stuff. When Mrs Thatcher came to power in 1979...

Mr Ede: Why don't you go and join her? I wish we could privatise you somehow.

Mr D.W. COLLINS: No problems. I will even have you converted. It is very interesting because the Cubans and the Communist Chinese are taking on some of the methods themselves. It gives a great deal to ordinary people.

In 1979, 35% of the housing in the United Kingdom was public, subsidised, rental accommodation. Of course, that meant that the rents actually collected did not cover the cost of maintaining those houses. I suppose that well-known attitude prevailed: when one does not own the house, and does not expect ever to own it, one does not care for it quite so much because somebody else will do the maintenance. The advice given to the Thatcher government was that, if one had been in a house for 2 years, one could buy it at market value less 20%. If one had been in a house for 20 years, one could buy it at market value less 50% initially, and later, 60%. Today, there are 1 million home owners in the United Kingdom. People who never thought that they would have a chance to own their home are now home owners. I would suggest Margaret Thatcher has 1 million more votes. In fact, I have heard shop stewards...

Mr Smith: It will not be enough to save her, Denis.

Mr D.W. COLLINS: Don't you worry about that. That is all in hand; Mrs Thatcher will be back. There will be tax deductions in the next budget and the one after and people in Great Britain will not turn that down.

Mr Ede: Hang off, Denis, where are they going to get that money?

Mr D.W. COLLINS: We will come to the jobs, don't you worry. Just learn and listen. The benefit to the taxpayer is clear. The amount of money poured in each year to top up the difference between rents collected and the cost of maintaining those houses has been greatly reduced.

Mr Bell: Come on, Denis.

Mr D.W. COLLINS: You like it do you, Neil?

Mr Bell: No.

Mr D.W. COLLINS: I have more. You will hear it every day for the whole of the sittings. I promise you.

Mr Bell: This is starting to take on Gilbertian proportions of punishment.

Mr D.W. COLLINS: I would suggest that it is only a punishment for you and for the union leaders.

If we have heard anything at all about privatisation in Great Britain, most of us are aware that Telecom has been privatised. To effect this, the workers in Telecom were given 8% of the new company. They were given also the chance to buy up a further 7% if they wished to.

Mr Ede: Have you asked how much it costs to have a phone connected in Scotland now, Denis?

Mr D.W. COLLINS: Why worry about those little details? That is a ridiculous question. When the public company was floated initially, a total of 51% was sold off. The value of those shares doubled in the first day's trading. That was a year or 2 ago. Since that time, the government has sold off all bar 1 share, and at considerable revenue return to the government. The 1 share that has not been sold is what is called a golden share. It is enshrined in legislation that, if ever an outside interest gained more than 51% or a controlling interest in a company, the government would have the right to step in to rectify that situation. That is a precautionary measure.

As a result of all this privatisation, the grab of gross domestic product in Britain has changed from 48% down to 42%. There has been a wholesale restructuring of industry. Unsupportable industries are being modernised now and Great Britain is on the verge of achieving a great downturn in its unemployment level. Over the next few months, you will see it happen.

Mr Smith: I just don't believe it.

Mr D.W. COLLINS: You would hate to see it happen because it would just prove that the method works. You just watch and see.

Privatisation is being accepted around the world; it is time that some people grew up and understood what the methods are about and took a rational and sensible view of something which has a great deal of promise for this country.

Mr EDE (Stuart): Mr Deputy Speaker, I rise in the adjournment debate tonight to speak to the memory of a man I cannot name. For the purposes of this debate, I will call him Jupurrula, his skin name, or more simply, Kuninja. He was born some time in late 1946. He passed away at Lajamanu a couple of months ago. He was the first chairman of FEPPI. He was the first Aboriginal community adviser. He was the first Town Clerk at Lajamanu. He was the Chairman of the Aboriginal Cultural Foundation. He was one of the hardest workers for Aboriginal people that I have ever met. He was a great Walpiri and a great Territorian. He was given the MBE some time ago for his work with his people.

He once wrote a short autobiography and I would like to read a couple of quotations from it so that people can have some indication of the life that this man led. It starts off:

> 'I am Jupurrula. I am eastern Walpiri, my tribal area Warnayaka. I was born and grew up in central Australia, right out in the desert. I cannot remember the first years of my life in the bush. All I remember is that, when I was about 8 years old, I came with my parents to a small mining place, the Granites, and that is the place where I saw white people for the first time.
>
> I was frightened of white people; I thought their skin was turned inside out. Every time I saw them, I ran away from them and it took me about 3 years before I was used to them and their way of living in one place. My life was spent moving around from waterhole to waterhole out in the bush'.

After he had lived at the Granites for a few years, his family moved to Yuendumu and it was there that his father died. He was still fairly young. From there, they moved to Willowra where his mother married again. They moved back to Yuendumu and then back to the Granites where his second father worked.

About 2 months after that, he was sent back to Yuendumu because the social welfare people thought that there were too many children at the Granites and some of them should go to school. When he first went to school, the only 2 words that he knew in English were 'yes' and 'no'. He spent the first year in the one class and then moved through about 7 grades in 5 years. He was an extremely intelligent person.

They then moved up to Hooker Creek which is now called Lajamanu. That would have been in about 1958 when he would have been 12 years old. He states how he spent Christmas at Hooker Creek and then did his initiation journey through the west moving across to Gordon Downs in Western Australia and then back again. When he first returned, having walked over and back, the superintendent refused to allow him and others into the settlement because of the large number of people who were sick in the settlement. Disease was rampant. It goes to show that, even in those early days, Lajamanu was plagued with the very high sickness levels which persist to this day.

During that period, he had his first job which was splitting timber. He was not terribly keen about it. When he moved back to the settlement, he was given a job as a handyman. He states:

> 'I became a kind of handyman on the place and did whatever the superintendent told me to do - dig a hole 6 foot down, paint pieces of tin roofing. We painted them this way and then came back next week and painted them the other way. It was not used for anything. It was meant for roofing but we just painted it on the ground and put it from one stack to another'.

The head teacher then spoke to the superintendent and said that the person who was doing this painting was reasonably educated for those days and should be given a better job. The superintendent agreed to this and put him in the garage where he was given a job sweeping floors, washing trucks and starting the engines. He said that this was not much of a job for him either. He describes those days of superintendents having absolute control of the settlements as being like living as toy soldiers on a table where the

superintendent had the power to move people from one place to the other without any reason.

However, during that period, he continued to develop his own cultural relationships. He learnt corroborees. He made more trips and gained from the old men a deep understanding of his own culture for which he always retained a very high respect and interest. He worked as a drover after that, moving up and down the border from places like Wave Hill, Snake Creek and Ord River down to Helen Springs and back up to the Humbert River.

When he returned again, he was finally given the job he was after. He became a teaching assistant. He was about 17 at that time and he believes that the period he spent teaching actually helped his own education because, while he was teaching, he learnt a lot more himself about mathematics. He also learnt quite a lot about white people and the various strange ways that some of them had. He refers to a couple of them. Because it may be possible to trace them, I do not think it is appropriate to refer to them in this context. However, he does say that he was the first of the young men to get on the council at Lajamanu. He was president of the council when he was 18 years old. He acted in the role of liaison officer between the superintendent and the older men, the 40 to 70-year-olds, trying to explain to the Aboriginal people the ways of the kardiya, the white men, and to the superintendent the ways of the Aboriginal people.

After years of this, he decided there was no real future in simply advising the adviser and decided that he would attempt to get the job of community adviser for himself. He had always believed that there was something strange in the idea that the government spends large amounts of money training white people in Aboriginal culture so that they can go amongst Aboriginal people and teach Aboriginal people what white people are on about. He had a very clever way of mimicking the complete illogicality of that as against training Aboriginal people to be advisers to their own people.

He talked about the changes he had seen over that period. He always maintained that some of the happiest changes that he had seen were the changes in relationships between Aboriginal people and white people out in the bush. He said that, years ago, the very act of an Aboriginal person going up to a white person's house or, vice versa, a white person going uninvited or unaccompanied to an Aboriginal camp would be enough to cause quite a considerable amount of friction and quite possibly acts of outright aggression. He told me - as he stated in this autobiography - of the happiness that he always felt that, nowadays, it is a simple matter of one person walking up to the other person's place. They could sit down together because they did not have those things between them any more.

When he discussed the things that he would like to see for the future, he always talked about the standard of education and the need to further the education of young Aboriginal people, not to train them to read or write but to do things like carpentry and mechanical work so that they could get jobs. One thing I remember about him was his continued belief that education had to be directed towards the person's future role in life: it had to be seen as a continuum into the person's job and not something that a person did then stopped before jumping into a job.

He had been critical of Aboriginal parents. He was never a person who would simply concentrate on the things that were wrong in the European world and not recognise the problems amongst his own people who continued to look

too much after their children when they were 17, 18, 19 and 20 years old instead of encouraging them to get jobs and to support themselves.

I can talk about quite a number of the things he initiated which were novelties when he first thought of them. He implemented the peace officer system which ran for many years. Sadly, it finished this year because of lack of funds but it was a system which changed the Territory's view of Lajamanu. Mr Deputy Speaker, you remember the days when Hooker Creek was considered to be the bottom of the world. It was the place that nobody wanted to go to. The police officers at Lajamanu would say that, during the period of the peace officers, the job that they had to do was one of the easiest of any Aboriginal settlement. The peace officers were able to handle so many of the day-to-day pressures within the community without having to go to the police at all. The police would say that, if they were called out more than once or twice a week, they would have been extremely surprised.

His continual attempts to have more people employed in the community was illustrated by the work he did to obtain contracts and his vision about things like the Lajamanu to Tennant Creek road which he continued to push for until the very day that he died. He was a forward-looking man but he kept his feet firmly anchored in traditional culture. He spent hours sitting down with the old men, talking to them, being advised by them and assisting them to understand the changes that were taking place around them and getting their advice on where it was possible to make changes to allow his community to progress.

I remember well the first trip that I made to Lajamanu. I had met him some years before that but I went to meet him again. He was explaining to the president some correspondence that had been received. We talked about how he had just arrived back from a highly-successful trip with the Aboriginal Cultural Foundation to present cultural performances in New York and Paris. I was rather staggered to think that this man, who was so obviously in his right place, had just completed that fantastic trip. He said only 3 days before that, he had been sitting down having a meal with Gough Whitlam in Paris and talking about the land rights movement. He then went on to talk about a number of people whom he had met over there who had shown extreme interest in the cultural displays and performances. He talked about his desire that the method of delivering Aboriginal cultural performances should continue to be developed so that they would not become stereotyped in the way that American Indian displays had become, but would be a meaningful exchange of knowledge and ideas.

Mr Deputy Speaker, I think it is perfectly obvious to everybody here whom I am referring to. It is clear to me that Lajamanu, the Walpiri people and the Northern Territory as a whole have lost a great man.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I would like to touch on several subjects this afternoon. The first is the North Australian Development Seminar which I attended recently in Darwin. It was the fifth one I have attended of the 9 which have been held. I have been to the conferences in Queensland and Western Australia, and in the NT previously. I congratulated the organisers and I will do so again publicly. It is without a doubt the best such event that I have ever attended, both from the organisational viewpoint and the quality of the speakers.

Mr Bell: The others must have been crook!

Mrs PADGHAM-PURICH: I must admit that I did not agree with some of the views put forward. I would hazard a guess that neither did the member for MacDonnell, judging by the question he put to a certain prominent speaker.

The fact that I did not agree with all the speakers, including people of my political persuasion, did not detract from my interest in the conference. Perhaps it did not help people to understand each other's point of view, but it was a place where views could be exchanged. This was not always done in a friendly way, particularly when a certain person received some booing in the course of answering a question. I am pleased to say he was not a Northern Territory politician. He was a politician from Canberra and he does not belong to the same political party as I do. I am speaking of Mr Holding. He received quite a bit of booing from the audience and he was probably the most unpopular person there. Nevertheless, he did attend and he did express his views. That is very important. I found it particularly interesting to observe that there were some well-known southern identities present. I hope that they go back with a better understanding of the Northern Territory. From some of the remarks I heard socially, I think they might have been a bit ignorant about conditions up here, but I do not think they were so ignorant after the seminar finished.

I attended another conference in Melbourne a couple of weeks ago: the Commonwealth Royal Show Societies Conference. It was very interesting and informative. I had not attended one before. They are held periodically in different Commonwealth countries and they are attended by people representing royal show societies and pure-breed societies from the British Commonwealth, including people representing dairy-breed societies and beef-breed societies which have the royal prefix.

The conference was opened by His Royal Highness the Duke of Edinburgh who contributed quite a bit to the debate. His questions and comments showed the depth of his interest in the subject. I was impressed with this 2-day seminar because I did not have much background information, having made up my mind at the last minute to attend. Among the subjects covered by learned speakers were genetic planning and animal breeding for the future, stress in plants in drought-related situations, food crops grown in the Pacific islands, non-food crops grown for profit, pesticides, computer controls in dairies and many others. Speakers answered questions and their contributions were appreciated by the audience who were equally learned in other fields. They all contributed to a very lively and interesting seminar and I was very appreciative of the opportunity to attend.

I now move on to my third subject. I did not have a chance to cover it earlier today in the debate on the Fire Services Arbitral Tribunal Act Repeal Bill. I intended to discuss matters not related to the actual legislation but concerning the fire service generally. Now that the incidence of fire is not as great as in the dry season, it is a good time to speak about fire control. It is a better time than during the dry season because it is too late then for precautions to be taken.

In respect of the matter I wish to discuss, I hope that there is a reversal of previous decisions before emergencies arise. I refer to the closing of the Winnellie Fire Station, the consequent dropping of 2 men per shift and the loss of a Toyota fire-fighting unit from the total strength of the Fire Brigade. I understand that minimum turnout per shift is 15 men for the fire stations at Darwin, Casuarina and Palmerston. You might say that 15 is a pretty adequate number but my concern is that, if there were

simultaneous callouts in the city and the rural area, the city fire would undoubtedly take precedence, which would be to the detriment of my constituents. Of course, there are volunteer fire brigades in the rural area and they do a very good job. I cannot speak highly enough of those people who give up much of their free time to the organisation and work of the volunteer fire brigade, both under the control of the Fire Brigade and the Conservation Commission.

Nevertheless, the first callout is always by the Fire Brigade, backed up by the volunteers. It is therefore very important that the city-based Fire Brigade has adequate fire-fighting equipment. The Toyotas are particularly useful in bush and grass fire situations and I deprecate most strongly the taking of this vehicle away from the strength of the Fire Brigade. They have other large appliances such as a main turnout appliance which has a capacity of 1700 L of water. It has a pump but, by order, it cannot leave bitumen roads and therefore it cannot be used in the rural area, although I believe it was used last year on a particularly bad fire adjacent to our property.

I have supported the fire fighters publicly since about 1981 when I went to court with them and supported their views on the manning of the former 14-mile fire station. They know of my support and I am very sympathetic to their views although I strongly opposed their previous strike actions. I know the union leadership has changed and I believe in future there will be more negotiation and discussion before a confrontation develops.

When one of the strikes was in progress, we happened to be the victims of a bush fire. We received help from the fire officers and the fire was put out with no great detriment to us except some burnt bush and damaged fences. Nevertheless, if I had a house fire and there had been some loss or threat to life, I would not have felt very friendly towards the fire fighters. I believe that, like the police and prison officers, these people wear a uniform which denotes a special responsibility to the community. If they have any disagreement about the way certain matters are conducted in their workplace, the first action should not be to strike, which is of great detriment to the community, but to negotiate. I feel that the future holds promise for more friendly relations with the fire fighters and the union leadership. If a view is put forward in a reasonably forceful but friendly way, without at the same time forgetting the conditions of the men whom the union leaders represent, it would be listened to more than if it were put forward in a confrontationist way.

I will be approaching the minister and asking him to consider the view of the people in the rural area in respect of fire prevention in the Dry. They want that vehicle back. The Toyota fire-fighting units are the very best for managing grass and bush fires because of their manoeuvrability and their abilitiy to negotiate difficult terrain. They can go off the bitumen, they can go right through the bush and they can also move relatively quickly from one property to another if the fire spreads.

In conclusion, I believe that the fire fighters must be supported by the community. Their views must be listened to. Coupled with this, I believe the fire fighters themselves must accept the responsibility of the very important job that they do in the community and not hold the community to ransom at any time by strike action. Together with the people whom they are speaking with, they must try their utmost to settle any differences amicably.

Mr BELL (MacDonnell): Mr Deputy Speaker, I want to talk briefly tonight about Docker River. I do not know how many members have actually been to Docker River which is tucked away in the picturesque Petermann Ranges in the south-west corner of the Northern Territory. It is in the heart of Pitjantjatjara country, although several tribal groups live at Docker River. In addition to the Pitjantjatjara, there is a group of Ngargugarra people who moved across from Wharburton. Some of them live at places nearby and occasionally some of the Pintubi people from Kintore visit relations down that way.

I want to talk tonight about Docker River, not just as a collection of buildings, a school and a store, which are probably the obvious aspects of Docker River that strike the visitor, but about Mona, the hill just to the south of Docker River in the gap through which the river flows. Mona is part of the Minymakutjarra, the 2 women's story that links up with other natural features in the vicinity of the Kintore Ranges. Mona is in fact the child who is being carried on the back of one of the 2 women. I could also talk about Kikinkura, a very sacred place for people because it is part of a mulga seed dreaming. I could also talk about the devil dingo, Kurrpangynga, who travelled east across to Ayers Rock, and who is regarded by some people as responsible for the death of that baby which has acquired a degree of notoriety. I could talk about Puta Puta. I could talk about the amethysts that have been found but which are not viewed by the people there solely as gems but, because of their purple colour, as the blood of the Tjilkamata, the echidna. Of course, the Tjilkamata has a back covered with spines because they are spears and that is where the blood comes from.

I do not expect members necessarily to be impressed by that, in particular the Minister for Mines and Energy and his colleague who has been acting in his stead while he has been taking what was quite obviously a well-earned rest down at Doctor's Gully feeding fish. I mention it because members will recall that, during question time this morning, I asked whether the minister intended to instruct the Northern Territory Geological Survey to commence ground mapping activities as part of the Petermann mapping project in that vicinity in either 1986, 1987 or 1988. In case any members are unaware of the issue because Docker River is a lonely, isolated part of the Territory and they are in fact wondering what Bell is on about this time, allow me to enlighten them. I certainly did not get an answer from the minister and that disappointed me.

I first became aware of the Northern Territory Geological Survey's Petermann mapping project towards the end of September. I have subsequently found out that there was considerable negotiation between the Central Land Council and officers of the minister's department about this particular survey and whether or not it should be carried out. Quite clearly, there was some confusion in that regard. Different officers of the land council were involved in liaison with the community and with the minister's department.

The upshot of a meeting on 10 September at Docker River was that people were deeply concerned about the prospect of aeroplanes flying at 100 m above their particular sacred sites.

Mr Coulter: Why?

Mr BELL: If the Minister for Community Development, with his interest and responsibility in the area of Aboriginal affairs, wants to bear with me, I will explain to him. Obviously, he has not been listening to news broadcasts too regularly. Let me make a couple of things quite clear at the outset. The first thing I want to make quite clear is...

Members interjecting.

Mr BELL: If you want me to explain it, I will. Just bear with me. I do not think I have said anything particularly provocative. I think my tone of voice has been decidedly moderate. I think that I could be accorded by members a greater degree of attention than I am being accorded at the moment.

The first thing I want to make quite clear is that I quite agree with the minister about the importance of this mapping project. I quite agree that the department, the geological survey and the minister have every legal right in a strict sense to carry out that survey. Neither of those things is in dispute. What I am saying is that time and time again we have the Northern Territory government saying how important it is for northern development to have government, albeit for a small number of people, in the Northern Territory because it can look after Territory conditions; it can work these things out. Wouldn't it be nice if it could, because this case is a very sad indication of the extent to which the Minister for Mines and Energy has manipulated the situation?

Mr Dale: What have you been doing?

Mr BELL: Good grief, if you blokes would listen, we might finish. I will explain it to you. After the meeting on 10 September, during which the community made it quite clear that it had deep concerns about this particular project, the Minister for Mines and Energy received a brief dated 13 September. It is an eminently intelligent, sensitive document. It is a dreadful shame that the minister paid no attention to it.

With respect to the impasse that had developed, the minister was offered 4 options. By way of explanation, I should perhaps say to members that there are 2 parts to this survey: an airborne survey and a follow-up on the ground. The first option was that the airborne part of the survey be carried out in 1985 with the ground mapping activities being undertaken the following year. The second option was for the airborne geophysical data collection to be carried out this year and the ground activity deferred until 1987 or 1988. The reasons given in favour of the second option were that it would allow 1 to 2 years to elapse before there was any real impact on the Aboriginals or need for their direct involvement with the geologists. The third option was that the current program be modified by deferring the airborne part of the survey until 1986 and not commencing ground activity until 1987 or 1988. It was said that this would allow a year for intense liaison and consultation with the Aboriginals and their representatives before any activity and this would demonstrate - and this is instructive, in case the minister has not read it - that due concern would be shown towards the impact of NTGS mapping on the people concerned. The fourth option was that the program be abandoned, which nobody was really serious about.

Which of these options did the department recommend to the minister? It was option 3 which was that the current program be modified by deferring the acquisition of airborne geophysical data until 1986. What happened when it came across the minister's desk? I will tell you what went through his mind. He thought: 'Terrific. We have them cold here. We have the public on our side because the project must go ahead'. There would not be a person in Australia, including myself, who does not think that the project has to go ahead. I can see that it is of considerable importance to have a national mapping survey.

Mr Perron: You have 2 minutes to tell me why they objected.

Mr BELL: Okay. I am not sure that I will have time to do that, Mr Deputy Speaker. In case I do not, I will carry on tomorrow. If there had been fewer interjections, I would have done so tonight.

Realising the difficulties that these people were under and having received a representation from them, I thought: 'Goodness me, we are not exactly on a winner here, are we?' Have no doubt about it, people were deeply concerned about this issue. I want to place on record my concern that the Minister for Mines and Energy did not take his department's advice. I attended a meeting at Docker River late in September at which people gave me the message that they were deeply concerned. I did not find out the full reasons for their opposition at that meeting, and it was only when I received a phone call later that week that I did so. They told me they were coming into town that Thursday. They wanted me to fix up an opportunity for them to talk to radio, TV and newspaper people. I thought that that was hardly an onerous duty for a member of a Legislative Assembly to perform, so I did it. It was at that particular meeting that they told me - and I do not think there would be anybody who would not have sympathy for them - that it is not just their stories which are involved. People who are interested in those places live as far away as Yalata and Wiluna. You work out how far apart they are! They said that, if they did not look after these places, they would be going pungu which in Pitjantjatjara can mean anything from a gentle tap on the wrist to a spear through the thigh or death.

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

Mr LANHUPUY (Arnhem): Mr Deputy Speaker, I wish to raise in the adjournment debate the comments directed to me by the member for Wanguri. In terms of what happened to me about a month ago, I believe justice was carried out. For the member's information, I wish to advise that there is no legal service based at Nhulunbuy. Services are flown in on a monthly basis and I believe the Minister for Community Development or the Attorney-General will be able to confirm this. I do not intend to debate this matter further. I wish to place on record that I have written to the legal service concerned about any expenses that it has incurred. I am willing to pay for them. If the member for Wanguri wants to take that further, he can go ahead and do so. I do not care if he turns blue, or black in this case.

I wish to address a few issues which have been of concern to me since the last sittings and which are of a much better nature. It gives me great pleasure to be able to advise that I attended the Groote Eylandt Aboriginal festival which is held on a 5-yearly basis. About 5000 to 6000 people were in attendance. I do not know whether there were any government officials. However, I would like to place on record that the festival was very successful, and I thank the Northern Territory government for its support. I thank the Groote Eylandt Mining Company, the Aboriginal Cultural Foundation and the Groote Eylandt Aboriginal Trust for their financial support in this matter.

It was a very entertaining week for myself personally and also for the member for Nhulunbuy who accompanied me on this trip. In attendance were people from as far away as Western Australia, Torres Strait Islands, New Guinea, New South Wales and South Australia. They participated in a conference which I believe was one of the biggest ever held in the Territory. It takes place at Groote Eylandt every 5 years and I recommend that members attend it when it happens next.

The other subject that I want to discuss is Milingimbi. I had the opportunity to go across to Milingimbi about one month ago to attend a school fete. The attendance was very high. A number of people attended from Ramingining, Maningrida, Milingimbi, Lake Evella and Galiwinku. For a small place like Milingimbi, which has a population of about 700 people, the community did well to look after 1400 people. It is remarkable that there were 4 local bands. They played mainly rock'n'roll and some traditional music. There were pie stalls and lolly shops. I was glad to see the Minister for Education out there. He bought some T-shirts and some lollies.

All in all, it was a very good day. The local school made a profit of about $5000, which was outstanding from the community's point of view. I would like to thank the people who sponsored both that fete and also the Groote Eylandt festival. I would like to place on record my congratulations to both those communities.

Mr SMITH (Millner): Mr Deputy Speaker, it is not too often that I wish to refer to comments made by the member for Sadadeen but I think he has started a debate on an important question in Australia's history at present and that is the question of privatisation. Certainly, it is not something that people can sweep under the carpet. It is something that members on both sides of this Assembly and both sides of the federal parliament need to address seriously.

I was interested to note that he commented basically on areas from his experience in the United Kingdom. In essence, those areas are conducted already by private enterprise in Australia. For example, he talked about the long-distance bussing industry. Certainly, that industry in Australia is conducted by private enterprise. He talked also about what the Thatcher government was doing to encourage home ownership. Of course, Australia has the proud record of having the highest home ownership figures in the world. In the Northern Territory, we have been trying to catch up with the rest of Australia in that regard. That is something that both sides of this Assembly have supported, and one of the success stories of this government has been its ability to encourage home ownership in the Northern Territory.

I thought it was interesting that the member did not speak on possible Australian examples. What I want to say very briefly is that it is all very well for people in the densely-populated south to talk of privatisation but it is a bit dangerous for people in the remoter areas of the country, like ourselves, to rush into this privatisation argument without thinking it through. It is also very interesting that the Leader of the Opposition in the federal parliament, in talking about the privatisation of Telecom, made the point that it would need a federal government subsidy to pick up the operations of Telecom in the remoter areas. I think he means that, even at this stage, if Telecom is to be privatised, it will be restricted to the so-called 'golden boomerang' - from Perth to Brisbane - and that there are 2 options. One option is to hive off the uneconomic activities of Telecom outside the golden boomerang and pay for it by direct government subsidy. The other option is to privatise it completely and still provide a government subsidy to run it because we all know that the costs of running Telecom-type operations, particularly in the Northern Territory and in remote areas of Western Australia, far exceed the revenue derived from them. That position will not change whether it is government owned or whether it is privatised.

I finish by going back to where I started and saying that it is an important debate. It is probably about time that we in this parliament had a

proper, full-scale debate on it. If no one else is going to do it, certainly, on our next general business day, I will provide the vehicle for it.

The Auditor-General's report should cause the greatest concern for members of this Assembly and for all Territorians. The Auditor-General makes this statement: 'The prolonged finalisation process which occurred in respect of the 1984-85 Treasurer's annual financial statements and statement 6 ...

Mr Perron: Is there a motion to debate that?

Mr DEPUTY SPEAKER: Order! The honourable member is speaking on a motion to take note of the Auditor-General's report that was moved today.

Mr SMITH: Mr Deputy Speaker, I was hoping to get away with that.

Mr DEPUTY SPEAKER: Honourable member, I may be slow on my feet but the Clerk is much faster than both of us.

Mr SMITH: Yes, done to death by the Clerk.

Mr Deputy Speaker, having half suspected that that might be the result of that attempt, I would like to move on and talk briefly about my concerns about the mounting road toll in the Northern Territory. We all know that the road toll this year is higher than last year. We all know from a number of significant figures that we have by far the highest road toll in the whole of Australia. Statistics in the 1984 police report indicate 3 of the figures that I want to mention today. First, the Australian average number of fatalities per 10 000 vehicles is 3.2. The Northern Territory average is more than double that - 7.4. The Australian average number of fatalities for each 100 000 of population is 17.6 while the Northern Territory average is 36.3. The Australian average number of fatalities per 100 million kilometres travelled is 2.6 and the Northern Territory figure is 6.4. It is clear that the Northern Territory has a serious road death and road accident problem. It is also reasonably clear that the efforts that we have been making in the Northern Territory to reduce our road toll certainly are not having the same effect as the efforts that the states have made.

The difficulty is shown by another statistic. Last year, of the 48 road deaths, 8 occurred in Darwin, 6 in Alice Springs and 34 - about 75% - occurred outside those 2 major population areas. As well as that, the majority of them were single vehicle roll overs and the majority of them involved drivers who had a high blood alcohol concentration. In fact, the figures show that 62% of the fatal accidents were alcohol-related. The majority of the people involved in those alcohol-related accidents had an alcohol level far in excess of the maximum legal limit of 0.08%. To summarise, the situation is as follows: the majority of accidents occur outside the built-up areas, the majority of accidents are single-vehicle, roll-over accidents and the majority of those accidents have alcohol as a contributing if not the prime cause.

As I said before, it is clear that we need to have another look at our policing of these matters. From talking to people involved in the area, I am concerned that we do not have a regular road patrol system that extends beyond the urban areas. In other words, people can drive with impunity from Adelaide River to Batchelor, from Adelaide River to Pine Creek and from Barrow Creek into Alice Springs and know that they will be very unlucky indeed to be picked up by the police because, at this stage, the police do not have a regular road patrol system outside the urban areas. Of course, they will argue that

restrictions on their establishment numbers and restrictions on overtime place significant limitations on what they can do in this area. But when you consider the cost of these accidents to the accident assistance people in our community - police, ambulance, tow truck operators and others - and when you consider the cost in human lives, I would think that there is sufficient evidence to indicate that the police should re-examine that policy.

I think we all need to have a look at the random breath tests and how successful they have been. Certainly, I supported the legislation when it was introduced but when we have a situation where only 14 out of 48 fatal accidents occurred in the built-up areas and the operation of random breath testing ties up 3 or 4 policemen in a static environment, I think it is time to have another look at it.

Mr D.W. Collins: They are effective though.

Mr SMITH: I accept the point of the member for Sadadeen that they may well be effective in that their presence is cutting down the road toll in the urban areas but that must be equated with whether those officers would be more effective on mobile patrol in the built-up areas and whether, by taking them off that static position in groups of 3 or 4, it would release more police resources to patrol our main highways.

I do not know the answer to that but I think we have reached a stage where it needs to be looked at because we cannot continue to allow this dramatic loss of life to occur on our roads - a loss of life which, by better policing and, of course, a better attitude on the part of NT drivers, could well be reduced to everyone's benefit.

Mr SETTER (Jingili): Mr Deputy Speaker, I rise this evening to report to you on my recent trip to the CPA conference in Vanuatu. However, before I do so, I would like to take up a point made by the member for Arnhem when he told us about a cultural day that was held over at Groote Eylandt and a further activity that took place subsequently at Milingimbi. I recall him saying that members of the Assembly should make every opportunity to attend similar activities.

It is a shame that he is not here at the moment because I would like to draw to his attention that he raised a similar point during a previous sittings. In fact, he invited members to visit his electorate and I wrote to him subsequently and expressed interest and asked him to advise me when it would be suitable for me to take up his invitation. I did not receive a reply to that and I must express disappointment that I did not because, had I been aware of that cultural activity on Groote Eylandt, I would have been only too pleased to attend. I hope that he reads today's Hansard and notes my comments. I would like to repeat that I would indeed like to visit his electorate and any other Aboriginal electorate anywhere in the Northern Territory and acquaint myself with the problems and issues within those electorates.

Having said that, I would like to report now on the visit of our delegation to the CPA conference. The delegation attended the 18th Australasian and Pacific Regional Conference of the Commonwealth Parliamentary Association held in Vanuatu from 21 to 25 October. Our delegation consisted of the member for Arnhem, myself as member for Jingili, and Mr Graham Gadd from the staff of this Assembly. Other delegations, most of which consisted of similar numbers to our own, represented the Commonwealth of Australia, all

Australian states, New Zealand, Papua New Guinea, the Solomon Islands, Nauru, Kiribati, Fiji, Tonga, Tuvalu, Vanuatu, Norfolk Island, Western Samoa and the Cook Islands, with an observer from the Parliamentary Assembly of the Council of Europe.

In all, there were some 50 delegates, of all colours and creeds, from all sorts of cultures and backgrounds. However, I was most impressed by the sincere way in which they believed in the Westminster parliamentary system. Subject to local variations, it applies throughout the South Pacific region, excluding the French colonies of New Caledonia and Tahiti. I said subject to variations because each of these new nations has modified the Westminster system to suit its own conditions. They tend to blend their traditional structure of village or tribal chiefs with the Westminster method of elections. In most of these countries, the majority of members of parliament are, in fact, tribal chiefs or, at least, are descended from them. In Vanuatu, it was drawn to my attention that, because Vanuatu or the New Hebrides, as it was then called, was a condominium ruled jointly by the French and the British, when it was decided that those 2 nations would withdraw, the local people had only 12 months in which to acquaint themselves with and gain experience of the Westminster system. They did not have very much experience.

There is one matter of concern which I perceive arising in the future in these areas, and that is the ease with which most countries can alter their constitutions. For example, in Vanuatu, the constitution can be amended by the parliament. It requires a special sitting of that parliament at which three-quarters of the members must be present. The constitution can then be amended with the support of no less than two-thirds of all of the members of parliament present at that special meeting. To me, that means that it requires two-thirds of three-quarters of the members of that parliament. If a quorum is not present at the first meeting, then a further meeting can be called a week later when a quorum need only be two-thirds of the members of parliament. The constitution may then be amended by a vote of two-thirds of two-thirds of total membership of parliament. To me, this means that the constitution might be altered by an affirmative vote of 56% of the membership of the parliament. Most other South Pacific nations can amend their constitutions in a similar manner and to me this spells great danger to the future of parliamentary democracy in that region.

The conference considered a number of issues which included: the pollution of oceans and its effects; parliamentary democracy - and that particular item was presented by the representative of the Council of Europe; security of the Pacific islands; the parliamentary system of Vanuatu - and I mentioned a little about that a moment ago; closer economic relations between Australia, the Pacific islands and Australasia; the problems of unemployment, particularly youth unemployment; the involvement of the constituent in the decision-making process of parliament; the special problems facing small legislatures in the Pacific; and natural disaster relief organisations.

I would like to expand on that and draw attention to a few comments that were made concerning items of particular interest. The item concerning pollution of the ocean and its effects did not take long to become politicised. It started off with people talking about the possibility of oil spills and pollution from waste material coming from factories. Mind you, there are not many factories in that area. However, they had heard of what had occurred in western democracies and they were concerned about it. There was a case in Cook Islands where fish caught locally were poisoning people. That occurs in Australia also. It has occurred at Nhulunbuy and it is not

necessarily due to pollution. It can be caused by some effect that a particular seaweed or plant has on fish and so on. There was particular concern about that but, as I said, it did not take very long for that to develop into concern expressed by a number of nations, including New Zealand, regarding French atomic tests at Mururoa. There was a quite a lot of debate and I must say that all nations represented there abhorred the French tests. It was the general opinion of the conference that the French should stop testing in that area of the Pacific and that, as far as testing is concerned, it should be a nuclear-free area.

The next matter of particular interest is security of the Pacific Islands. As members may or may not know, there are only 1 or 2 nations which have any armed forces at all, apart from Australia and New Zealand. They would be Papua New Guinea and perhaps Fiji. The rest are very small nations which have a local police force and no other means of defence at all. They viewed with great concern the problems that ANZUS has created for the New Zealanders because they saw ANZUS as being their saviour in the event of any problems in that area. One might recall that, when Vanuatu was established as a nation, Papua New Guinea sent a force of approximately 1000 soldiers to maintain order in that area. In fact, one of the members of the New Guinea delegation was the senior military officer in Papua New Guinea at that time and led that force to Vanuatu. He is a most interesting chap.

Security in that area is of great concern to them. What has happened is that the western powers, particularly Britain, have moved out. These people are very vulnerable; they have no security whatsoever. Anybody can move through their waters. In fact, it is quite common knowledge that the Russians and Americans, and doubtless the Taiwanese and perhaps the Japanese, are raping their territorial waters and there is not a thing they can do about it. In fact, major Russian vessels have been observed travelling through those waters in recent times. They have been observed by local air charter firms who fly from island to island in the course of business.

I would strongly recommend - and I said this to various delegates - that they should approach Australia and New Zealand with a view perhaps to having surveillance aircraft operate throughout that area. Perhaps these could be supported by patrol boats which could be stationed at strategic places throughout the area. We have given quite a number of patrol boats to our good friends the Indonesians. Why can't we give a few to that area? I believe that it is in our best interests to keep the major powers out of the South Pacific region.

Much concern was expressed with regard to an agreement that has just been reached with the nation of Kiribati. I can count the number of islands on one hand and the population of the area would not amount to more than about 10 000 people. It has just concluded a fishing agreement that gives the Russians the right to fish within Kiribati's waters. Mind you, they have been doing it for years, but this agreement legitimises it. All of the other South Pacific nations expressed great concern at the agreement, as did Australia and New Zealand, because they felt that it was the thin end of the wedge. Once the Russians are in those waters, it will not be very long before they are requesting, if not demanding, landing rights. That is where the spiral begins because the Americans are not going to sit back and let that happen. Next we will have big power play in the Pacific and none of us wants that.

Another matter discussed related to closer economic relations between Asia, the Pacific and Australasia. One of the problems associated with the

great powers moving out is that there is an economic vacuum left behind. The aid has partially disappeared, together with the expertise and investment, leaving all these small nations with their main products comprising copra, paw paws, mangoes, taro and a few other basic essentials like that. Every island produces exactly the same products so they have a great problem. They are crying out for expertise, investment and for people to assist them. I suggest to you that Australia and New Zealand should be doing that as quickly as they possibly can because, if we do not, somebody else will.

The other thing that concerns them is the problem of unemployment. As a result of such narrowly-based economies, many young people cannot find work. There was a particular request to Australia to allow people coming here on work permits to work for a short time to earn money and then return to their islands. Regrettably, it was pointed out that our unionised system, like that of New Zealand, would not allow this to occur.

I had the privilege to move, on behalf of the Northern Territory delegation, that Darwin be the venue for the 19th conference which will be held in 1987. Our bid was successful and I am very pleased about that because it was a wonderful conference. I think it will bring a great opportunity to members of this Assembly and to the greater Darwin community to be able to communicate with these people and to learn about issues that concern them.

I consider the Vanuatu conference to have been a most worthwhile experience. I believe it provided a venue for an exchange of ideas by peoples with similar ideals and aspirations. I believe it is in our best interests to continue to participate in these conferences and to do all we can to foster and encourage good relationships with our near Pacific neighbours. I say that because I believe that, if we do not, unfriendly nations will exert their influence and it will be too late. I consider it a great honour to have represented the Northern Territory at this conference and I thank members for the opportunity afforded to me.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

## DISTINGUISHED VISITOR
### High Commissioner for Papua New Guinea

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of His Excellency Sir Alkan Tololo, High Commissioner for Papua New Guinea. On behalf of all honourable members, I extend a warm welcome to Sir Alkan and hope that his stay in the Northern Territory is an informative and pleasant one.

Members: Hear, hear!

## MINISTERIAL STATEMENT
### Darwin Airport

Mr MANZIE (Transport and Works)(by leave): Mr Speaker, on 4 April 1985, the federal Minister for Aviation called a halt to construction work on the Darwin Airport development project on the north side. At the time of making that announcement, the minister indicated that the project was to undergo a complete economic and financial reappraisal with a view to reducing the scope of works and to bring about a saving in project costs. Further, the Hon Peter Morris stated that the reappraisal process would be carried out within 6 months with the deadline being 31 October 1985.

The Commonwealth reappraisal of the Darwin Airport project is now complete and I am informed the report covering the reappraisal was forwarded to the federal Minister for Aviation on 31 October. I telexed the minister on 5 November urging that he make a quick decision on Darwin Airport and that he take into account those matters raised by the Chief Minister and myself in recent correspondence.

The Chief Minister made a comprehensive statement on the Darwin Airport terminal on 6 April in this Assembly following the announcement by the federal Minister for Aviation that work on the project was to halt. Honourable members on both sides of the Assembly expressed support for the Chief Minister's statement at the time and I do not propose to repeat any of that statement here. However, it is appropriate that I outline, for the benefit of honourable members, developments which have taken place during the project reappraisal process and, in particular, to draw attention to those matters of concern to the Territory that have been raised in recent letters to the federal Minister for Aviation.

The first part of the project reappraisal undertaken by Commonwealth aviation, defence, and housing and construction officers identified 3 sites for assessment: the northern side site, where construction has already commenced, the RAAF bomber replenishment apron site on the southern side and the existing site of the Darwin passenger terminal. For the benefit of honourable members, the bomber replenishment apron or the BRA is where the United States Air Force B52 bombers park when in Darwin.

To a large extent, this whole reappraisal exercise has been one of reinventing the wheel. Years of economic, financial, technical, operational and defence implication analysis went into the original investigation process which eventually decided on the north side option. This point is ably demonstrated by examination of the documentation tabled by the Chief Minister on 16 April. While nobody would argue against the Commonwealth government's

stated objective of reviewing the Darwin Airport project in an effort to reduce escalating construction costs, I believe this could have been achieved by concentrating efforts on reducing the scope of works and therefore costs on the north side project. There really was no need to involve other sites in the reappraisal exercise. It was a waste of time and effort. There can never be any doubt regarding the RAAF's position on the matter. Certainly, it would resist giving up the BRA site, bearing in mind Australia's commitment to the B52 bomber operations through Darwin and the tremendous cost that would be involved in providing alternative bomber and fighter facilities elsewhere on the base.

I do not have to dwell on the obvious drawbacks associated with trying to develop the existing terminal area for long-term civil aviation operations in Darwin. Development of this site would be nothing short of an unmitigated disaster. The site is hopelessly located between RAAF headquarters on the western and southern sides and runway 1836 on the eastern side. There is no room for future expansion of civil facilities. Apart from these limitations, the existing terminal site presents distinct problems in respect of road traffic leading onto and off the Stuart Highway and major constraints and suitable parking arrangements, not to mention the nightmare operational problems for the airlines and the inconvenience to passengers that would be involved in parking aircraft in a long, strung-out line across the apron in a northern direction. Passengers would be forced to walk distances in excess of 300 m to and from aircraft in our wet season conditions. Again, it is difficult to imagine that the RAAF would ever agree to the demolition of a considerable number of its headquarters buildings to make way for expanded civil operations at the existing terminal site.

The Northern Territory was invited to provide input into the financial and economic analysis of each of the 3 site options being assessed. However, the Northern Territory was not made privy to the project cost estimates prepared by the Commonwealth Department of Housing and Construction in relation to each site. Obviously, this compromised the Territory's ability to provide meaningful information on the economic impact of developing each of the 3 sites.

The Northern Territory government has expressed a firm view that development of the northern side site should proceed at the first opportunity. This view is held even though the government submitted an earlier proposal to the Minister for Aviation suggesting that the Territory government should participate in the development of civil aviation facilities at the existing RAAF BRA site under some form of aerodrome local ownership arrangement with the Commonwealth. It was appropriate to make that offer at the time in an attempt to take advantage of the large aircraft apron facility already in place at the BRA site which would have allowed development of civil aviation facilities to proceed with much the same timing impetus as the northern side. Also, the necessary project cost saving sought by the Commonwealth could have been achieved.

I will return to the general question of local ownership in relation to Darwin Airport in a moment but first I would like to draw members' attention to the government's stated position with regard to the project reappraisal just completed and, in particular, to the Northern Territory's stated site preference. With the indulgence of members, this can best be demonstrated if I read for the record the letter sent by the Chief Minister to Hon Peter Morris, Minister for Aviation. This is dated 28 October 1985:

'My dear Minister,

With the reappraisal of the Darwin Airport development project now drawing to a close, it is appropriate that I convey to you the Northern Territory government's views on the matter. In particular, I wish to indicate my government's clear preference for continued development of the north side site.

Before providing specific comments on the alternative sites that are under consideration, I should point out the Northern Territory has not been privy to project cost information compiled by your department in connection with the reappraisal. Such financial and economic analysis that we have been able to carry out clearly indicates that north side development is the only practical option to be pursued.

The Northern Territory government is firmly of the view that development of the north side site should proceed at the earliest possible opportunity. This view is held even though I did consider it necessary to make an earlier offer to develop the south side BRA site under some form of ALOP arrangement.

The BRA option was put forward as a further alternative which might expedite much-needed improvements in civil aviation facilities at Darwin. On reflection, I recognise that it may be somewhat difficult for the Commonwealth to seriously entertain such a proposition given the limitations imposed by joint user arrangements now in place with the RAAF at Darwin Airport.

In my view, the north side site presents the best option for development in a number of important respects. First, it allows for a clear separation between civil aviation activities and RAAF operations. Project work could commence on this site with a minimum delay given the degree of detailed planning and site works that have been carried out already at considerable public cost. Further, as this site has previously undergone Public Works Committee review, additional delays through a second hearing will be avoided. My government stands by its previous commitments relating to the extension of necessary services including roadworks to the site.

The main problem I find with the north side option is that I understand that provision of general aviation facilities is not being considered as part of the project reappraisal process. Obviously, something positive must be done to relieve the current plight of the general aviation industry in Darwin. The industry provides a vital service to remote isolated communities in the north and must be supported.

With regard to the development of the BRA site, I believe there are 3 distinct disadvantages in pursuing this option. First, there is the prohibitive cost involved in relocating RAAF facilities to the north side, not to mention the disruption this would cause to the RAAF base Darwin master plans. In fact, I understand there are suggestions that the Department of Defence is looking to extend its facilities at and adjacent to the BRA site.

Further, development of the BRA site would almost certainly entail considerable planning and investigation work, including environmental impact studies and a fresh public works committee hearing giving rise to additional extensive delays. A further factor, not yet resolved I believe, is the possible noise pollution by military aircraft operating from an alternative RAAF site.

This, then, brings me to the existing terminal site option, a matter of real concern to the Northern Territory government if the development of this site is to be considered seriously by the Commonwealth. My colleague, Daryl Manzie, Minister for Transport and Works, has written to you on this matter. I cannot overemphasise the concerns and reservations which we have in relation to any redevelopment based on the existing site. The economic and social disadvantages associated with this option are severe. In the short term, the disruptions would make existing facilities unworkable. In the longer term, not only would they fail to provide security of tenure and operations, the physical limitations of that site would soon repeat the chaos inherent in the present facilities. Further, it also seems inevitable that the civil aviation operations would have to be relocated at even more substantial cost and with a near total loss of capital involved in present infrastructure. As pointed out by Mr Manzie, the site suffers many other serious limitations in terms of traffic flow on and off the highway, restrictions on car-park areas, excessive walking distance to and from aircraft as well as to and from the car-park areas to the terminal building. These could not be satisfactorally redressed through redevelopment.

I attach for your information a summary of further matters which I would prefer to have been discussed at officer level prior to finalisation of the report. I ask that you to take all these aspects into account in reaching a decision on this matter of the greatest importance to the Northern Territory'.

As stated in the letter, there is an attachment which further summarises the main points raised. I do not propose to read the text of the attachments but I table that letter and attachments for the benefit of honourable members to read at their leisure.

I would like to expand on the points made about the plight of the general aviation industry at Darwin Airport. General aviation embraces the light aircraft fleets that operate RPT and charter services, aero-medical services, aerial work and includes the Darwin Aero Club and aircraft maintenance facilities. An alarming aspect of the Darwin Airport reappraisal just completed is that it did not include any consideration of the future of general aviation. This is difficult to understand given the unsatisfactory land tenure situation that has confronted the general aviation industry for the last 20 years. General aviation operators exist on 30-day lease arrangements which can be revoked at any time. Like any other commercial enterprise, the industry needs security of tenure in order to make sound and confident investment decisions. This is not possible at the existing general aviation site. The operators have been given notice by the RAAF to vacate the area by the year 2000 at the latest. In the meantime, the best they can hope for is to obtain 5-year leases on the proviso that only temporary demountable structures are erected. These are to be removed prior to the year 2000. Obviously, this is not satisfactory.

General aviation scheduled and charter services are absolutely vital to island communities and remote settlements which do not have all-weather road links. They rely entirely on air transport for passenger movement, the ambulance function, mail services and for a substantial part of their perishable goods supplies. Not only is there a problem for existing operators; it is almost impossible for a new general aviation company to establish itself at Darwin Airport. The land, water, power, sewerage and access road constraints mean there are no sites available for development. A case in point is a situation confronting Lloyd Aviation which recently won the BHP petroleum contract to provide aviation support services to BHP's oil production and exploration program. Lloyd Aviation is keen to set up its own maintenance and operations base in Darwin, but has had to make alternative arrangements.

While I recognise that general aviation has been excluded from the Darwin Airport project reappraisal because of budgetary considerations, there is a pressing need to ensure this vital sector of industry is provided with the necessary land and infrastructure at Darwin Airport so the industry may consolidate and grow.

Another element of the reappraisal that concerns me is the question of aerobridges. Aerobridges were a feature of the original northern side development, but I understand they are now not to be incorporated in any revised scope of works. In my view, the omission of aerobridges in a modern airport facility designed for 500 000 passengers per annum will seriously compromise the overall operational integrity of the terminal. The Cairns experience is something which must be avoided. Aerobridges were not included in the initial new terminal building design, but they were later added at the insistence of the Cairns Port Authority. The end result was a building which was not designed for aerobridges with aerobridges attached, and the consequent proliferation of passenger ramps going every which way.

While on the subject of Cairns Airport, I would like to refer to the matter of aerodrome local ownership as it relates to Darwin Airport. I understand that, in a recent interview with ABC TV, the Chairman of the Cairns Airport Port Authority stated that Darwin should follow its example in securing an ALOP arrangement. There can be no doubt that the Cairns Airport local ownership has proven very successful. Indeed, I would like to think that there may be some prospects for a similar arrangement in Darwin if development works proceed on the northern side. I believe there is definite scope for a suitable area of land encompassing a new civil aviation development on the northern side to be leased to the Northern Territory government under an ALOP arrangement. Obviously, provision would have to be made for the sharing of maintenance responsibility and costs with the RAAF on facilities such as runways, taxiways and apron areas.

However, I realise there are significant impediments to implementation of any ALOP scheme at Darwin, not the least of which is the fact that Darwin is a RAAF defence facility. At present, Commonwealth government policy on ALOP does not provide for arrangements to be entered into at any of Australia's RAAF airfields where there is a joint civil and defence operation. The defence priority always prevails. Civil aviation operations are merely tolerated. In this respect, the Department of Aviation, airline companies and all other users of Darwin Airport are guests of the RAAF, and that must be borne in mind. A further example in this regard is Townsville Airport. Being a defence facility, the Townsville City Council or the Queensland government could not enter into any form of ALOP arrangement.

To conclude, I reaffirm the Northern Territory government's preference for a northern side development, and I hope that an early decision to that effect will be announced by the Minister for Aviation. We can all hope that, in the weeks ahead, he is in a charitable mood towards Darwin and the Territory in reaching his ultimate decision on Darwin Airport. Mr Deputy Speaker, I move that the Assembly take note of the statement.

Mr BELL (MacDonnell): Mr Deputy Speaker, in the context of this statement and this morning's extraordinary developments, I believe a few comments are probably necessary because of the thoroughly unwarranted impression of responsibility that the honourable minister has accrued to himself with this particular statement.

In rising to speak on the first occasion since my colleague, the Leader of the Opposition, was named, I wish to say that I should have been a little quicker to raise my concerns in that regard. I should have moved a motion of no confidence in the Speaker. That was an option. I was a little slow on my feet, I suppose. But I do not believe that, in a collegiate sense, as an opposition member of this Assembly, I would be doing my job of...

Mr DEPUTY SPEAKER: Order! The honourable member must not reflect on a decision of this Assembly unless it is by way of a substantive motion.

Mr BELL: So be it, Mr Deputy Speaker.

I will pass on to some comments I wish to make in relation to the Darwin Airport and the wider comments that the minister made about aviation generally in the Northern Territory. He said quite correctly at the beginning of his statement that there had been a degree of bipartisanship with respect to developments at the Darwin Airport. I note with some interest the consideration given by the minister in his speech in relation to aerodrome local ownership plans with respect to Darwin Airport. I note also that currently there is a not-so-well aerodrome local ownership plan operating in my electorate at Connellan Airport. By golly, when consideration of an ALOP for Alice Springs Airport was rejected at the time by the then Chief Minister, it was kept very quiet. That very same Chief Minister and many of his then Cabinet colleagues who are still members of the government frontbench were extremely quiet about the ALOP that was developed for Connellan Airport at that stage. Perhaps some of them might like to get to their feet in this debate and explain that to us.

I certainly am encouraged by the change of heart both by the minister and quite clearly by this government in embracing somewhat more fulsomely such aerodrome local ownership plans which, as the minister has noted in his statement, have been used so successfully at Cairns. I understand that they have been used also at a number of other north Queensland aerodromes. The names of all of them escape me at the moment but, certainly, there has been a greater interest in them. I understand that, in the Chief Minister's own electorate, such a plan is being considered at Tennant Creek at the moment. A similar plan is being considered for Alice Springs Airport, and that can only be of some considerable advantage in the context of central Australia, the Territory as a whole and northern Australia as a whole.

It is probably worth mentioning a subject that I raised obliquely in an adjournment debate during the last sittings and to which the Minister for Transport and Works responded. He will recall no doubt my raising the subject of an Ombudsman's report that had been occasioned by representations made to

the Ombudsman by Mr Stephen Styles of Territory Aviation. Upon further investigation of this particular imbroglio, some fairly disturbing facts have come to my attention. I believe that I would not be doing my job as a responsible member of this Assembly if I did not raise them. Unlike some of the people on the government benches, I take my task as shadow minister for transport and works quite seriously. I believe the circumstances surrounding this particular case are more than worthy of note in this Assembly.

Firstly, I wish to refer to the behaviour of the then member for Ludmilla, now member for Elsey. At the time, he was the Minister for Transport and Works. You will no doubt be aware, Mr Deputy Speaker, of the concerns expressed by the principal of Territory Aviation in relation to the award of government contracts by the minister. These were referred to by the Minister for Transport and Works during the previous sittings. I presume he will in nowise be troubled by my raising it. I only raise it in...

Mr MANZIE: A point of order, Mr Deputy Speaker! The member for MacDonnell should confine his comments to the content of the statement that was made. What he is talking about now has no relevance to the subject whatsoever.

Mr BELL: With due respect, Mr Deputy Speaker, towards the end of his statement, the Minister for Transport and Works made several references to general aviation. I really fail to see how he can take me to task for making similar general comments about the administration of Darwin Airport and the administration of general aviation in the Territory as it falls to his particular brief. If he has the right to make statements in relation to general aviation, I really fail to see why I cannot make similar comments about the substance of the statement and the general issues.

Mr DEPUTY SPEAKER: There is no point of order.

Mr BELL: As I was saying before I was quite unwarrantedly put off my game, I am not choosing to make any particular further reference to the behaviour of the then Minister for Transport and Works because I believe these matters to be sub judice. But, quite clearly, reference does need to be made to them.

A second ancillary issue with respect to the government's approach to general aviation in the Northern Territory came to me from Mr Styles himself, a person who has done work for the Country Liberal Party in the past, particularly during election campaigns. I believe that the government deserves to have brought to its attention a comment made by the Minister for Community Development who was then a backbencher. I will be commenting more fully at some future time about the award of government contracts and membership ...

Mr DONDAS: A point of order, Mr Deputy Speaker!

Mr DEPUTY SPEAKER: What is the point of order?

Mr DONDAS: The point of order is that the member for MacDonnell is not addressing himself to the statement. The Minister for Transport and Works has made no direct statement in regard to general aviation other than on page 10 of his statement when he talked about the general aviation industry in Darwin. His statement referred to the particular facilities available there and how the upgrading of the Darwin Airport will help the aviation industry in general.

Mr DEPUTY SPEAKER: I uphold the point of order. The honourable member will confine his remarks to the subject matter in the statement.

Mr BELL: I can appreciate the sensitivities of the government frontbench in this regard, and suffice it to say that, at this stage, I will be making no further comment on what I believe are serious matters concerning government conduct in this matter. There has been a thoroughly unwarranted impression of responsibility given by the government, not specifically by the Minister for Transport and Works who is not a bad fellow. However, there has been a general impression of responsibility given by the government frontbench, not so much in respect of the Darwin Airport and associated negotiations, but certainly in respect of its responsibility for organising general aviation in the Northern Territory. Since that subject was raised in the context of this debate, I believe it was quite proper for me to comment on it.

Finally, I endorse the minister's efforts in seeking to obtain an adequate upgrading of the Darwin Airport and I commend his statement.

Debate adjourned.

## SUSPENSION OF STANDING ORDERS

Mr HARRIS (Education)(by leave): Mr Speaker, I move that so much of standing orders be suspended as would prevent 4 bills relating to tertiary education, the University College of the Northern Territory Bill (Serial 160), the Advanced Education and Darwin Institute of Technology Bill (Serial 161), the Menzies School of Health Research Bill (Serial 162) and the Education Amendment Bill (Serial 163) - (a) being presented and read a first time together and 1 motion being put in regard to, respectively, the second readings, the committee's report stages, the third readings of the bills together; and (b) the consideration of the bills separately in the committee of the whole.

The Assembly divided:

| Ayes 18 | Noes 4 |
|---|---|
| Mr D.W. Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Dondas | Mr Leo |
| Mr Finch | |
| Mr Firmin | |
| Mr Hanrahan | |
| Mr Harris | |
| Mr Hatton | |
| Mr McCarthy | |
| Mr Manzie | |
| Mrs Padgham-Purich | |
| Mr Palmer | |
| Mr Perron | |
| Mr Robertson | |
| Mr Setter | |
| Mr Tuxworth | |
| Mr Vale | |

Motion agreed to.

UNIVERSITY COLLEGE OF THE NORTHERN TERRITORY BILL
(Serial 160)
ADVANCED EDUCATION AND DARWIN INSTITUTE OF TECHNOLOGY BILL
(Serial 161)
MENZIES SCHOOL OF HEALTH RESEARCH BILL
(Serial 162)
EDUCATION AMENDMENT BILL
(Serial 163)

Bills presented and read a first time.

Mr HARRIS (Education): Mr Speaker, I move that the bills be now read a second time.

We have before us 4 bills that are so interrelated that I believe it is necessary to deal with them as a total package. Also, it is necessary to pass these bills through all stages at this sittings and I have indicated that to the Leader of the Opposition.

These bills represent a landmark in the history of the development of tertiary education in the Northern Territory. In establishing the university college, we will have bridged the last remaining gap in our educational infrastructure. In fact, the total package will do more than that: it will open the way for an exciting new era in the development of tertiary education in the Northern Territory by putting in place a coherent framework for ongoing planning and development for the Territory's needs and for meeting the requirements of the Commonwealth to enable Northern Territory institutions to play an entrepreneurial and developmental role within the region to our north.

In developing the 4 bills, there has been consultation with the University of Queensland, the University Planning Advisory Committee, the Northern Territory Council of Higher Education and the Menzies School of Health Research. During these consultations, we have looked at considerations of autonomy, academic freedom, freedom from ministerial direction, suitable financial arrangements and appropriate accountability requirements. During the consultation process, it became clear that the requirements of the university college, the Darwin Institute of Technology and the Menzies School of Health Research were similar in many areas and that led us to the view that, where appropriate, common or parallel legislative arrangements should apply.

In this respect, I am pleased to announce that the government has decided now to honour an undertaking given to the Northern Territory Council of Higher Education to give the Darwin Institute of Technology its own separate legislation. In drafting the legislation, we have used as a model for all 3 bills the existing legislation of the University of Queensland. Where necessary, we have taken into account the normal requirements of the University of Sydney legislation to fit in with the requirements of the Menzies school and we have modified the Darwin Institute of Technology legislation, where necessary, to take account of its role as a multi-level institution developing in quite a different direction from the former Darwin Community College.

Another factor considered was the need to provide a single source of advice to both the Northern Territory and the Commonwealth governments on matters affecting all 3 sectors both together and individually. The legislation therefore has the following aims: to establish the University

College of the Northern Territory, the Darwin Institute of Technology and the Menzies School of Health Research as autonomous institutions with all the appropriate powers necessary to conduct their own affairs within the normal limits of financial and public accountability required of tertiary institutions throughout Australia; to provide similar and consistent provisions where relevant in all 3 bills; to provide different provisions only in those areas where each institution has special needs or requirements; to establish the NT Council of Advanced Education; and to repeal the University (Interim Arrangements) Act. In addition to the 3 bills concerned, it is necessary to introduce a fourth bill to amend the Education Act as a consequence of the introduction of the bill to establish the University College of the Northern Territory and the bill to provide separate legislation for the Darwin Institute of Technology and the NT Council of Advanced Education.

I turn now to speak briefly about each of the 4 bills in turn. Firstly, I refer to the bill to establish the University College of the Northern Territory and to repeal the University (Interim Arrangements) Act. As members would know, it is the intention of this government to have undergraduate university courses conducted by the university college from the beginning of 1987. For that to happen, it is vital that Northern Territory Year 11 students be advised of the entry requirements during the next few weeks for 1987 courses offered at the university college. It is also vital that the college have all of 1986 in which to get itself organised, employ staff and do all the other things necessary to ensure a smooth start to the 1987 academic year.

It will be obvious to honourable members that reputable academics will not be prepared to accept positions at the university college until legislation is in place. Further, the provisions of this bill have a significant impact on the tertiary sector as a whole. For example, the repeal of the University (Interim Arrangements) Act requires the introduction of new legislation to provide for the Menzies School of Health Research. The proposed establishment of a council of the university college necessitates the relocation of advisory and liaison functions, presently carried out by the NT Council of Higher Education, between the council of the university college and the Council of Advanced Education. It is therefore clearly essential that the 4 bills before the Assembly be dealt with simultaneously and urgently so that the overall framework for tertiary education can be speedily put in place without disruption to existing operations in that sector.

The passage of this legislation will enable the swift establishment of the council of the university college, thus permitting the recruitment of staff to proceed. We are fortunate in having the benefit of the expertise of the University of Queensland in this matter. The University of Queensland has agreed to release a senior professor to act as warden of the college for the first 2 years. The membership of the council will include the vice-chancellor of that university and 2 nominees of the vice-chancellor.

The University College of the Northern Territory Bill is aimed at establishing an institution which will have the capability and responsibility of providing both undergraduate and post-graduate courses, and encouraging and facilitating research. In the latter function, the college will work closely with the Menzies School of Health Research and with other tertiary institutions outside the Territory. To enable the college to do all these things as efficiently as possible, the legislation before us gives the college quite wide powers with as little outside control as seems practicable. Of

course, for the purposes of public accountability, some constraints are necessary as far as the financial affairs of the college are concerned but these have been kept to a minimum and have been agreed to by all concerned, including the University of Queensland.

The bill provides for a council of the college which will have all the normal components of similar bodies elsewhere. It will have strong academic representation, including the Vice-Chancellor of the University of Queensland, members of the academic staff and graduates of the college. The student body will also be represented on the council and there is ample provision for the general community to be represented through the 10 members appointed by the Administrator.

The person responsible to the college council for the administration of the college will be the warden. The first warden of the college will be appointed by the Administrator on the nomination of the Vice-Chancellor of the University of Queensland. That appointment will be effective until 31 December 1987 when normal appointment procedures will apply. From that time on, the appointment of the warden will be by the council subject to the approval of the Administrator.

The bill is consistent with similar legislation relating to university level institutions elsewhere and complies with the requirements of the University of Queensland. A considerable amount of autonomy has been provided and the college has been exempted from the Financial Administration and Audit Act. However, the college is subject to the audit and annual report requirements of the act and I believe the legislation contains sufficient safeguards in relation to the college's finances.

This legislation is an immensely important milestone in the Territory's history and in the provision of education services to Territorians. It acknowledges Territorians' right to local access to university level education, a right which has already been enjoyed by the rest of Australia for some considerable time.

The second major bill before us will provide separate legislation for the Darwin Institute of Technology and establish a Northern Territory Council of Advanced Education which will also be the council of the institute. The institute at present operates under legislation contained wholly within the Education Act. As members are aware, new directions were set out for the former Darwin Community College at the beginning of this year. It has settled down well into its new and exciting existing role as an institute of technology and it would be more appropriate for it to operate under its own act in line with the university college. The institute has a major place in our tertiary education structure and it will continue to expand and develop along lines similar to institutes of technology elsewhere. I expect the institute and the university college to work together in offering a wide range of educational opportunities to Territorians.

Presently, the Education Act provides for the NT Council of Higher Education which, in addition to being the governing council of the Darwin Institute of Technology, also has an advisory and liaison function in respect of university education and advanced education for the Northern Territory as a whole. Those functions of the existing Council of Higher Education which relate to advanced education will be taken over by the proposed Council of Advanced Education while the university education issues will be dealt with by the university college council. The Northern Territory Council of Advanced

Education, in addition to providing advice on the whole advanced education sector, will also be the governing council of the Darwin Institute of Technology.

The present legislation for the Darwin Institute of Technology restricts its activities to the Northern Territory but I believe it will not be long before it will be in the interests of the institute to be able to offer its educational services beyond the Territory's borders and beyond Australia's borders. The bill before us will allow the institute to extend its services to a much wider geographical area than at present and make much more specific legislative provisions in respect of matters such as the charging of fees, investments, gifts and trust funds and the power to negotiate loans. In common with the university college legislation, this bill contains a no-discrimination clause, and members will perhaps be pleased to note that it specifically prohibits discrimination on the grounds of political belief.

The bill also gives the institute quite wide powers in respect of making bylaws. I believe this will strengthen the institute's administrative structure. In addition to bylaws, the institute is given the power to make rules. The procedures for making rules have been greatly simplified by exempting them from the normal requirements of the Interpretation Act.

In this bill, we are assigning a greater degree of autonomy to the Darwin Institute of Technology. Of course, greater autonomy goes hand in hand with greater responsibility, and I am confident that the institute will act with complete responsibility under the new legislation.

It is obvious that the bills relating to the university college and the Darwin Institute of Technology have direct implications for the Education Act. This brings me to the third bill before us today. Fortunately, this is a much smaller bill. Its purpose is to amend the Education Act as necessary as a consequence of the new legislation relating to the university college, the Northern Territory Council of Advanced Education and the Darwin Institute of Technology. Its main effects will be to remove from the Education Act those sections dealing with the NT Council of Higher Education and the Darwin Institute of Technology and, where necessary, to include references to the proposed University College of the Northern Territory Act, and the Advanced Education and Darwin Institute of Technology Act.

The purpose of the fourth bill is to establish under its own legislation the Menzies School of Health Research. As I mentioned earlier, the repeal of the University (Interim Arrangements) Act makes it necessary to provide for the school under other legislation. Members would be aware of the way the Menzies school was established under joint sponsorship of this government, the Menzies Foundation and the University of Sydney. The school was officially opened by the Governor-General, Sir Ninian Stephen, in June 1983. Of course, the school is accommodated in the premises of the Royal Darwin Hospital. I believe it will be a significant step for the Territory to set that school up as a Northern Territory institute under its own act. The academic ties with the University of Sydney will be maintained and the academic status of the school will be assured.

The school is currently being funded by this government and by the Menzies Foundation and is seeking additional funding from other agencies and from individual donors. With a present staff of about 30, including full-time staff members and post-graduate students, the Menzies school is engaged already on research into health problems associated with living in the

Northern Territory, including diabetes and heart disease, poor nutrition, hepatitis, trachoma and alcohol-related problems. The excellence of the school's work has already attracted considerable interest and attention nationally and internationally. It provides irrefutable evidence that academic excellence can be achieved in the Northern Territory.

During the drafting of the legislation for the Menzies school, a number of important but not always obvious requirements have been borne in mind. Among these factors, I would include such things as: the need to work in close cooperation with government departments such as health and education; close liaison with the university college, particularly in relation to research and post-graduate studies; maximum independence for the board while still allowing the interests of the government to be represented; continuing association with the University of Sydney and the Menzies Foundation; status of the school as a research institution; outside financial support by way of gifts, grants, bequests and so on; and, most importantly, internal incentives for achieving excellence and economy. I believe the bill before us today encompasses all those requirements. The composition of the board should go a long way towards ensuring the status and academic excellence of the school. The legislation will also ensure a continuing link with the University of Sydney.

Whilst the school has been given as much financial autonomy as was considered practicable, the bill provides for the school's financial committee to include a nominee of the Northern Territory Treasurer, and I believe that person will be of great value to the school. In keeping with the autonomy concept, the school is not a statutory corporation within the meaning of the Financial Administration and Audit Act, and is even freer from government control than are the university college and the Darwin Institute of Technology. All in all, I believe the Menzies School of Health Research Bill provides all the necessary legislative support for the school without imposing any unnecessary restrictions on it.

It is important to spell out the responsibilities for providing advice to the government on the various tertiary education sectors, and for liaison with Commonwealth agencies such as the Tertiary Education Commission. The Education Act currently provides for a TAFE Advisory Council and, as I have already indicated, the bills before us today provide for a Northern Territory Council of Advanced Education and a council of the university college. Each of these 3 councils will provide advice on its particular education sector. In order to provide a mechanism for its advising the government on issues which cut across more than 1 sector, a Northern Territory Tertiary Education Council will be established under section 19 of the Education Act.

The 4 bills before us cover some very significant developments in tertiary education in the Northern Territory and I have much pleasure in commending them to honourable members.

Debate adjourned.

## MINISTERIAL STATEMENT
### Cane Toads

Mr HATTON (Conservation)(by leave): Mr Deputy Speaker, I thank you for the opportunity to make this statement which I do not do lightly. I rise to inform the Assembly that a cane toad was found in Kulaluk this morning. Some local residents found what they suspected to be a cane toad in their backyard. They caught it and contacted the Conservation Commission. Conversation

Commission rangers later identified it positively as a cane toad. I do not need to tell members that the discovery of a cane toad in the suburbs of Darwin is a very serious matter. The situation is made even worse by its location in that area of mangroves and other wet areas which could provide an excellent breeding and development situation for cane toads.

Recently, the Conservation Commission received reports of sightings of cane toads by joggers running in the Kulaluk area. I am advised that today Conservation Commission rangers are talking to residents of Kulaluk and distributing cane toad identification posters. A team of rangers will search the area tonight and I should know tomorrow whether other cane toads are found.

The family who found this cane toad took the correct action. They caught it by putting a bucket over it and called the Conservation Commission for a positive identification. As a result, the toad is now in the custody of the Conservation Commission at Berrimah Farm. I would ask any persons who suspect that they have found a cane toad to contact the Conservation Commission or, preferably, to catch the toad and take it to the commission at Berrimah. However, cane toads should not be handled directly because they can cause irritation to people's skin.

I cannot stress too strongly how concerned the Conservation Commission is about this incident because cane toads have immense potential to harm our environment. They are poisonous to animals if eaten by them and they are a major pest in Queensland and a spreading pest in the Northern Territory.

Mr Deputy Speaker, I move that the statement be noted.

Debate adjourned.

## APPROPRIATION BILL
(Serial 137)

Continued from 12 November 1985.

Mr LEO (Nhulunbuy): Mr Speaker, I will confine my remarks in this debate to the portfolios for which I have shadow responsibility. I would like to start with the portfolio of primary production, a very broad portfolio which covers many areas.

I was pleased to learn earlier this year that the minister responsible intends to conduct a very broad inquiry into the cattle industry in the Northern Territory. Certainly, that is well overdue. Information that I have received indicates that, over the last 5 years, there has been a steady decline in the cattle industry in the Northern Territory resulting from many factors. This decline relates both to the number of stock turned off properties and the amount of beef slaughtered in the Northern Territory. I am sure that the minister's inquiry will provide this Assembly and his department with information upon which to base decisions relating to the future of this very important industry in the Northern Territory. We seem to have a great deal of difficulty in achieving our goals in many areas of endeavour in the Northern Territory. However, over many decades, we have proved that at least we can grow cattle. It is worth while noting that. Indeed, the cattle industry has been the backbone of much of the Northern Territory's economy in the past.

Of particular concern within the cattle industry is the B-TEC program and the problems that that has caused. On the radio and in this Assembly, the member for MacDonnell has alluded to the problems of a particular pastoralist in his electorate. I believe that those problems are manifest in many areas of the Northern Territory. I hope that adequate attention will be given to the cost borne by producers in relation to this program. There seems to be some idea on the government's part that the problem has been solved because of the funds that have been allocated. In fact, it has not been solved. It will continue to be a cost that the Northern Territory taxpayers will have to bear for quite a number of years. I had hoped that B-TEC would have received much more recognition in the government's budget even though it has been given substantial recognition.

Another matter that the minister raised in his second-reading speech was the government's attempt to attract a broader spectrum of the fishing industry into the Northern Territory with the implementation of the recommendations in the Norgaard reports. Three fish-processing plants have closed down in the Northern Territory. It is a shame that it has taken until now for the government to recognise the advantages and the employment that can be generated by a well-established fishing industry based in the Northern Territory. There are enormous problems to overcome and I have discussed them very briefly with the minister. Not the least of those problems, of course, is the concept of the northern fishery. The states are most reluctant to forgo their fishing rights within northern Australian waters. However, it is an industry which can provide much employment for the Northern Territory and the government needs to pay more and more attention to it.

It is pleasing to see that the government is implementing some of Norgaard's recommendations. I hope that the implementation of those recommendations is not confined strictly to Darwin. Indeed, in my own electorate, there is a need to broaden substantially the economic base. As every member is aware, Nhulunbuy is a single economy community and that economy needs to be broadened. Certainly, there is a need to attract further industries in and around the western shores of the Gulf of Carpentaria. The port facilities for fishing boats recommended by the Norgaard reports would be most welcome. I look forward to those financial initiatives from the Northern Territory government. It is unfortunate that it has taken the closure of 3 fish- processing factories and perhaps a change in minister to bring to the attention of the Northern Territory government this very real source of employment, not only at sea but onshore.

The minister spent some time discussing the future of horticulture in the Northern Territory. I am sure members appreciate that the industry is still in its infancy. Whilst we see encouraging media comment about the promise of rice production and other endeavours, there is a long way to go. Much government assistance is required. ADMA has proven that farmers are prepared to grow crops provided that there is a reliable marketing base. Much more money needs to be devoted to agricultural marketing. A reliable grain-handling facility still needs to be developed in the Katherine area. As I understand it, sometimes the present grain-handling facilities have difficulty in coping.

I turn now to the community development portfolio. A matter which I have previously raised in the Assembly is the need in the Territory for psychiatric institutions for the criminally insane. It is a pressing need in both the northern and the southern regions and I consider that funding should be provided for this in the appropriations for the Departments of Health and

Community Development. Recent press comments from a member of the judiciary in the southern region were quite justified. Communities face considerable predicaments when people are sent home because their medical condition prohibits their incarceration in a Territory penal institution. Communities and families then face enormous problems.

In my own electorate, such people are regularly sent back to their communities rather than to gaol. In addition to the grave social problems which already exist in the communities, including petrol-sniffing and delinquency, further difficulties are created. To expect the communities to carry the added burden of looking after persons who have psychiatric disorders is unnecessary and certainly unwarranted and I do not believe it is a humane way of tackling this particular problem. I hope that the minister can assure me that the matter was addressed by Cabinet when the budget was formulated and that he came away with some guarantees from his colleagues that a very real effort will be made to overcome this problem.

Other areas that fall within my shadow responsibilities are police and racing and gaming. The police portfolio also includes fire services and emergency services. It is noted from the budget papers that the police budget has been expanded but not in line with inflation or population growth. The principal explanation provided in Budget Paper No 4 is that many capital works programs included in last year's appropriations no longer have to be pursued this year.

However, no provision has been made for the expansion of the police force generally in terms of funding for extra police. I hope that this is because of the efficiency in that department. Unfortunately, I do not see that the administrative costs of that department have been reduced in any way. Indeed, on a percentage basis, they are precisely the same as they were in the 1984-85 budget, and that does not lead me to believe that there has been an increase in general efficiency. All that I can assume is that the budget has been well and truly roped in and that no provision has been made for an expansion of police activities in line with the expansion of our population and the development of new communities such as Palmerston. I can only assume that some areas of the service will suffer as a result.

In relation to fire services, once again there has been no expansion in the salaries budget for firemen generally. The budget notes that this was able to be accommodated, particularly in the northern region, by the closure of the Winnellie Fire Station. With the development of the satellite community in Palmerston, I would have thought that there was a very real need to increase the size of the fire service within the Northern Territory. However, the budget does not recognise that and I shall raise the matter in the committee stage.

A slightly more parochial matter for me is fire services in my electorate, principally within the township of Nhulunbuy itself. The fire services in Nhulunbuy are provided at present by the Nhulunbuy Corporation. The Northern Territory government makes no provision for fire services in Nhulunbuy; it is one of those matters that is turned over to the mining company. The only provision that the Northern Territory government makes is the provision of some - and I repeat, some - of the capital infrastructure required. As I understand it, that has included part payment for 2 tenders. Nhulunbuy is forced continuously to rely on the generosity, or lack of it, of the mining company.

From a reading of the budget speech, Nhulunbuy would not appear even to rate as a community within the Northern Territory. In the 3 previous budget debates that I have spoken in, I have said that that community is very rarely mentioned in the budget speech. Again this year, I must say that, whilst I was disappointed, I was not particularly surprised to find that the word 'Nhulunbuy' was not used once in the Chief Minister's entire budget speech. I can only assume that we do not rate very highly in the government's list of priorities, despite our establishment for many years as a community of the Northern Territory, despite our continuous contributions to the finances of the Northern Territory and despite our continuous contributions to the social life in the Northern Territory. Our sporting clubs are well known throughout the Northern Territory. However, despite all of that, we continue to have a very low rating on the list of priorities of this particular government.

In a more parochial vein, I take this opportunity to raise once again the subject of roadworks within my electorate. It does not seem to mean much either to the government or the minister that the residents of Nhulunbuy pay motor vehicle registration in much the same way as other Territorians do. It does not seem to mean much that we contribute per capita in the form of motor vehicle registration fees more than any other community in the Northern Territory. The amount of return we receive from that is, to say the least, minimal. More accurately, it is paltry. We receive very little by way of roadworks. I have requested from the minister responsible the sealing of a certain section of road which certainly does fall within the town boundaries of Nhulunbuy and, therefore, on Nabalco's lease. The response I received was the same as before: the NT government considers that road to be the responsibility of the mining company.

It has not stopped the government from sealing other sections of road at appropriate times within this community. Indeed, in 1980, there was a contract let for the sealing of roads in an area known as the contractors' village. In June 1980, there was an election and, unfortunately, the contract was all to no avail. Prior to the last election, another road contract was let in 1983. That was for the sealing of the car-park at Gove Airport. It seems to me that the only time roadworks are undertaken in Nhulunbuy is when an election is called. I hope that the CLP gets on with its pre-selection of a candidate for the electorate of Nhulunbuy so that more roadworks will be undertaken. That seems to be the only time I can get the damn roads built.

On the surface, Nhulunbuy seems a fairly wealthy community. Indeed, the social dynamics are perhaps not as diverse nor as complicated as those in other communities in the Northern Territory but they are still very real. Recently, I was reassured by the fulfilment of a promise by the former Minister for Youth, Sport, Recreation and Ethnic Affairs in that a regional youth, sport and recreation officer was posted to the electorate of Nhulunbuy. Despite the change in minister, that undertaking has been honoured. I am sure that that officer will fulfil the task. I am not sure who the officer is at the moment but I know that the Northern Territory government only employs persons on merit. Certainly, it would not employ anybody for any other reason.

I will address most of my queries on the budget in the committee stage. I will be asking ministers questions about those areas for which I have shadow responsibility. I will certainly be asking questions on matters of concern to my electorate.

Mr PALMER (Leanyer): Mr Speaker, in talking to the Appropriation Bill, I will note firstly those projects that affect my electorate directly. Firstly, the Minister for Conservation assures me that $40 000 has been set aside for the development of new parks in my electorate. The Chief Minister assures me that the Karama School drain will be fixed at a cost of $140 000. The continuation of the duplication of McMillans Road, which will have a real effect on the accessibility of my electorate to the city of Darwin, will be continued at a cost of $2.7m. I was pleased to see an allocation of $4.5m for the construction of stage 2 of Sanderson High School or the upgrading of Casuarina High School, whichever is most appropriate. I was pleased to see those items.

Unfortunately, in this budget debate, the opposition has offered nothing by way of real alternatives or plans for economic development. The shadow treasurer rambled on about economic mismanagement. He told us how badly the Northern Territory is getting on. He told us what a shambles the tourist industry is in. Let us have a look at a few things that he said:

> 'We would also look at extending the good work the CLP government has done on establishing circle route systems. I acknowledge its plans for a Kings Canyon circle route and the Pine Creek to Jabiru road will prove to be significant tourist incentives. We would propose, however, an examination of what we would call 2 grand circle routes. At this stage, for familiarity purposes, we would call one the rock-reef route, linking Ayers Rock and the Centre with the Barrier Reef along the Plenty Highway into Queensland. Secondly, there is one we would call the rock-top-and-barra route, linking Ayers Rock in the Centre with the Kimberleys and the Top End'.

What would the opposition have us do? Does it want a multi-lane highway from Alice Springs to Urandangi? Then what? Who will build the rest of it? What about the other one? It should be called the rockhead-and-yarra route. We already have perfectly good roads from Ayers Rock to the Centre and the Top End. What is the opposition talking about? Where will it build this road? In Western Australia?

The opposition spokesman on the treasury spoke about the rationalisation of the public service. In one breath, he stated that the opposition would create a streamlined and more efficient public service. Next, he told us that it would expand the public service at the A1 and A2 levels. If you want a streamlined and efficient public service, you must have responsible, well-paid and qualified officers, not hundreds and thousands of A1s and A2s straight off the street or out of school. They provide administrative support, not service delivery.

The member for MacDonnell told us about all the problems we are having with housing and the dreadful problem of accommodation in the Northern Territory. He forgot to mention that the problems of home ownership in Australia are caused by the level of interest rates brought about by the despicable policies of Treasurer Keating. We are now experiencing the highest rates since the depression and Treasurer Keating is talking about lifting the ceiling on home loan interest rates.

Judging by the classifieds in yesterday's NT News, there were 113 residential units available in Darwin alone. That does not indicate problems with the market. In the public sector, the average waiting time for housing in Darwin is 12 to 14 months. If it were any shorter, we would be

providing holiday homes for opportunists coming to the Territory to enjoy the dry season. With the current waiting period, applicants must show some commitment to residence in the Northern Territory.

The member for MacDonnell also raised the appalling situation in his electorate regarding employment of Aborigines. On the very same day, he berated the Minister for Mines and Energy for proceeding with a geophysical survey in his electorate. In time, such a survey could provide employment, but the member for MacDonnell does not want to create real jobs. He prefers welfare handouts. He prefers to narrow the taxation base, raise taxes until those who can pay cannot afford to pay any more, and send us all broke. What absolute economic nonsense!

The member for Nhulunbuy berated the Minister for Transport and Works about the lack of road programs in his electorate. If he is serious about road programs, he should be actively soliciting support for the Maranboy-Nhulunbuy road. What road could be more important to his electorate? But we heard not a whimper. That is the road program that this government would support. He talked about expansion of industry in Nhulunbuy, but failed to mention the road which would make it possible.

None of the opposition's comments has shown any evidence of planning for economic development. Members opposite simply berate the government with ad hominem fallacy after ad hominem fallacy. I commend the Treasurer, and I commend the bill to members.

Mr MANZIE (Transport and Works): Mr Speaker, in speaking to the Appropriation Bill, I would like to elaborate on the implications of the budget with respect to the Department of Transport and Works and the Housing Commission.

The Department of Transport and Works appropriation for 1985-86 is shown in the budget papers as $252m, an increase of $5.8m or 2.4% on 1984-85. As members would be aware, there were changes in administrative arrangements halfway through the financial year. These affected some functions of the department. My department has received less in salaries and operational expenditure allocations for this financial year. Apart from the 1% cut applied by Cabinet, a further $4.5m was trimmed from salaries and other operational areas. The appropriations for the 1985-86 year, compared with the previous year, are reduced in some areas. On the other hand, there has been increased appropriation for capital items, property management and other services. A detailed breakdown of the figures is easily found in the budget papers, where variations to last year's expenditure caused by the transfer of functions are clearly marked. This enables items to be seen in context.

It is pleasing to see that the government's budget strategy guarantees that Territory development will continue, building on the foundation of self-government. Opposition members have alleged that prolonged mismanagement of the economy by the government has caused the recent imposition of revenue-raising measures and they have implied that the courses of action taken by the government in areas such as tourism infrastructure ought to be condemned. I believe the value and force of a man's judgment can be measured by his ability to think independently of his temperamental leanings and, under the present circumstances, we have an opposition Labor Party choking on bile over its inability to offer an alternative in government. It also offers nothing that reasonably excuses the disproportionate burden of fiscal belt-tightening savagely thrust upon Territorians by a vindictive group of

Canberra politicians. Nothing that members opposite say can mask the severe Commonwealth budgetary constraints in the May mini-budget and the associated reductions in the general revenue-sharing formula brought about by tampering with our Memorandum of Understanding.

To my mind, the Deputy Leader of the Opposition was somewhat hasty and impetuous during the August sittings in alleging prolonged mismanagement of the economy by this government. I would say to him that truth brings with it a great measure of absolution. By that I mean that I am confident that our track record of managing the Territory speaks for itself in glowing terms. Before detailing some of the initiatives from the budget, let me elaborate on aspects affecting the debit side of the ledger.

Firstly, in the area of administrative expenses, adjustment to payroll tax was a reality we faced in revenue raising with a lift from 4.5% to 6% which meant an extra $663 000 for Transport and Works in real terms. The rise in electricity charges means an extra bill of $550 000 to the department and the transfer of some functions from the Palmerston Development Authority means an extra expenditure of $300 000-odd for road construction and management consultancies. The operation of water and sewerage facilities at Yulara, which will be taken over under the principles outlined by the Treasurer, will cost over $600 000.

Turning to projects and targets for the year, I would first like to address the subject of roads - an essential infrastructure if the Territory wishes to progress in a manner appropriate for a developing area of Australia. I have heard it said that the best things in travel are all undesigned and perhaps even undeserved. I honestly think that, after hearing some of the words of a visiting politician from another place, that is exactly how the federal Labor government perceives Territory roads. The federal Minister for Primary Industry, Mr Kerin, when speaking on behalf of the Commonwealth at the recent NADC seminar, made it sound like we were getting more than just a good deal with Commonwealth handouts for roads. That is misleading, to say the least.

Honourable members must all be aware of another broken Commonwealth promise with respect to the Accelerated Stuart Highway Program. The ASH Program substituted by Canberra as a sop for the railway was introduced in 1984 with an allocation of $27m over a 3-year period towards an accelerated upgrading of the Stuart Highway. Following the first year of operation and a commitment of only $2.7m, the federal government withdrew its support, leaving a legacy of uncompleted works to be financed under the current budget and an unfulfilled allocation of some $24.3m. I took this matter up with the federal Minister for Transport and he assured me of his personal commitment that adequate funding would be available. More recently, as I have mentioned, Mr Kerin gave us more of the same empty assurances and exaggerated claims that adequate funding was available. The situation has not improved. More money was not forthcoming and we are that $24m-odd short. The member for MacDonnell had the hide to say in the debate yesterday that there was strong federal commitment. The member for MacDonnell also questioned the level of Territory contribution to road funding.

Mr Bell: Don't misquote me, Daryl. Come on.

Mr MANZIE: Let me clarify the position, Mr Speaker. The Territory's allocations for road construction for the life of the ABRD Act are tied to minimum expenditure conditions laid down under the act and known as the quota.

The Territory is bound to maintain a quota to gain road funding and consistently remains in credit in terms of that quota whereas, in many other cases, the states are not. The much-vaunted introduction of the new Australian Land Transport Program will do nothing to redress the inadequate baseline funding situation in the long term. By way of example, the 1984-85 Road Grants Act contribution was $27.8m, leading to an expectation of $29.4m for this current financial year. The introduction then of the new ALTP of $28.4m represents a decrease across the board. Allowing for inflation effects, a 15% to 20% drop in federal road funding for the Northern Territory has been experienced from the 1984-85 period to the current year.

Given the limitations on the Territory, a significant level of improvements will nevertheless take place. Amongst them in the Darwin region are: the duplication which has commenced on McMillans Road, from Bagot Road to Lee Point Road, at a cost of $2.7m; the extension of Tiger Brennan Drive to Bowen Street - $1.9m; various urban traffic improvements, including the Casuarina bus exchange; the pedestrian bicycle bridge over the mouth of Rapid Creek; and stage 3 of the Kakadu Highway, costing $2.9m, to extend the bitumen to Cooinda and across Jim Jim Creek.

In the Katherine region, Mr Speaker, which would be close to your heart, major rehabilitation works will continue on the rural arterial road network, with emphasis on the Buchanan Highway. The sealing of Florina Road to the 21 km mark will continue at a cost of $1.24m, including a crossing at Vampire Creek. The upgrading of accesses to pastoral leases will continue as a high priority.

In the Tennant Creek region, the upgrading of the Stuart Highway will continue at Elliott and Banka Banka at a cost of $6m. The Barkly Highway near Avon Downs will be upgraded to national highway standard at a cost of $6m and work has commenced on the direct road link from Tennant Creek to the Barkly Highway at a cost of $0.5m.

In the Alice Springs area, the Stuart Highway will be upgraded south of Ti Tree at a cost of $2.5m. Duplication of the Stuart Highway from Smith Street to Woods Terrace has commenced at a cost of $1m. Intersection works to complete connections to the proposed Todd River bridge at the Ross Highway will cost $1.5m. A new bed level crossing at the Tuncks Road causeway will be completed at a cost of $600 000.

In the all-important area of public works, the year will see the completion of such major projects as the new lower courts building worth $12.8m and the Darwin centre complex at a cost of $12.3m. We have seen the completion and the opening the Tennant Creek High School at a cost of $3.85m. Funding has been allocated for a new high school and primary school at Katherine east to cater for Tindal development at a cost of $18.5m. In the satellite town of Palmerston, the Driver district and neighbourhood centres will be ready for the 1986 school year and the Moulden Primary School will be commenced. The total allocation for the 3 schools is $25.9m. Facilities for the phasing in of secondary colleges are being provided and $1m has been allocated initially this financial year.

While on the subject of public works, let me refer to comments from some of the members opposite. The member for MacDonnell commended the manner in which costings were outlined in federal budget papers. Obviously, the honourable member is confused and he wants to confuse everybody else. Obviously, he has not bothered to obtain a copy of the Department of Transport

and Works' annual report which has more than sufficient details to satisfy anyone.

Mr Smith: It is 2 years old.

Mr Bell: It is history.

Mr MANZIE: He finds fault, Mr Speaker. I think it might be time for the honourable member to listen. He mentioned Commonwealth Budget Paper No 12. If he opens it at page 28, he will see a number of headings: 'estimated cost', 'expenditure to 30 June', 'expenditure in 1984-85', 'unexpended balance' etc. The figures do not give the final costs. They do not include rise and fall, contingencies etc. It is expenditure to date. There is nowhere where rise and fall appears in the budget. If we open our Budget Paper No 5 at, for example, page 36, we see the unexpended authorisation and the estimated cost. That estimated cost includes rise and fall and contingencies. It is a total cost and the unexpended authorisation lists the amount of money still to be expended for completion. The 1984-85 annual report for the Department of Transport and Works was on all members' desks yesterday, I believe.

Mr Bell: It was not.

Mr MANZIE: When the honourable member gets it, he can open it at page 72 and obtain a very good idea of exactly what is going on.

Mr Bell: Treasury has last financial year.

Mr MANZIE: He does not want to listen, Mr Speaker. Obviously, he wants his job made a lot easier. He referred to the Commonwealth papers which do not go into the detail that the Territory papers do and which give figures that do not take into account rise and fall and contingencies. The honourable member wants someone to do all his work for him and have it all laid out. I can assure the honourable member that Treasury will not be changing the format of its budget papers to suit him and he will have to do a little bit of work as everybody else does. However, I know that he is new at this particular shadow portfolio and I am sure that he is keen to find out all about it. I hope that he takes my advice...

Mr Bell: Very cheap, Daryl.

Mr MANZIE: ... in the spirit that I give it and without any malice.

As I said, our budget lists specifically funds to be expended on projects. It does not just give a mishmash of figures. Somebody said that there are lies, damned lies and statistics. He must have had the Leader of the Opposition's performance yesterday in mind when he said that. He tried hard, but unsuccessfully, to take the heat off his Canberra masters, his fellow-travellers in the ALP. He tried also to take the heat off the man he described on the ABC radio program 'Morning Extra' on Tuesday 14 May as his 'good friend' - the federal Minister for Finance, Senator Walsh. During the performance of the Leader of the Opposition yesterday, no mention was made of the Darwin Airport, the railway survey, the Gove tower, the purchase of uranium from Queensland Mines, the loss of the power subsidy nor the loss of the Accelerated Stuart Highway Program.

They are just a few figures but they total $141m that has either been misspent or withdrawn. However, once again, I suppose that the Leader of the

Opposition was obliged to look after his little mate. Again, he put his foot in it. He referred to inflation running at 60% higher according to the CPI figures. We know what the cost hike was all about and I am sure he did too, but he was too embarrassed to acknowledge the part played by his Canberra masters. I think I can explode the myth further by mentioning that, since self-government, building costs have increased by 62% in the Northern Territory compared with the Australian average of 81% and the ACT average of 106%. More recently, since January 1984, the increase was 3.6% against an Australian average of 12.1% and, from January 1985 to June 1985, Northern Territory building costs rose 1.8% while the Australian average was 5% and Sydney was next best at 3.1%.

Need I say more about the falsehoods he raised? For the benefit of the Leader of the Opposition, there is a document called the Building Price Index which is produced in cooperation with all Australian states. It gives all these details right back to 1967. It indicates the ability of the Northern Territory to contain building costs and I think that could be directed probably towards the management of the industry in particular, both by the government and the private sector, and possibly the structure of the Master Builders' Association which, in the Territory, represents builders, subcontractors and suppliers. It has enabled a far easier industrial relations climate to exist and therefore has enabled us to perform at this tremendously high level.

Turning to water and sewerage projects, expenditure is expected to be in the order of $6.6m, and I would like to outline works of major significance for the Territory. In Darwin, there is the third stage of an ongoing $8m 16-year program to rehabilitate the sewerage system and work at Millner is substantially complete. The second stage of a program to rationalise and upgrade water and sewerage services to cater for redevelopment in the Darwin Central Business District, with an upgrading of trunk mains and sewerage from Port Darwin to Goyder Road costing $1m, has a committal target date of May next year.

The development of the Tindal air base is creating infrastructure demands which the Territory government is moving positively to fulfil. For instance, the Katherine Tindal water supply and sewerage headworks stage 1, which is worth an estimated $4.25m, will cater for the expanding water and sewerage needs of the Katherine east area. It is expected to be completed in June 1986 when stage 2 of the project will commence. Stage 2 comprises construction of a sewerage rising main pump station and the committal date is May 1986 at an estimated cost of $850 000.

In Alice Springs, the Tempe Bar pump station is being upgraded at a cost of $450 000 and water distribution improvement work, which is worth a further $450 000, is two-thirds complete. That is to install new pipes at the Carmichael tanks. A recent project of note, which occurred under last year's budget, was the construction of water distribution mains in the Alice farms area at a cost of $268 000. Future work of importance for Alice Springs is stage 1 of the upgrading of the Roe Creek bore field with an estimated project cost of $1.1m, involving new production bores, replacement of pumps and duplication of the rising main on Bradshaw Drive.

Sewerage rehabilitation is to be carried out in Todd Street and Gap Road in conjunction with Mall upgrading by the Alice Springs Town Council. Also of significance in Alice Springs is augmentation of the sewage treatment and effluent disposal system. As I explained this morning, Cabinet has endorsed a

proposal to decommission all treatment lagoons on the commonage and consultants are currently undertaking an investigation into alternatives for sewerage works at the Brewer Estate. Obviously, this will free land for future development in the commonage area.

In relation to transport generally, decisions taken by the government this year will see action aimed at improving the efficiency of the Darwin Bus Service. My department will take several other initiatives which I am most confident will have an impact on road users. Not the least of these will be the establishment this month of motorcycle rider training in Bishop Street, Winnellie, with the assistance of the Road Safety Council, police, the Northern Territory Motorcycle Association and motorcycle dealers. We will establish a training environment to ensure riders are more than adequately equipped to face the sometimes aggressive and dangerous situations that arise on Territory roads.

An innovation in the Territory will be the introduction of photo-licences. The legislation has been passed in this Assembly and no doubt it will be welcomed when it is introduced in April.

I would like to turn now to housing. This year, the Commonwealth government will contribute $29.9m in a mixture of grant and loan moneys under the Commonwealth States Housing Agreement, with $140m being Territory-generated funds. The total expenditure this year will be $170m, a decrease of 1% on the previous year. I assure members that careful targeting of funds, particularly where they will attract expenditure from other sources, should mean no drop in services.

Acquisitions of housing, primarily at Yulara, will increase by $11m, while capital works expenditure will increase by some $2.9m. Whilst I am speaking of Yulara, yesterday we had a great performance from the member for MacDonnell again. I think he should realise that the Northern Territory government made a commitment to purchase housing and other items at Yulara which are normal functions of any town in the Northern Territory. That commitment has been made and it will be carried out regardless of the rabbitings of the member for MacDonnell. However, I point out to the honourable member that 171 units were purchased at an average price of $83 000.

I hear a whistle from one of the honourable members opposite. Once again, their ignorance is displayed because, at present, unit costs in Alice Springs are about $62 000. The purchases made at Yulara are 40% above that cost. However, the cost of building at Yulara is 100% more than at Alice Springs. In other words, the government has purchased this property at a 60% cheaper rate.

Mr Smith: You have to ...

Mr MANZIE: I am afraid the member opposite should do some sums and possibly he will eat his words. That is a fact. The prices in Yulara are 100% higher per unit than they are in Alice Springs and we paid 40% more per unit.

Mr Bell: Who gets the money?

Mr MANZIE: Just to settle the member for MacDonnell down, the rental on the premises that the commission is purchasing will be normal Housing Commission rental. I hope the member does a bit of homework the next time around.

Of note is the accent on the commission's building programs in Katherine and Alice Springs, with 13% of all its new commencements in Katherine and 32% in Alice Springs. The corresponding proportions in the previous year were 8.5% and 23% respectively.

A major initiative is my recently-announced single persons housing policy. In line with moves right across government to eradicate all forms of discrimination, single people with no dependants are now afforded access to public housing on the same general eligibility criteria as couples, persons with dependent children and pensioners. This initiative is reflected in the Housing Commission's budget with a greater emphasis on dwellings to be constructed - roughly 46% this year - providing medium-density units.

Home ownership is a major thrust of the government and it definitely will continue this year. The introduction of the Northern Territory Home Purchase Assistance Scheme in 1984-85 did much to encourage greater private sector involvement in home lending. A continuation of this policy in 1985-86 is expected to reduce to $20m the funding required from government. This should assist some 500 applicants to purchase homes on the open market.

Sales of Housing Commission homes under both the Northern Territory Home Purchase Assistance Scheme and the Government Employees Home Sales Scheme are expected to involve 700 transactions in 1985-86. Therefore, the government initiatives should result in a further 1200 home sales this financial year.

I cannot move on without commenting on the assertions of the member for MacDonnell in this Assembly yesterday. Again, he failed to do his homework. I am sure his heart was in it; it is just that the brain was not keeping up. As a result of government initiatives, there was an increase in activity by private lending institutions last financial year. Banks in the Territory provided 45.5% of loan funds for owner-occupied dwellings compared to 17% in the previous year. Total loan funds were $138.3m, a 30% increase. The value of private housing funding was $63m. They are colossal increases and yet the member said that it will all fall apart because the government is doing nothing. There have been tremendous increases and they have not come out of the public purse, as much as I know that, philosophically, the member for MacDonnell would like that. It is not coming from Territory taxpayers; it is coming from private institutions. We still have further to go to encourage private financial institutions in the Territory to carry the same load that such institutions carry in the states. However, the contributions from private lending institutions in the Territory last year were magnificent. I am sure that they will continue. The member for MacDonnell must realise that housing is an area to which the taxpayers in the states do not contribute. As a result of our policies, we are obtaining increased private funding and increased home ownership.

It is recognised that public housing is not always the most appropriate form of housing assistance, particularly when need is immediate and perhaps short term. The Rent Relief Scheme, a program funded jointly by federal and Northern Territory governments, provided rental assistance to some 280 persons renting privately in 1984-85. An increase in funding from $392 000 to $416 000 in 1985-86 will contribute greatly to alleviating hardship in the private rental sector.

Increasing Housing Commission rents as a result of the cost-rent policy imposed under the Commonwealth States Housing Agreement contributes significantly to internally-generated funds. However, offsetting this is the

growth of rent rebates. The estimated increase is some 35% to an amount of $5.3m this year. The needs of special groups are recognised and the commission, working in conjunction with other housing and social welfare bodies, is active in meeting these needs. $150 000 is provided this year under the Crisis Accommodation Program and $63 000 under the Local Government and Community Housing Program. We hope that we will get more recognition next year from the federal government in relation to these 2 areas.

Over the last 3 years, approximately $42m has been spent through the commission in providing 1000 new houses for Aboriginals in the Territory. A total of 650 have been built in communities and homeland centres on Aboriginal land and 350 in main urban areas of Aboriginal land. In 1985-86, the Aboriginal housing program on Aboriginal land will account for an estimated cash expenditure of $4.9m.

I was somewhat surprised to hear the Deputy Leader of the Opposition trying to sound so original during the August sittings when he talked about positive principles which he said the Labor Party had developed. It is sad to see a good theory killed by fact. The truth is it has no new initiatives. The fact is that they are merely initiatives that we have been pursuing for years. He mentioned training and employment opportunities for youth. I can confirm that salary constraints in the budget will not affect the school leaver position, and the Department of Transport and Works will be actively recruiting the usual high level of apprentices and trainees it takes on each year.

During September, the National Australia Bank monthly summary focused on the Northern Territory. Let me quote the final paragraph. I certainly hope the members opposite listen carefully:

> 'Undoubtedly, the future of the Northern Territory is one which should be of concern to all Australians, not only because of the continuing investment the nation makes in the Territory, nor simply because it occupies 17% of the Australian land mass. As a developing area, the Territory will need a continued high degree of financial assistance. Meanwhile, long-term development plans should be a priority, drawn up after consultation between the federal government and the people of the Territory'.

The government has been the target of attacks by its political opponents in the Labor Party both in this Assembly and in Canberra. To avoid criticism, one would have to do nothing, say nothing and be nothing but that is not the way of the Territory government because, ever since we obtained self-government, there has been a job of work to do in making up for the years of neglect. We have been playing our part in encouraging the right sort of investment and assistance but that has not been helped in any way by the political petulance of the opposition and its Canberra masters. The giggling that is coming from the benches at the moment is indicative of its general attitude towards the Territory and all Territorians. I shall not insult the members opposite but therein is the difficulty: I cannot see any value in trying to reason with them either. One thing is obvious: criticism from them is certainly not inhibited by ignorance.

Mr Smith: Your own.

Mr MANZIE: It is not good enough to aim unless you hit the target, and the opposition is way off the mark when it attacks our budget without looking

at the end benefits. If members follow through government strategies, they will see that they are in the best interests of all Territorians. I commend the bill.

Mr COULTER (Community Development): Mr Deputy Speaker, in rising to speak to the Appropriation Bill, I am somewhat saddened. I am saddened that trees will be sacrificed in order to write down the feeble responses and contributions from the opposition ranks in this Assembly in terms of their commitment to development in the Northern Territory. Their responses could have been chipped out on the back of an aspro with a pin and still there would have been a lot of room left over to develop their proposed constitution for the development of the Northern Territory into statehood. Their contribution has been nil.

The shadow minister for community development elected to speak about psychiatric services for the criminally insane. Apart from that, there was not too much he could find in the Appropriation Bill that was of any relevance to him even though community development encompasses subjects such as Aboriginal development, heritage, local government, consumer protection and a whole range of other matters.

He said that Nhulunbuy was not mentioned in the Appropriation Bill. It may not have been mentioned by name but the area known as Nhulunbuy has been looked after very well by this government. Recently, I approved funds for emergency accommodation for women at Nhulunbuy and that program is working very well. One only has to see the high school and other facilities that are being developed in the Nhulunbuy area to realise that the government is active there. Some of the outstation movements there are heavily funded by the government. I might pay tribute to the outstation movements in that area because they are fully responsible and are getting on with the job of developing programs and initiatives. I give full credit to the people of Nhulunbuy and the outstation movement in that area. Whilst it may not have been mentioned by name, the honourable member's electorate has been well catered for in the budget and will continue to be looked after because the Northern Territory does not neglect its populace, particularly those people in the mining industry who are contributing to the development of the Northern Territory.

I would like also to address a question raised by the member for Leanyer. I believe that the development of a road to Nhulunbuy is something that the member for Nhulunbuy should be concentrating on. I have been outspoken on several occasions and I believe that it is a national shame that the people of Nhulunbuy cannot travel across existing roads in their own country. I believe there should be a concentrated effort to ensure that access to Nhulunbuy is guaranteed for 12 months of the year. To realise the need, one has only to look at the effort made by some people in the fishing industry, which was mentioned by the member for Nhulunbuy. They have commenced barge operations to take product up the Roper River for loading onto Gascoyne trucks. They will then take it back to Western Australia instead of bringing it into the Northern Territory. The loss of this industry has occurred because access to and from the Nhulunbuy electorate has been inhibited. Operators have been forced to look elsewhere to get their product out instead of having it processed in the Territory. I hope that the member for Nhulunbuy will pledge his full support for negotiations with people in Arnhem Land and close to Nhulunbuy to ensure that we have all-year access to this vital area.

Whilst I am saddened that trees will be sacrificed to record the statements of opposition members, I am happy to respond to the Treasurer's second-reading speech. My department is a major one. It has a significant impact on the continuity of growth and development in the Northern Territory. Its overall purpose is to promote and protect the social well-being of communities, families and individuals and to advise the government on strategies for social development. The budget has provided my department with the means of substantially contributing to the self-sufficiency and self-reliance of all Territorians. The community government program is an example. We are moving away from a model of centralised control and are allowing the organisations closest to the people to make decisions on their behalf.

Before I turn to more specific issues, I want to mention the rigorous and ongoing review which the department maintains on its service delivery activities. In order to remain responsive to government directions and community needs, my department maintains flexibility in its organisational structure and is ready to adapt to future requirements. It is our objective to devolve responsibility for programs and service delivery both in a regional and decentralised manner. Only as a last resort is it my department's intention to intervene in the more traditionally bureaucratic mode.

I want to address the issue of psychiatric care which was also raised this afternoon in the Assembly. The Minister for Health will be making a statement on psychiatric services. There is an interdepartmental working party currently considering the problems of those people in the Northern Territory who are insane, intellectually handicapped or behaviourally disturbed. I want to stress that any institution which is developed as a result of those investigations will not become a dumping ground for society to lock away unwanted people. These people are the responsibility of the communities.

I foresee a need for such facilities as petrol-sniffing increases. Brain damage resulting from petrol-sniffing is quite significant. I have entered into an agreement with the federal government to consider the problem of petrol-sniffing and I have released an officer from my department to address the problem. I believe that the petrol-sniffing problem will be tackled and overcome in certain communities. I ask all members to ensure that I have their support to approach the communities in their electorates with the intention of encouraging the communities to do something about it themselves. I expect little help from members opposite in communities where petrol-sniffing is condoned and currently developing in plague proportions ...

Mr Ede: That is saying something. He is really ignorant on the subject.

Mr COULTER: ...as it has in the last few months. I can assure the honourable member for Stuart that, if he spent anywhere near the amount of time that I have investigating the problem of petrol-sniffing...

Mr Ede: You're a slow learner.

Mr COULTER: ...we might have made more progress. The member for Stuart has criticised the Yuendumu program. He said recently that petrol-sniffing was again prevalent there.

Mr Ede: What a load of rubbish!

Mr COULTER: He said that, Mr Speaker, and I will show him where he said it. Actually, the problem was that some people came in to Yuendumu from somewhere else. They had been petrol-sniffing. One of them was at the Yuendumu sports day recently. It is clear that, unless I have the commitment of all members and of all Aboriginal communities, we will not find the answer to the problem. I now realise that every time I raise this matter with the members for MacDonnell and Stuart, they change the question. During the coming months, my department will provide communities with the means to develop their social, economic and political infrastructure.

The Appropriation Bill has provided my department with a total of $78.5m to attain its objectives for 1985-86. Of this total, some $63m will be channelled directly to non-government and private organisations, families and individuals. Only 19% of its allocation will be utilised in administration, policy development and organisational development. My department will continue to improve its cost-efficiency ratio in order to maximise government funds available for community development programs.

I wish now to describe some examples of specific programs to be funded this year. In his August budget speech, the Treasurer referred to 2 significant developments in relation to youth services. The youth mentor program has been successfully implemented. This program provides an alternative to institutionalisation. Young people are assisted by adults who provide effective role models and facilitate behavioural change. Results of the program will be assessed at the end of the year. Members will be conscious of my personal commitment to programs which strive to focus on prevention and early intervention. The youth services consultant currently working in Palmerston supports my direction of implementing more proactive mechanisms to determine and cater for the needs of youth in Northern Territory communities.

Turning to welfare services, 8 new positions have been provided. The Palmerston office is now operational and is providing a direct community service emphasising prevention of welfare problems. Members will note that we are moving away from the traditional role of welfare. It is our intention this year to facilitate a change in the nature of welfare programs in order to increase the role of non-government and local government organisations in the provision of welfare services. This will involve a shift in the role of the Department of Community Development from a direct provider of services to one which supports the delivery of services by others. I am sure that members will be able to judge the benefits to communities of the introduction of such policies.

The Treasurer announced in his second-reading speech the allocation of $250 000 to establish a comprehensive counselling service for all Territorians. Honourable members would be aware of the number of reports that I have received this year relating to the necessity for a counselling service in the Northern Territory. That might apply to behaviourally-disturbed members of the opposition as well. Counselling services are required in relation to uncontrolled children, domestic violence, sexual abuse and the Task Force on Juvenile Crime. The Northern Territory Counselling Service will provide assistance. I will be making a statement before Christmas on the structure of the counselling service.

Marriage guidance counselling is a federal responsibility, but the federal government has not seen fit to fund marriage guidance counsellors in the Northern Territory other than in Darwin. I advise the member for Nhulunbuy

that we will be visiting his electorate with marriage guidance counsellors. Likewise, we will set up a marriage guidance counselling service in Alice Springs which will visit places as far away as Tennant Creek. From Darwin, we will service places such as Katherine. The Treasurer believes in the family unit and he is prepared to finance the marriage guidance counselling service to allow it to provide this very worthwhile service throughout the Northern Territory.

In relation to the provision of services to Aboriginal communities, many changes have taken place this year. These have resulted in more accountability and more responsibility of Aborigines in the provision of those services. I am speaking not only about town maintenance and public utilities which the opposition benches have commented on over the last 12 months. We are trying to provide meaningful self-determination for many Aboriginal communities so that they will be responsible for their own budgets and the development of capital works programs within their own areas. I believe this is a major step forward. Aboriginal communities have now reached the stage where they want to be masters of their own destinies in terms of negotiating with central governments to ensure that they have the development that best suits their requirements.

Hand in hand with this responsibility is community government or the third tier of government - local government. I am quite pleased with the response that I have received in relation to community government and the community government proposals which have been put to me despite the opposition which has been shown to this type of development by the members for MacDonnell and Stuart. I believe that the people will have their way despite the retarding effect of the meetings which have been called by the 2 members previously mentioned. The people will win through and get on with meaningful development in a responsible way.

Within the next 3 months, I will be announcing a program which will allow Aboriginal communities to seek joint venture capital for programs and developmental activities which have been stagnant for far too long. I refer to 2 communities in particular. I must pay tribute to Robert Tipungwuti and Kevin Doolan at Milikapiti. The place is a credit to them. I do not know, Mr Deputy Speaker, if you have had the opportunity of travelling there recently, but they have really turned that place around 180°. The place is looking absolutely magnificent and that is a direct result of responsible community government, of charging for services and getting on with development. That is what they are all about over there at the moment and I pledge my support to that community.

Another example is Angurugu in the member for Arnhem's electorate. They collect $400 000 at the moment in service charges from the people within that community. The president is doing a magnificent job there. The people have really turned that community around. The honourable member for Arnhem spoke about the dance festival there. I was there the week before the members of the opposition were there and I saw the preparations for that dance festival. I am particularly pleased to report to this Assembly the development that has occurred in that area as a result, once again, of responsible community government.

I might add that, at Milikapiti, they charge the service club and also the store for power, water and electricity on the user-pays principle. Some of the tourist ventures which they are developing are also very worth while.

I will be looking at any meaningful venture in central Australia which can show profitable returns. I would appreciate any assistance that I can possibly get from the members for MacDonnell and Stuart. I know it is not easy but we must examine means of developing enterprises and creating employment opportunities in that region. One of the ways that it can be done is through the welfare system that operates at present. I have referred to having convicted prisoners return to their communities to carry out worthwhile community work. I will be making further statements on community service orders and Aboriginal enterprise at a later hour.

My department is continuing to clarify its role in relation to this government initiative with other organisations and communities. I feel confident that the administrative arrangement to locate Aboriginal essential services in the Department of Community Development will work. Aboriginal essential service programs can be an important step in achieving Aboriginal self-determination and that is a policy to which this government is totally committed. In my opening statement, I commented on the importance of community government initiatives. I conclude my remarks on that matter by saying that community government is proving to be a significant vehicle for the devolution of responsibility and accountability to those people most concerned with their local environment.

We often hear from the opposition when something controversial is happening in relation to women's affairs. It is funny how, during a budget debate like this, women's affairs do not rate a mention from the opposition. We heard about children's services. For the fourth time in the history of this Assembly, the opposition has used the words 'children's services'. It spoke about regulations for children's facilities within the Northern Territory. Incidentally, the draft regulations will be available this Friday. Apart from that, one never hears from the opposition. There are no proactive suggestions from members opposite. I noted in Gove recently that they have 2 spokesmen on women's affairs: the Leader of the Opposition and the member for Millner. That was according to a statement in the paper.

Mr Ede: What is 'proactive'?

Mr COULTER: 'Proactive' - they would not know the word. It would not be in their vocabulary at all.

Mr Bell: No, I agree.

Mr COULTER: The budget reflects the commitment that this government has made to ensuring that emphasis and priority are given to women's issues. The program envisaged during this financial year involves special attention to the needs of women in remote areas and Aboriginal communities. In fact, $55 000 has been set aside. One would think that the members for MacDonnell and Stuart would have been interested in that but there was not a mention.

In the past, we have heard the member for Stuart talking about the lack of telephones in his electorate. He has given that up too; we do not hear about that anymore. We heard the member for Nhulunbuy talk about phones in Scotland the other day but we do not hear about getting on with the job of improving communications in outback Australia. If ever so many have been let down by so few, it is the people of central Australia. I bet they can hardly wait for the next elections to get some decent representation for central Australia to look after their needs and to stop them from falling backwards off the edge of the cliff which those 2 members have pushed them perilously close to in the last 2 years.

The isolated women's program is a program which I commend to all members. It should be developed. I believe the women in some of the communities that I have visited in the last 2 years or so hold the key to development. Some of the women who are becoming involved in community governments are having their say. I believe we can look forward to meaningful reform and development as a result of some of those women being heard in the community at long last. I believe that there are many areas where women in remote locations or in Aboriginal communities can assist constructively in resolving social problems related to alcohol and petrol-sniffing.

In terms of expenditure of government money, it is imperative that departments continue to ensure maximum cost effectiveness in relation to their job of developing the Northern Territory. To meet this objective, over the past 2 months, my department has been developing strategic directions which will be offered to the government as a plan to continue to develop the communities of the Northern Territory. In particular, I would like to pay attention to some of the programs which we are initiating in Katherine to ensure that the rapid development of Tindal is complemented by community services or what I refer to as the people industry. I believe that the town of Katherine will be a jewel in the Northern Territory's development and a true success story. It has everything going for it. I believe that we will meet our commitment to provide services and facilities to the people of Katherine. Members can only agree that this commitment will ensure that government funds will be expended in the most efficient and effective way in order to satisfy the wide range of demands, needs and services required and expected by the citizens of the Northern Territory.

There has been widespread reform in relation to correctional services. The prison industry program is well advanced. Prison industries now will include such things as number plate manufacture etc. We are growing stud seed for soya bean to be used on the Douglas-Daly. A number of other projects have been developed. I will be making announcements on prison industries as a result of my recent trip through north America.

In terms of funding, correctional services received an allocation of $12.395m. This represents an increase of $1.5m or 12.5% over 1984-85 expenditure. The increase is substantial but there is a minor distortion in the figures because some expenditure in 1984-85 was incurred by the Department of Community Development and will be shown against its entries in the budget papers. In the changeover of ledgers, it was not possible to identify separately centralised funds involved for some operational expenses.

The 38-hour week has been introduced in relation to prison industries. Staffing has been increased in the probation and parole area. As a result of the recent trip which I made with the Secretary of my department and a magistrate, Mr Tim Hinchcliffe, I believe we will be able to finance the implementation of some of the programs which I witnessed over there.

The Chief Minister and Treasurer, in handing down his first budget in the Legislative Assembly, has done a magnificent job. It will meet the needs of Northern Territory people. It is a growth budget. To have done all this with the problems that he has experienced in terms of funding from the federal government is remarkable. I cannot stress too much the great sorrow that I feel in my heart for the trees that have been sacrificed by the opposition members in speaking to this Appropriation Bill.

Mr SETTER (Jingili): Mr Deputy Speaker, in rising to support this bill, I would first like to support the previous speaker's comments concerning Milikapiti. I was also over there several weeks ago. I too was most impressed with the way that that community is being run. I met a number of the elders over there and had discussions with them. I repeat that I was very impressed with their approach, their attitude and their enterprise. I understand that they are looking forward to developing some tourism infrastructure in the near future. I commend them for that approach because they are working towards their own self-sufficiency. While I was there - and it happened to be a sports day - I saw Maurice Rioli playing Australian rules football with all of his fellow players. Milikapiti, of course, is his home town. It was most interesting to see Maurice out there, playing barefoot with all those fellows. I will never forget that.

In rising to support this bill, I commend the Treasurer for presenting a budget which is designed to achieve long-term economic viability and continued growth. We have come a long way since self-government 7½ years ago. In the development of the ecconomy, the Northern Territory government has provided the infrastructure which has encouraged people to move to the Northern Territory and to settle here. In fact, in the 12 months prior to June 1985, our population increased by over 3%. This rate was well in excess of any state or other territory. I understand this represents 3 times the national average. This occurred despite the opposition's continual bleating about the poor shape of our economy, the fiscal irresponsibility of our government and, of course, the casino affair.

The Leader of the Opposition continues to tell us how he regrets to raise once again the matter of the casino and yet he never lets the opportunity go by to launch into a tirade of gloom and doom. Recently, he made an assessment of the increase in the inflation rate in the Northern Territory. However, he overlooked the effect on our inflation rate of the federal government's policy on fuel price increases. Halfway through this year, all of a sudden, we discovered our fuel costs rose by about 8¢ a litre. That was at least 4¢ a litre higher than most of the rest of Australia. Because we do not have a railway, most of our freight comes in by road. Road transport chews up fuel like it is going out of fashion so one can easily work out that 8¢ a litre represents a considerable increase in the cost of products in the Northern Territory and, in particular, Darwin.

I drew to the attention of this Assembly previously the need for our government to develop and encourage an FIS capital city pricing policy. This would mean, of course, that manufacturers would set a national price list so that we would be receiving product in the Northern Territory at the same landed cost as in Adelaide, Sydney, Brisbane, Perth or any other capital city. I believe that, if we develop that particular policy, we would be going a long way towards reducing and stabilising our freight costs.

The Leader of the Opposition also conveniently overlooked the mismanagement of other Labor governments. I offer the example of the many millions that the Labor government in New South Wales injects into its ailing railway system to keep it rolling. There are many other examples of similar mismanagement by Labor governments and their failure to address their problems. Therefore, he is hardly in a position to point the finger at this progressive government in the Northern Territory.

Nevertheless, in spite of the considerable funding cuts forced on us in June by federal Treasurer Keating and his Minister for Finance, Senator Walsh,

resulting in the bringing down of our mini-budget, our Treasurer has now been able to present a budget which is widely accepted by the people of the Northern Territory. The result of this budget will be continued expansion of the Territory economy which will be reflected in increased job-creation in the private sector. Business confidence and investment will continue to increase with the major areas affected being Katherine and Alice Springs. Of course, Darwin will continue to roll on the way it has been for the last 7½ years.

I am pleased to note the establishment of a task force to supervise the investigation and assessment of the Bonaparte Gulf gas reserves. I am also pleased the government has moved to become involved in this most exciting project. It has the potential to have enormous impact on our economy in the years ahead.

Because of our remoteness from the rest of Australia, Asian markets offer a very attractive opportunity for reciprocal trading. The government recognises this and will continue to encourage and develop our relationships with the peoples of that area. As most of you already know, we import most of our timber from Indonesia, Brunei, Sarawak and other places in that region. We also import a number of other items. I had the opportunity recently to visit Ambon. Since my return, I have spoken to a number of people, including officers from the NTDC and local timber importers, and suggested that Ambon may be a good source for our timber imports. Having checked the figures, I am assured that we would see a reduction of $45 per tonne in the landed cost of timber imported from Ambon. That is a matter that I will continue to pursue because what it really means is that we can reduce our building costs in the Northern Territory by $45 a tonne for timber. Of course, there are many other items which we can import from our northern neighbours and, of course, export to our northern neighbours and so develop our trading relationships further.

The government has developed a very professional approach to implementing a wide range of schemes and programs. This includes great emphasis being placed on developing tourism infrastructure. It recognises that tourism provides enormous potential for economic development. The Trade Development Zone infrastructure is being installed and already business people from both local and overseas are knocking on our door and expressing interest.

Mining continues to hold a key position in our Territory economy. We have seen several new mines established in the recent past which have provided a considerable boost to our economy. However, because of continued difficulties with Aboriginal land councils, mining exploration has decreased to an all-time low. As well, 2 of the richest uranium mines in the world continue to lie idle due to their inability to obtain export licences from the federal Labor government. Of course, we all know the story regarding Nabarlek which has had its export licence revoked. In the last financial year, the federal government spent something like $45m acquiring the product of that mine and has budgeted about $50m to purchase that product in the current financial year.

The Departments of Primary Production, Fisheries, Transport and Works, Education and many others have received a considerable boost. However, I am particularly pleased to note the introduction of 2 new programs supporting youth. These have been allocated $678 000. They will be under the control of the police and include a school-based community policing program which is designed to counter juvenile crime. A pilot scheme began in 1984 when a police constable was allocated to the Casuarina High School. The officer works from the youth and community centre at that high school and, from

reports I have received, is well accepted and respected by the students. The scheme has been most successful. I have one concern that I intend to take up with the minister responsible. It is that that particular program should continue through the Christmas holidays. I recall that, during the last Christmas holidays, the scheme did not operate but that was due in part to a rebuilding program at that high school. However, I will be working to ensure that the program continues throughout the Christmas holidays.

In the 1985-86 financial year, the budget allows for the further employment of 10 constables and 3 support staff. I understand that those officers will be located in schools throughout the Northern Territory and I believe that they will make a significant contribution to the sound development of our young people. I support that scheme very strongly.

The second program is the full implementation of the Junior Police Rangers Scheme. The scheme was established in the middle of this year and is concentrating on training young people who will develop into the youth leaders of the future. I was interested to note from the plans of the Department of Youth, Sport, Recreation and Ethnic Affairs that a whole range of programs will benefit a wide range of community groups. That department also plans to develop the Marrara Sporting Complex further to include a new Australian rules football ground, a new cricket ground and, I believe, a hockey ground. That is an ongoing program.

I was particularly pleased to learn that my electorate of Jingili will benefit from an allocation of $2.7m to duplicate McMillans Road between Bagot and Lee Point Roads. This project, while creating some short-term inconvenience to motorists, will bring long-term benefits. It will improve traffic flow greatly and eliminate the bottlenecks and delays experienced at the intersection of McMillans and Rothdale Roads.

Also it was very encouraging to hear favourable feedback regarding the upgrading program being undertaken at Casuarina High School. That work is essential to enable the school to accept an increased number of students in 1986 as a result of its progressive move towards becoming a full senior high school by 1988.

I believe the 1985-86 budget is sound and progressive. It will lead the Northern Territory on a continued path towards greater economic self-sufficiency. I commend the Treasurer on the budget.

Mr LANHUPUY (Arnhem): Mr Speaker, in rising to speak to the Appropriation Bill, I will address my comments firstly to the initiatives that have been outlined by the government, especially the Minister for Health. I believe that the policy which the minister outlined yesterday concerning health and the new initiatives that he intends to introduce are very commendable. I believe that it is about time that we had such a minister in the Northern Territory government who is willing, as far as he is able, to promote throughout the Territory - not only in Alice Springs and Darwin - the types of services that people in the Northern Territory require, especially when it comes to remote area psychiatric services. I am very pleased to note that my constituents at Lake Evella will have the benefit of a new clinic. I shall be happy to relay that message to my constituents. It is also pleasing to note the establishment of a renal dialysis service in Alice Springs and I am sure that honourable members from Alice Springs and the surrounding area will be very pleased about that. The overall funding for the Department of Health has been increased by about 10.6% this year, and that is very commendable.

I move on to another matter relating to my other shadow portfolio of conservation. It was interesting to note that, yesterday, the Minister for Conservation chose to spend his time lashing out at the federal government rather than dealing with this part of the Northern Territory budget. The reason for that is obvious when one considers the dismal situation that surrounds his position in Cabinet and the administration of his portfolios. All year, we have seen the honourable minister adopt various positions only to be bled and bluffed by the Chief Minister of the Northern Territory. It would have been more interesting to hear the honourable minister speak about mining in national parks, an issue about which he was making a lot of noise earlier this year. Or perhaps he could have explained to us why he changed his position on Uluru.

It would have been useful if the minister had discussed his budget allocation for the Conservation Commission. We find that the allocation fell by 4% or about 12% in real terms, and the total money available in the commission is up by only 1%. In this situation, it is little wonder that the minister is almost hysterical in his efforts to distract attention from his dying portfolios. Of course, the minister might like to argue that funds available for Conservation Commission activities will, in fact, be 6% higher this year. The funding arrangements that the minister was able to achieve have left most areas with little real increase. The area most affected is research utilisation and this worries me because it relates to the scaling down of forestry operations at Melville Island and Murgenella. It also relates to park development, particularly urban and rural beautification programs, and resource planning. This should concern all of us because the resource planning function entails responsibility for plans of management for parks and reserves. A key element of the government's argument relating to mining in national parks revolves about delays in formulating plans of management. The minister, in organising his budget, has sought to cut the funds available for this area when I would have expected that additional funds would have been needed.

Another issue which is of great interest to me is the question of supplies and essential services for Aboriginal people. The Treasurer said that a major thrust of this year's budget would be services to Aboriginal communities. It is the government's proposal that the Department of Community Development become fully responsible for the flow of funds to Aboriginal communities in the Northern Territory. I was pleased to note that the Minister for Community Development has taken up new initiatives and praised some of the communities that are operating community governments already under the Local Government Act.

It is also proposed that Aboriginal communities will take increasing responsibility for the provision and construction of essential services in their communities. The proposal to centralise Aboriginal affairs into a single department is not one that I or my party opposes. However, I believe that the 30% of the Territory's population who are Aboriginal would have a better feeling about this arrangement if the current Minister for Community Development were to display a more reasonable approach to Aboriginal issues.

I refer to statements he made during the last sittings of the Assembly in which he used the term 'designated Aboriginal areas' and complained about the movement of Aboriginal people from those areas. I believe that much of the criticism is based on the argument that it creates apartheid in Australia. In using those terms, whether consciously or not, the minister indicated that he supported the statement that he made. Those comments did not go unnoticed in my electorate.

I welcome the proposal that Aboriginal communities should take more responsibility for community services but I am concerned that this represents little more than an effort to remove financial responsibility from the Territory government without transferring a similar capacity to communities. We hear a great deal in the Assembly about Canberra not appreciating the financial costs faced by the Territory. I hope that this Assembly can appreciate the difficulties and the costs that I and my people are subject to in the Northern Territory. Already we have seen a number of problems arising from the determination of the government to collect electricity charges from communities. This policy has indicated to me that the government has not thought through the implementation of this policy in the communities, and that has created opposition to what might have been a reasonable and smooth-running program.

I turn to some comments made by the Minister for Community Development and the member for Leanyer concerning what they referred to as a 'national shame' - the proposed road to Nhulunbuy. That area of land is very close to my heart as I am a traditional landowner within that area through which it is proposed that the road should pass. It is too easy for honourable members to say those sorts of things in the Assembly when they know that the consultation process is long and very hard. There are people in that area who are illiterate but who need to understand how legislation works. Our people need to sit down and discuss a matter which is of major concern to them.

It is my personal view that there is no doubt that the road will go through to Nhulunbuy one of these days. However, it will not help the situation in the Northern Territory if members of this government pursue it and push it, whether for the people of Nhulunbuy or for their own reasons. That is not the way to go about things in the Northern Territory. Certainly, the road would benefit the people in Nhulunbuy. However, the fact is that there is a Land Rights Act and there is legislation that has been passed by this Assembly concerning entry on to Aboriginal land. Those laws must be adhered to. It would be very disappointing if this government tried its best to push this road down the throats of those people in Arnhem Land. There is no doubt that the road will go through one of these days.

Once again, I refer back to the speech given by the Minister for Health and I highly commend the initiatives that he has taken.

Mr HARRIS (Education): Mr Speaker, I rise to support the Appropriation Bill. Before addressing the issues which relate specifically to the portfolio of education, I think that we all need to understand clearly that many of the adjustments to our budget have resulted from the cuts imposed by the Commonwealth. Whether we like it or not, it is very clear that the Commonwealth government is treating us poorly. We have to take the bit between our teeth and ensure that our actions are responsible and that the people of the Territory understand that we are addressing all the problems in the best possible manner.

The member for Arnhem raised the problems that the Aboriginal people experience and he said that we on this side of the Assembly continually refer to the federal government and the fact that it is not assisting us in any way. He asked that we acknowledge the difficulties that Aboriginal people have in the Northern Territory. We do acknowledge the difficulties. If one looks at the health, education and other programs that are up and running, one must realise that the Territory government recognises the problems of Aboriginal people who represent almost 30% of our population. What the honourable member

for Arnhem does not acknowledge is that, because the Territory is different from the states, the Commonwealth government must make a greater commitment towards meeting the needs of Aboriginal people in isolated communities. No state has the same problems that we have in relation to this. I will be making a statement in the Assembly later in relation to homeland centres because we are most concerned about that problem. We are most concerned about going down that line without some financial commitment by the Commonwealth government. Unless we have that commitment, there will indeed be very grave problems.

Mr Speaker, there have been a number of significant developments in the Department of Education since the new ministry was announced by the Chief Minister in December 1984. Changes to the structure of the post-secondary system are now in place and the restructured Darwin Institute of Technology is now ready to assume its rightful role in the Territory's overall education program, particularly in its proposed relationship with secondary colleges. The bills that I have introduced today relate to the tertiary education sector and all is going well in that quarter.

I believe that this present budget will provide the necessary foundation on which we can continue to build an education service which can provide the same range of opportunities and learning environments which are taken for granted elsewhere in Australia. In 1984-85, the Department of Education spent $144.718m on free primary and secondary education and technical and further education. A further $11.993m was spent on technical and further education by the Darwin Institute of Technology.

Members will note that the 1985-86 funding for technical and further education, including that provided by the Darwin Institute of Technology, has been provided under a separate expenditure division - division 53. It has been said that the Department of Education will be able to syphon money away from the Darwin Institute of Technology under this new system. The TAFE Advisory Council will be responsible for distributing that money. Any money that is set aside for the Darwin Institute of Technology, the Katherine Rural College or whatever will be disbursed by that body. The Department of Education will not be able to tamper with those amounts of money in any way. I want to lay to rest the fear that some people in our community have in relation to that particular aspect. We needed to identify very clearly - it was a Commonwealth requirement anyway - what money was actually being put into advanced education and the money that was being put into the TAFE area. The TAFE Advisory Council will look after TAFE expenditure.

Mr Speaker, $141.334m has been provided to the Department of Education for pre-primary and secondary education in this budget and $29.673m to the TAFE Advisory Council, increases of 8.63% and 11.51% respectively. Of the 11.51% increase provided to the TAFE Advisory Council, $1.625m or 11.12% relates to activities administered through the Department of Education and $1.437m or 11.98% for activities conducted through the Darwin Institute of Technology.

The 1985-86 appropriation provides for a number of new schools. An amount of $1.204m has been provided to cover the full year's costs of providing services and establishment grants for schools opened in 1984-85 and part-year costs of schools opening in 1985-86, including the Driver District Centre and the Tennant Creek High School.

Establishment grants for a total of 43 homeland centre schools are provided by the Northern Territory government in the 1985-86 budget at a cost

of $225 000. 16 of these homeland centres are in the southern region and the allocation is $140 000. Capital funding for the establishment of the homeland centre schools is being provided through the Commonwealth Schools Commission. Capital grants for the Aboriginal schools program were previously appropriated through the Department of Transport and Works. An amount of $950 000 is provided for 1985-86.

The government has also provided funds in this year's budget for the appointment of 3 truancy officers. We hope that this particular program will be expanded gradually. Early indications are that it is having a positive effect.

Funds have been provided to ensure that we are able to implement the high school and secondary college program. This is an exciting initiative which will offer wider education opportunities to many of our young people.

The office-based staff review was long overdue. The review achieved a total net reduction of 50 positions, saving $700 000 in 1985-86. The full year's effect will be achieved in 1986-87, saving $1.3m. In addition to the office-based staff review, the department has been able to achieve further savings of $750 000 by ensuring strict adherence to school staff entitlements. Some people have seen these actions as foolhardy. We need to consider the situation as it existed when we took over responsibility for education in 1979. There were a great many problems to be addressed. We needed to put the core curriculum in place. Other areas required development and we required many staff to achieve that. Those tasks have now been completed and we are now able to operate with fewer people. I know that the staffing cuts will not detract from education in the Territory.

Formula growth was another area which caused major concern. Despite the Commonwealth budget cuts, the department has been able to maintain the existing staffing formula. It is equal to the best in Australia for primary schools, marginally better for secondary schools and by far the best for Aboriginal schools.

Mr Ede: Rubbish.

Mr HARRIS: You talk about rubbish. The facts are there.

This government made sure that the staffing formulas were protected. They will generate a total of 167 additional positions this year. These have been provided for in the 1985-86 budget. They include the truancy officers mentioned earlier, a manager for the School of Tourism and Hospitality at the Community College of Central Australia, ancillary staff for new schools, 43 teaching assistants for homeland centre schools and 2 apprentices to be indentured to the Community College of Central Australia. The total cost to the government in the 1985-86 budget will be $2.535m. In order to maintain our excellent staffing formula and provide for growth, it has been necessary to enforce it strictly by reducing staffing levels where these are above entitlements.

A new and exciting period is commencing with the satellite utilisation program. To keep pace with the changing technology in the delivery of education services to remote communities, the government has provided a further $224 000 for the Satellite Utilisation Pilot Program. This expenditure will continue in the years to come. The school-based information and shared-logic systems have received $216 000 for 1985-86. This is for the

establishment of a computerised information system and follows the provision of $200 000 in 1984-85. The government has provided a further $1.398m to enable the department to purchase a shared-logic system to link office computing and word-processing facilities. As a result, much greater efficiency will be achieved in departmental administration.

The government also had to deal with the concerns raised when the Commonwealth indicated that it would cease block funding of pre-schools. This government has indicated that it will meet that shortfall and we have provided an amount of $170 000 in this budget to do that.

In the intra-subsidy area, the government has provided an increase of $217 000 for additional payments to non-government schools. This relates to intra-subsidy on loans for the construction of approved school buildings, capital items and furniture and fittings. The government continues to support student assistance schemes. This is indicated by an increase of $461 000 which will allow for an extension of the tertiary grant scheme to cover inflation and to cater for increases in the number of applicants approved for the NT Student Assistance Scheme.

Head-leasing is another area where the government has taken up the challenge and continues to meet a very important commitment. As a result of the need to provide for teacher housing in isolated communities such as Katherine, Tennant Creek and Alice Springs, we have had to provide over $406 000 for head-leasing of properties.

With the change in administrative arrangements on 21 December 1984, the government drew together all technical and further education activities in the Northern Territory under the administrative umbrella of the Technical and Further Education Advisory Council. An amount of $29.673m has been provided. This represents an increase of 11.51% on the 1984-85 expenditure and demonstrates the government's intention to further TAFE activities throughout the Territory. Of this $29.673m, the Darwin Institute of Technology will receive $13.430m. The remaining $16.243m will provide for activities administered through the Batchelor College, the Katherine Rural College, the Adult Migrant Education Centre, the Territory Training Centre, the Community College of Central Australia, as well as the Occasional Preparation Program, the Participation and Equity Program, the Commonwealth Tertiary Education Commission, TAFE special grants and the TAFE Division. Whilst the government has had to delay the introduction of some new educational programs because of the various imposts placed on it by the Commonwealth, I am confident that our basic education system is in a sound position and will suffer nothing in comparison with the states.

Before closing, I would like to touch on the issue of states' rights again. I raised the issue this morning because all state governments are concerned that the Commonwealth's initiatives are able to suck them down the expenditure tube. One example is in the provision of post-primary facilities in the Northern Territory. The Commonwealth has agreed to contribute funds to provide those facilities but it will not fund the provision of accommodation to go with those facilities - accommodation which is vital for the teachers. It has asked the Northern Territory government to foot that bill. If it continues to provide post-primary facilities throughout the Territory, we would be called upon to place accommodation units in all of those communities. That is something that we cannot accept without discussing it with the Commonwealth government. We must have a commitment from the Commonwealth government in relation to that. It is very important.

All states are concerned about the interference in areas over which the states have rights. They cannot really be blamed. They are good programs; I am not knocking them. However, often these good programs which are set up by the Commonwealth are phased out over a period and then the blame is put fairly and squarely on the government of the particular state or territory. I am sure that the member for Millner will be aware of the example of disadvantaged schools. Very good programs were established but, after 5 years, those programs were stopped. Often, we cannot continue to provide funding to maintain those programs. When that occurs, members opposite, school staff, parents and children, all of whom want these good programs to continue, criticise the Northern Territory government. That concerns all the state governments.

As I said before, we acknowledge that there is a very real need to look at Aboriginal education and at providing services to Aboriginal communities. We are not shying away from that. In fact, we want to hear from those communities. We have enshrined in legislation the opportunity for school councils to be established and to indicate what their communities want. We will take up the challenge, but we need support from the opposition to bring pressure to bear on the Commonwealth. As I mentioned earlier, we are in the unique position of 25% to 30% of our population being traditional Aboriginals. No state has that high a percentage of Aboriginals and no state has the same difficulties that we have in providing services to our communities. Therefore, we need assistance from the opposition to convince the Commonwealth that it has a very important role to play to ensure that the people in the NT have the same rights as the people in the states. I support the Appropriation Bill.

Mr EDE (Stuart): Mr Speaker, in rising to talk on the 1985-86 budget, I would like to make a few comments first. We heard the Minister for Community Development once again rabbiting on about how keen he is on community initiatives, community control, self-determination etc. I have told the minister time and time again how he can go about achieving those particular aims. If he insists on not listening and if he insists on not taking any action, I find it very hard when he turns around and blames us. He has been told time and time again, both in this Assembly and outside, how to go about achieving some of those aims. Maybe he is a little thick and we need to do a bit more work on him. We will continue to try to explain to the minister how he can go about achieving those ends. We will continue until we finally get the message through.

I would like also to comment on the speech made yesterday by the Minister for Conservation - I think in his capacity as spokesman for the Confederation of Industry. I am impressed by his concern at the declining value of the Australian dollar. I hope he has expressed similar concern to his own Treasurer, the Chief Minister, who said in his budget speech that the devaluation of the Australian dollar over the past 6 months opens up export opportunities. Perhaps the member would like to explain to the Assembly his dissent from the Chief Minister's comments.

The minister was almost breathless in his rush to attack and denigrate the Australian economy. The first can he chose to kick was wage and salary earners. We heard the normal tough talk from this government about wage restraint. It sounds a little strange to me, coming as it does from a minister of a government and a party which only 10 months ago sought to vote itself an 11.4% pay increase.

Mr Dale: You voted for it too.

Mr EDE: We certainly did not. I want that struck from the record. Mr Speaker, how dare they try to impugn that we would vote for such an outrageous and scandalous increase!

The minister is being hypocritical. Aside from this problem of personal credibility, let me deal with the factual basis of his argument. During the middle years of the Fraser government, much credence was given to a theory called 'real wage overhang' and the parallel theory relating to relative factor shares of the gross domestic product. Simply put, the argument was that labour had received too great a share of the gross domestic product and the effect on capital was both a withdrawal and a substitution of capital for labour. I was not a supporter of that theory but I am sure that many members opposite were, including the Minister for Conservation.

Regardless of my beliefs 8 years ago, I would like to point out to the minister that, in 1984-85, the private, non-farm corporate sector, gross operating surplus - which is a very long term meaning either profits or the bosses' share - was about 33%. This was higher than at any stage in the last 18 years. My records only go back 18 years but it was certainly the highest at any stage over that period. What has happened is that, in the last 3 financial years, the non-farm corporate sector has increased its share of gross domestic product by 5.5 percentage points or by 20%. It is worth remembering that this is an increasing share of an increasing gross domestic product. Gross domestic product has grown by 9% during the same period. In the same period, the index of average real unit labour costs for the private non-farm corporate sector fell from 106.2 in 1982-1983 to 98.8 in 1983-1984. That is a fall of about 7%. This Assembly would be better served if we addressed all of the facts. Why is it that, when something goes wrong, it is the wage and salary earners of this country who must bear the whole burden? When the non-farm corporate sector has a growth of 20% in its share of gross domestic product - which itself has grown by 9% - why is it that labour is to blame?

I could not help but notice yesterday just how gleeful the minister was in his description of the Australian dollar as the pizza of the South Pacific. Like his counterparts in Canberra, this man lacks any policy himself but is willing to attack and denigrate.

While I am on the subject, I would like to deal with some comments made last year by the minister when he was merely the member for Nightcliff. Many members may not remember that particular speech. It was during the period when he used to pile books all around him so that he could get on with his crossword puzzles and make us all believe that he was writing speeches. However, some of us will remember that speech which was very long on dry and dusty figures which he trotted out to show that we were in a state of fantastic boom. He referred to many indicators which, presumably, he had extracted from those books. Maybe somebody did it for him. However, he said, for example, that the number of caravan park spaces had increased by 100% over the previous year. That was an indicator that we were experiencing a boom period. I would like to point out that the increase this year has reduced from 100% to 15%. That represents a fall of about 900 in the number of new spaces.

Mr D.W. Collins: How can it fall when there are more?

Mr EDE: We are talking about the rate of growth. The rate of growth has declined significantly, and I will show that by reference to some of the other statistics which he offered. For example, he referred to a 50% increase in hotel rooms. This year, they increased from 1036 to 1200. That is a significantly slower rate of increase. Motel rooms actually declined by 68 rooms during the period. That represents a decline of about 160 bed spaces. These figures come from the Australian Bureau of Statistics. Caravan park takings in the March quarter of 1985 were up $78 000 which is less than the $84 000 for the March quarter in the previous year. That is significantly less after inflation is taken into account. Hotel takings for the same quarter increased by $441 000 over the previous year, which was reasonable. However, it was almost $100 000 less than the previous year's increase without allowing for inflation. Motel takings increased by $435 000. That was the only area to witness such an increase. It is possibly a shame that the Australian Bureau of Statistics cannot mention the Northern Territory government's own payments to hotels; for example, at Yulara it would certainly boost the figures and make them appear more credible than the ones offered by the member yesterday.

As the Leader of the Opposition has pointed out, the Territory's Consumer Price Index increase over the last quarter was 60% higher than that in the states. Much of our advantage of 12 months ago has evaporated. If the figures reported by the honourable member last year indicated a healthy, growing and vibrant economy, the figures this year must surely give us cause to wonder what has happened. Why has the rate of development slackened and why have we lost much of our advantage in regard to inflation? I look forward to the minister's explanation.

In the context of this debate, I would like to refer briefly to a matter of extreme moment to the mining industry. I refer, of course, to profit-based royalties. We have been given a copy of a review of the Mineral Royalties Act which has been described to me as a document which starts with a hypothesis, postulates a shape, draws a line and says that the results are fact. That is a fairly accurate description of the review that has been conducted to date. It took some figures that are very difficult to prove and made a number of assumptions which only backed up what the government wanted to prove in the first place.

There are a number of strange factors about this profit-based royalty. Many miners claim that it is the highest in Australia. The profit-based royalty is based on cash flows and surpluses; it is not based on accrual accounting. There are many provisions relating to oncosts of employers, rehabilitation of mineral areas, inadequate depreciation and so on. Firms which, in some cases, have moved from a straight tax accounting system to a current cost accounting and tax accounting system find that, when they come to the Northern Territory, they have to run a third set of books in order to work the cash surplus system upon which the royalty system is operated.

There are some people who believe that only new mines are affected by this rate. However, miners have found that it covers new leases. For example, a mine may have been operating for a period of time on 1 lease and then decide that it needs to augment input by taking up a new lease. It is then taking product from 2 separate leases and putting them through the 1 works, but somehow it has to differentiate the ore from 1 lease from the ore from the other to work out what the royalties are. There are no royalties on 1 lease; it is paying full royalties on the ore out of another lease and somehow it is supposed to come up with a result. It is an administrative nightmare. People

are worried about the wide discretionary powers which the secretary holds. I hope that, during this year, there will be a far more incisive and accurate review than the one that was carried out last year.

Mr Speaker, while there is a 6% decrease in the total Department of Mines and Energy allocation for 1985-86, there are some fairly radical variations which are not explained adequately. For example, take the appropriations for the activities within the department. The energy area allocation is up 41%; it is quite obvious that this would relate to the pipeline. However, the mines area allocation is down 30% and the administration allocation is down 20%. This leads us to wonder what has been cut and a possibility there is the supervision of safety standards. It has been a worry to us on this side of the Assembly that, instead of taking the supervision of safety procedures etc from the Department of Mines and Energy and putting it in an organisation which could review safety standards objectively, it has been given to a company which itself has very close connections with the mining industry, and with some of the people on whom it is supposed to conduct tests.

I turn now to the Northern Territory Electricity Commission's capital works program. Following on from what the honourable member for MacDonnell had to say about accountability of capital works programs yesterday, I find it very difficult to determine the fate of various NTEC capital works projects authorised by this Assembly in the 1984-85 budget. I will give an example. The 1984-85 NTEC's capital works program included in its allocations for proposed new works an amount of $8.7m for a 20 MW gas turbine for Darwin. The turbine does not appear in the works in progress section of the capital works program for 1985-86. Does that mean that this turbine was installed somewhere and all expenditure acquitted in the 1984-85 financial year or were funds authorised for the turbine redirected? In this case, it can be assumed that the turbine was not installed. The total expenditure on new works during 1984-85 was $6.022m. When I was at school, it was very difficult to pay out an amount of $8.7m when you had spent only $6m. Therefore, I would say that that precludes expenditure on an item worth about $8.7m. Possibly the minister is clear about that now.

Similarly, the 1984-85 capital works program included in its proposed new works allocations an amount of $13.3m for the generation and augmentation of a mine unit in Alice Springs. The unit does not appear in the works in progress section of the capital works program for 1985-86. It can only be assumed that the funds authorised for the unit were redirected also. There are several other items in the 1984-85 new works section of the capital works program for NTEC that do not appear in works in progress for 1985-86. The cost of these items totals nearly $2m. Accordingly, we have nearly $2m worth of projects that were completed during 1984-85 or in respect of which the authorised funds may have been redirected.

As I stated, the method of displaying these figures in the budget is hopelessly inadequate. It is interesting to note that, of the nearly $27m authorised for proposed new works for NTEC for the 1984-85 capital works program - and that figure excludes continuous items - at least 81% or $22m was redirected. A further 12% or $3m passed through, in some stage of completion or otherwise, to the 1985-86 works in progress and 7% or nearly $2m had an undetermined fate.

On the other side of the coin, there are works in progress worth over $3m which appear in the 1985-86 works in progress section of NTEC's capital works program that have not been mentioned in any previous capital works program.

They have appeared out of the blue with this particular budget as works in progress; they were not authorised by this Assembly. There is also the case of a $2m allocation to purchase generating sets Nos 5 and 6 for Yulara in 1984-85 which appears as an allocation of over $4m in the 1985-86 works in progress. It puzzles me that this allocation has more than doubled from that authorised by the Assembly in respect of 1984-85. The Minister for Transport and Works will no doubt say 'rise and fall'. Yulara raises its ugly head again in respect of underestimated or uncontrolled costs. After struggling through the NTEC capital works program for 1985-86, it began to occur to me that the parliamentary authorisation of capital works is a bit of a farce, given that, in 1984-85, only a small percentage of new initiatives for that year were actually followed through.

Earlier, we heard the member for Victoria River, in his role as a rural apologist for the CLP government, refer to the wholly positive nature of this budget and the stimulus that it will provide for social improvements in the Territory. I would ask how a shrinkage in the capital works program for Aboriginal essential services fits into that theme. The Aboriginal essential services capital works program totalled $19m in 1984-85 and, after expenditure of only $7.7m during 1984-85, the total capital works program for 1985-86 is only $5m. It is clearly evident from the figures that, of the $11.5m outstanding from the 1984-85 capital works program, over $9m of the previously authorised works have been abandoned leaving works in progress of $2m in the 1985-86 capital works program. I would not refer to that as a positive form of budgeting. I would refer to it as either wholly negative or, once again, impossible to follow.

This government puts out a great deal of smoke in relation to Aboriginal affairs. Frequently, its ministers make glib statements. A few minutes ago we heard that we are leaders in Aboriginal education or Aboriginal health or whatever. The strange point is that the ministers are obviously rather shy about producing substantiation of their claims. It is extremely difficult to find information in this budget as to what this government is doing to redress the glaring imbalances between Aboriginal and non-Aboriginal Australians. Quite considerable levels of funding come through from the federal government to assist in redressing the imbalance, but it is almost impossible to establish what happens to this money once it gets into the Territory government's hands. For instance, it is impossible to find out the extent to which this government matches or tops up programs with its own funds. I refer particularly to Aboriginal housing in rural areas and the Aboriginal Public Health Improvement Program.

Honourable members will recall that, last year, I found an imbalance of over $100 000 in the funds received and disbursed from the Aboriginal Public Health Improvement Program. That is a matter on which I am still awaiting a satisfactory answer but the point I really want to make is that, last year, there was at least some hope of tracing tied or specific purpose funds received from the federal government through to the point of planned expenditure. This year, the government has made this process far more difficult. Appropriations are submerged within global estimates. They have been shuffled between divisions, and indeed departments, in an obvious attempt to hide the trail.

As one example, I draw the Assembly's attention to funding for Aboriginal communities to assist them to carry out various municipal functions. We often find government backbenchers from whom we could expect little better - and, to their shame, ministers - making quite inaccurate statements about the

operations of community government. In relation to a matter such as this, one would think that there would be some detail provided so that hopefully this Assembly could improve its knowledge of what the minister is trying to do. What, however, do we find in this budget? The whole allocation which I think includes essential service contracts as well as the town management and public works and utilities funding. I say 'I think', Mr Speaker, because it certainly is not clear. All we know is that the whole lot has been lumped together under 'other' in the budget papers. That is ridiculous. It is certainly at odds with the degree of detail that the government insists on in its dealings with community governments.

I have been critical many times of the accounting system for community governments. I have pointed out its failings at every opportunity. I made the point that the Department of Community Development review pointed out that that particular accounting system served only the purposes of the funding body and in no way served the purposes of the people who were trying to manage the funds. I have made the more general point that the funding method acts to stifle initiative and I will be talking about that further during this sittings. The observation I want to make now is that it is sad but not particularly surprising that the government has been unable to design an appropriate system for community governments when its own system for budgeting and reporting is such a mess.

I wish to talk briefly about service charges. I have heard that meters are to be installed. We have yet to be given the full details of what is to happen, but I would like to explain briefly how I would like to see the scheme work. I hope that houses and government institutions in rural areas will be treated in exactly the same way as they are treated in towns. That argument has been won in regard to special purposes leases and I applaud the government for changing its attitude and recognising that the people's argument was reasonable. I hope that it will proceed along those lines in rural areas.

It has been said, possibly by unkind people, that the government intends to install individual meters and then insist that a community has to collect its own service charges. What that would be saying to a community is that it would be responsible for bad debts. That is not a position which this government or any other government would be game to take in relation to the Darwin, Alice Springs or Tennant Creek councils. It would not be prepared to go to those councils and tell them that they would be held responsible for the people who did not pay their electricity bills. The word was out that that was a possibility. I hope that that course will not be pursued and the people will realise that the rumour was a completely insupportable lie.

I do not have a great deal of time left and I may have to take up some issues under another guise in the adjournment. However, one point that I would like to make about community governments is that it is no wonder that people in some communities say that their community governments are irrelevant. Recently, we had a look at some of the figures which we were able to extract in relation to untied grants. This government often talks about the tied grants that it provides to communities. It stipulates what functions are to be carried out with those particular funds. In fact, it goes further than that because it ties the funds which a community raises itself. The TMPU money is a subsidy which means that the people must declare all their own revenue sources for a specified list of functions and the government negotiates on whether it will top them up or not.

The point that I want to make is that we found that, if a community raised certain funds itself within a year and expended them within that year, it was, in effect, expending what could be called untied funds. We took the example of Lajamanu which has a community government council and compared it with Tennant Creek. We found that the level of untied funding per capita in Lajamanu was just over $20 whereas the level in Tennant Creek was about $140 per capita. It is no wonder that people feel sometimes that the councils are irrelevant when the only works that they have the ability to carry out are those specified by the Northern Territory government. It is not a position that the Northern Territory would put town councils in but it is a position that it is prepared to put community governments in.

Very briefly I would like to talk about a couple of electorate matters. There is nothing particularly significant in the changes to sacred sites. It is rather unfortunate that the increase in funding of only 2% has meant that there has been a reduction in capital items. I hope that there are sufficient funds for the organisation to continue.

I was extremely disappointed to hear one member opposite carry on about how trips involving the Top End and Queensland could possibly operate. He asked what road people would use. Obviously, Mr Deputy Speaker, he does not know as well as you and I of the Yuendumu Road and Tanami Highway which continues on through Halls Creek up to Kununurra. It can then join up with the Victoria Highway coming back into the Top End. It has potential for substantial growth as a tourist route and also it provides the only high-load route from Alice Springs to Darwin. The first part of it services the very substantial population of Yuendumu and it will be required for the development of the Granites goldfield. However, nothing has been done to extend the bitumen through there. In fact, Mr Deputy Speaker, as you would probably realise, the entire extension to the bitumen mileage in the electorate of Stuart since the war has been 20 km. I would put it to you, Mr Deputy Speaker, that that is a fairly pathetic effort for a government of any persuasion. In particular, I would like the minister to have a look at the road from Urandangi into the Territory. I have been along there and I have seen tourists up to their axles in bulldust. The road on the Queensland side from Urandangi to the border is far better than the one on our side.

The sports field at Napperby is a matter that I want to raise. Well over a year ago, it was agreed that it would be upgraded. That still has not been done and I feel that the delays are getting past a joke. Those people have worked very hard clearing that area and trying to develop Australian rules and softball teams. I think that the government could give a bit of assistance when it goes out there to build the roads. It could clear the area for the sports field.

I have talked at length about the lack of basic minimum standards in some of the housing that has been built in the bush. I believe that the government this year should stipulate that showers and hand basins are an essential component of any housing provided for Aboriginal communities.

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

Mr FINCH (Wagaman): Mr Deputy Speaker, I was looking forward this afternoon to acknowledging the constructive contributions or countering any outrageous alternatives that the opposition may have put forward. Having done that - and that is how long it takes - I would like to add my compliments to the Treasurer for a most productive and constructive budget. It is a budget

which the electorate of Wagaman will greatly appreciate. It is a budget which reflects an ongoing commitment to sensible development within the Northern Territory. It is a budget for all Territorians and I would like to point out that the electorate of Wagaman also was not mentioned specifically in the Chief Minister's address. However, unlike members opposite, I am quite satisfied that my constitutents will benefit from this most responsible budget.

This budget will encourage and assist the development of a healthy economy through diversifying our industrial and commercial base. It will promote industries such as fishing, and the minister has told us about developments in aquaculture which will be of great interest to us in the future. It will encourage mining, agriculture, construction and light industry. In my opinion, the most exciting project to be undertaken by this government will be the Trade Development Zone. Undoubtedly, in these days of competitive enterprise on an international and national basis, I am sure that the zone will give us the opportunity to participate in new industries based on technology and skills. In fact, it may lead this nation out of its current economic demise.

The budget includes provision for maximising involvement by private enterprise and retaining only that level of public service necessary for minimal administration. There is no doubt that the Territory is maintaining a healthy growth rate and this is reflected in our population growth which was 4% last year and averaged 5% over the last 10 years. That is 3 times the national average. Of that population, a great number are young people. In fact, some 80% of the Northern Territory's population is under 40. There is a very good reason why those people come to the Northern Territory. When we look at the state of the Territory economy and its prospects for the future, there is no doubt why these people come here. They come for employment - not for the houses that the member for MacDonnell would have built for them before they arrive.

This government is determined to create the conditions in which people will be able to prosper. Our construction industry, including housing, is 1.5 times the national average. Our exports exceed imports by 100% compared with the national average of 3%. There is no doubt that the Territory is going places. Look at the mining industry which, on a per capita basis, is 3.85 times greater than the national average; tourism is 1.6 times the national average and the cattle industry is 2 or 3 times the national average. No less than 70% of our population participates in the work force compared with the national average of 60%. It is easy to see that the Territory is in a healthy growth situation.

In relation to some of the tourism statistics that were quoted by the member for Stuart, with all due respect, I am sure he must have been quoting from obsolete or old ABS figures because I have in front of me the current figures. Hotels and motels increased takings by some $1.9m and not the $200 000 the member quoted. Either he has his own personal statistics or he has an old set; I am not sure which. The occupancy rates and the number of new rooms being built to handle our rapidly increasing tourist industry gives the lie to the absolute nonsense that he has been espousing. I will not take up this Assembly's time by giving details but, needless to say, whichever area we look at, the current ABS statistics illustrate growth in the Territory's tourist industry.

The only sector that does not look quite so good when compared with the national average is industrial production. Industrial production comprises only 5% of our economic activity compared with a national average of 18%. However, that is being addressed by the Minister for Industry and Small Business through the Trade Development Zone and other initiatives. When one looks at the national policy on tariff protection and other incentives for the socialist states of Victoria, New South Wales and South Australia, one must ask who is paying for those states' involvement in heavy and medium industry? The answer is that the Australian taxpayer is paying. Earlier this year, we heard the Premier of Victoria refer to Northern Territory parasites when he was trying to support Machine-gun Walsh. Parasites indeed - the Australian taxpayer pays $7000 per motor car to support an outdated and ineffective industry in his state. There is no doubt who the parasites are.

Further endorsement of this government's economic management is reflected by major projects most of which were funded by hard-nosed, private business people who share our confidence in the growth of the Northern Territory. They have confidence in the massive yet untapped potential resources of tourism, mining, rural industries and commercial enterprises. The majority of the projects undertaken by these hard-nosed business people, including hotels and motels, shopping centres, land development, pipelines and shipping facilities, are funded privately. It is a reflection of people's confidence in our continued development.

All of this is far more impressive when we examine it against the background of a declining national economy. We are all frustrated by the dim view which the international business world currently holds of the Australian economy. This is reflected in the falling value of the Australian dollar and interest rates which continue to skyrocket and which will have a negative effect upon the development not only of the Northern Territory but of the nation as a whole. Our inability as a nation to compete in what are becoming unviable industries is certainly of great concern to us all. This needs to be addressed on a national basis. Our unreliability is another area that the world marketplace views with some concern. One of the concerns of Hong Kong and Taiwanese people who are considering setting up in the Northern Territory Trade Development Zone is industrial relations. They have read about Australia's poor record in being able to move some of our valuable resources and products from our shores. It is no wonder that the Australian economy is declining under such circumstances.

Our inability to market our wares overseas is quite obvious. The problem must be overcome by a total review of the trade policies of the Australian government. It is becoming more and more difficult because the people we want to trade with take a dim view of our protectionist policies and our inward thinking. Most of our tariff policies and embargoes leave very unsavoury thoughts in their minds. They prefer to trade with somebody who will talk turkey with them.

Our inability to achieve self-sufficiency is further aggravated by an aggressive federal government which breaks its promises and terminates worthwhile and constructive projects. We have had numerous examples of broken promises on projects such as the railway and the airport, not to mention subtle interventionist policies in relation to mining, offshore resources, park developments, trade, and fuel subsidies. I could go on and on about these matters.

The federal government could very well use some advice from its ALP colleagues in the Territory who can view at first hand what a free enterprise government can do, not only for our economy but for the nation's economy. Australia might even be able to take a lead from the Territory's development of its resources, and look at areas where it can compete much better on a national and international level. In a changing world, we will need not only to keep abreast of what is happening internationally but also to develop new technological and skills-based industries which will be able to compete on the international scene. It is extremely frustrating when we realise that this nation has an excess of natural resources, an excess of food production, an extremely well-educated population by international standards, but is still unable to compete. It amazes me. The federal government should take a leaf out of our book and widen its horizons rather than maintain its restraining, socialistic and welfare-oriented approach.

Through its budget and through its ongoing policies in education, this government has helped to establish infrastructure and developmental facilities to help our young people become educated to the best of their abilities. The Minister for Education is implementing the senior high schools proposal and has made a commitment to establish a university college by January 1987. The federal government broke its promise on that too. If it will not do it, I suppose we will have to. So be it. That is what we are about; we are about getting on with the job. We hear whimpers and screams and wails about alleged financial mismanagement. I can assure you, Mr Deputy Speaker, that if the members opposite ever got into power - and that will never happen - they would never make a mistake because they would never make a decision. That is the difference between free enterprise government and our socialistic, welfare-oriented opposition.

Mr Smith: Your free enterprise government owns half a hotel.

Mr FINCH: That particular subject is being debated time and time again. I ask members opposite to sit back, relax and open their minds to what free enterprise is all about. We can look at fishing and the provision of infrastructure for the exploitation of our untapped offshore resources. We can look at transport and works, and housing. Wherever we look in the budget papers, we see well-constructed, balanced programs aimed at developing the Northern Territory. These programs not only will help put us well in front but, if I dare to be so bold as to suggest it, they will drag Australia along behind us.

In conclusion, there is no doubt in my mind that the constituents of Wagaman, although not mentioned specifically in the budget speech, will be well pleased with this government's ongoing commitment to their well-being.

Mr VALE (Braitling): I will be very brief, knowing the lateness of the hour. There are only 2 points that I wish to make in the budget debate tonight. One concerns houses and the other concerns roads.

In previous budget debates in the Assembly, I have remarked that the Northern Territory government spends the lion's share of its budget on the provision of Housing Commission homes, accommodation in central Australia and one of the most attractive housing loans schemes in the world. I remarked in previous speeches that one problem remained in central Australia: rental accommodation. That problem has been with us for many years. I am delighted to report that, at last, we are seeing the first signs of change. In tonight's Centralian Advocate, there are 12 classified advertisements offering

rental accommodation in flats and houses. This type of advertisement has been appearing for the last 4 or 5 weeks. Whilst the rents are certainly at the high end of the scale, at long last rental accommodation is being provided in central Australia. This is a direct result of the Northern Territory government's housing policies.

My other points relate to the roads systems. One concerns the Stuart Highway in the Northern Territory and South Australia. As the Deputy Chief Minister said yesterday, the section of the Stuart Highway in South Australia has been a favourite project of mine for many years. Most members are aware that, to date, only 392 km of that highway remain to be sealed. Of that, 177 km are about to be opened in 2 stages leaving 215 km which will be finished in December next year in time for South Australia's sesquicentennial celebrations.

History is about to be made because that section of the Stuart Highway was divided up into a number of contracts. If my memory is right, there are about 14. The South Australian Highways Department is about to announce the letting of the last contract which relates to the sealing of the 59 km section near Mount Willoughby. It has been a long hard battle. Whilst a large section is already completed and another slab will come off the blocks and be open to traffic next week, I believe the fact that the last contract is about to be awarded is a great reason for celebration in the Northern Territory. As we have said here before, it will be a major breakthrough for the Northern Territory in terms of our tourist industry. In terms of economic importance to the Territory, it can be likened to the Tarcoola to Alice Springs railway line.

My final point also concerns roads. I wish to take up some of the points that the member for Stuart made. He said that, since the war, less than 20 km of road have been sealed within the Stuart electorate. That is an incredible statement for a member who lives in central Australia. I should know because I represented the electorate of Stuart for many years. Let me inform members of some of the roadworks that have been undertaken, not just since the war but indeed since self-government. The largest Aboriginal community in the Northern Territory is Yuendumu with a population in excess of 1200. The Northern Territory government, through grants from the Department of Community Development to the Yuendumu community, has sealed the entire street system there. There are bitumen roads from one end of the town to the other. What about the Plenty Highway? It has 90 km of bitumen from the Stuart Highway. The Tanami Highway, right through the member's electorate and indeed the member for MacDonnell's electorate, is sealed out to the Papunya turnoff, a distance of about 95 km. What about the Stuart Highway through central Australia? One of the worst sections of the Stuart Highway is in the foothills immediately north of town. Since self-government, that has been completely realigned, bridged and opened. That is about a 33 km section. Last, but certainly not least, the Ross Highway east to Ross River is almost completely sealed. All of those roads - the roads in the township of Yuendumu, the Plenty Highway, the Tanami Highway, the Stuart Highway north of town and the Ross Highway - have all been sealed or commenced since self-government. However, the member for Stuart has the cheek to say that, since the war - and I do not know which war he is talking about - less than 20 km of road have been sealed.

Mr Smith: In his electorate.

Mr VALE: I'm sorry?

Mr Smith: They are not in his electorate.

Mr VALE: The township of Yuendumu is in the heart of the electorate of Stuart.

Mr Smith: There is your 20 km.

Mr VALE: The Stuart Highway north of town cuts right through the member's electorate. The Plenty Highway, whilst now it is part of the border between Stuart and MacDonnell, has for many years been in the Stuart electorate as has the Tanami Highway. It is quite obvious that the members of the opposition not only do not know what is going on elsewhere in the Northern Territory but some of them do not even know what is going on in their own electorates.

Debate adjourned.

## PERSONAL EXPLANATION

Mr EDE (Stuart)(by leave): Mr Deputy Speaker, I would not like for it to be said and for it to remain in Hansard that I do not understand or have not as yet found the boundaries of my electorate. However, for the elucidation of the ex-member for Stuart and now member for Braitling, I would point out that the sealed areas of the Plenty Highway and the sealed areas of the Tanami Highway are not within my electorate. In fact, they both finish below the southern boundary of my electorate. I specifically mentioned new sealed roads. The 20 km to which I referred took into account the sealing of the roads in the township of Yuendumu.

## TABLED PAPER
### Ombudsman's Report

Mr TUXWORTH (Chief Minister)(by leave): Mr Deputy Speaker, by way of explanation to members, I failed to table this document this morning. I now table the Ombudsman's Seventh Annual Report and I move that it be printed.

Motion agreed to.

## INDUSTRY AND EMPLOYMENT TRAINING BILL
### (Serial 150)

Continued from 29 August 1985.

Mr SMITH (Millner): Mr Deputy Speaker, in addressing this bill, it must be said at the outset that the minister's speech stood out as one of the worst among a large number of appalling second-reading speeches. His speech said nothing about the contents of the bill and, more particularly, gave no indication of why the bill is necessary. In fact, the bill does something quite significant. It abolishes the Vocational Training Commission and transfers its TAFE functions to the Department of Education. That leaves the apprenticeship and training functions and this bill covers those.

This results from the administrative changes announced in December last year. We were not given the reasons for the changes then and we are not given them now. This is particularly strange because, last year, the Northern Territory was being praised by state departments concerned with training, industry and apprenticeships for its progressive move in establishing the Vocational Training Commission and bringing the 3 major functions under

1 minister and 1 piece of legislation. Within 12 months of the Northern Territory receiving praise for leading the way in Australia, we have had a decision - still unexplained by the government - to abolish the Vocational Training Commission and transfer its functions to different areas. To put it mildly, the states are bemused.

The other quite staggering thing is that we are only now debating this legislation - 11 months after the administrative changes were announced by the Chief Minister. One can only assume, knowing that the Vocational Training Commission has not existed since 20 December last year, that the government has been acting once again without any legislative authority.

I proceed to the bill itself. Broadly, it disbands the Vocational Training Commission, transfers TAFE functions to the Department of Education and covers apprenticeship and training. In general, we support the legislation. If that sounds contradictory, I remind members that it is now 11 months since the changes were introduced. However, we still have some reservations about individual components. I wish to concentrate on those.

Clause 6 relates to the establishment of the Industry and Employment Training Advisory Council. It is a matter of concern to us that the representatives of employee and employer organisations will constitute a minority of 4 in an advisory council of 9 members. One would have thought that, in this legislation, which is of prime concern to employers and employees, that it would have been possible - and in fact desirable - to give the combined employers and employees a majority of representatives on the advisory council. I am informed that that is the case in Tasmania and Queensland. As it is now only an advisory council, it would seem appropriate to have a majority of employer and employee representatives. The opposition will be proposing an amendment to the relevant part of clause 6 so that representatives of employers and employees form the majority on the advisory council.

Another concern relates to something which we have not seen in any other piece of legislation. I quote from clause 6(4): 'The minister shall not appoint a person under subsection (2)(c) who is an employee unless the employer of that person has consented in writing to the appointment'. This deals with appointments to the advisory council by the minister. It is our view that that is a completely unnecessary clause which has not appeared in any other legislation. In fact, it is a complete reversal of the section in the Vocational Training Commission Act. Clause 6(4) gives an employer the right of veto over an employee's association recommending to the government that a particular person should be on the advisory council. In our view, that is unacceptable. An employer should not be allowed to subvert the wishes of the minister or employee associations. It is something that could well be worked out without the need for legislation if there are particular problems. To insert that sort of clause, in our view, destroys a balance that may well exist through discussion and could work against the prospect of obtaining the best people on the advisory council. I foreshadow that we will move an amendment to remove that clause.

Another concern we have about the operation of the advisory council is its lack of power to carry out its function of assessing the present and future requirements of industry for skilled and semi-skilled labour and special training needs. Under the legislation, it has a specific power to advise the minister. However, it does not have the ability to do so. It has no power to commission its own reports nor to conduct its own research on specific matters

that it is interested in. It is a gatherer of other people's information. That is an extremely significant limitation on the ability of this advisory council to do its job. I hope the minister takes note of these comments and examines the prospect of amending the legislation to allow the advisory council, within limits, particularly financial limits, to commission its own research and obtain its own reports so that it has a first-hand data base.

Clause 19 deals with training courses for industry and employment. It specifies that the approvals and the basic administration of courses in this area are the responsibility of the minister and thus contradicts the previous clause dealing with apprenticeships where those matters are the responsibility of the secretary of the department. I have a question which I would invite the minister to address in his response: why is it necessary to give those responsibilities to the minister under clause 19 when the apprenticeship clauses give those responsibilities to the secretary?

There is also potential for problems to arise because the training courses that the minister can approve are limited to those for pre-apprenticeship, pre-vocational apprenticeship and traineeship courses but not to TAFE courses. Of course, when you remove the TAFE component, you have the problem of defining particular courses that the minister may wish to approve. Are they TAFE courses or not? How does one determine how much content is necessary before a course is defined as a TAFE course rather than a training course? Such questions may cause jurisdictional problems in the future. Of course, that is something that has plagued the post-secondary education sector in the past. It is unfortunate that this legislation seems to be going back to that situation.

Clause 28(1) deals with the stand-down of apprentices. This clause has been widened quite considerably. It is unfortunate that the minister made no comment in his second-reading speech on the reasons for that. In essence, the Vocational Training Commission Act said that an apprentice could be stood down only when there was an electricity failure. The bill says that an employer may stand down an apprentice through an industrial occurrence which prevents the apprentice being gainfully employed. An industrial occurrence means 'a breakdown in machinery or a stoppage of work by any cause for which an employer could not reasonably be held responsible'. On the face of it, that is a pretty wide power indeed that the employer has to stand down apprentices.

The minister owes this Assembly an explanation of what exactly, in his view, that clause means. Does it extend to industrial action which affects a particular employer? Does it extend to other issues related to industrial action - for example, what is called a secondary boycott? If it extends to those actions, the opposition would be extremely concerned. It is widely accepted that apprentices should be treated differently from other workers at times of industrial action. There is no pressure placed on apprentices at present by their workmates to partake in industrial action because it is recognised that they have a special working arrangement, as outlined in their indentures. If we make apprentices subject to very wide stand-down powers of their employers, that will have the effect of diminishing the distinction between the apprentices and other employees and dragging apprentices into industrial disputes. That is something we do not want to see. We believe the current distinction between apprentices and other members of the work force in those types of situations is a valid one which works in the interests of both the apprentices and the employers. The present situation is accepted by the union movement. If clause 28(1) is passed, it will diminish that understanding, and that will not be in the best interests of anyone.

Accordingly, the opposition will be proposing an amendment. Without going into detail, it will narrow down very specifically the ability that the employer has to stand down his apprentices. I point out that we do see a difference between standing down an apprentice and seeking approval of the secretary of the department to offer an apprentice reduced working hours because of lack of work. That is covered by other clauses; we are not concerned about that. We are concerned about this stand-down provision. We ask the minister to re-examine it.

In conclusion, this legislation represents a strange move. We had legislation which was a model for the rest of Australia. We had legislation which quite clearly embraced the 3 major areas of TAFE training, apprenticeship training and other training that the government might wish to organise. That area has become particularly important since the bringing down of the Kirby report. However, this tight and neat arrangement has been broken down and we will return to the situation which existed from self-government until the Vocational Training Commission Act came into being: a situation of confusion and duplication.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in rising to speak this afternoon, I would like to say at the outset that this legislation has my full support. I fully support the intention of the bill to organise apprenticeships for our young people in the Northern Territory. However, I do not like certain impositions on private enterprise which this legislation will bring about, especially those applying to the small employer. The minister expressed his wish to hear all views and thus gain a comprehensive overview of members' concerns. I have no objection to the intention of the bill. I think it is a reasonable piece of legislation. It does what it sets out to do, with the exception of the matters that I have just mentioned.

The first matter that I would like to raise concerns the definitions. I am concerned, firstly, at the definition of 'probationer'. I assumed the term referred to a beginner apprentice. The definition says that a probationer is a person who is registered under clause 31. Clause 31 mentions the notification of registration but it does not say exactly what a probationer is. I then turned to clause 35 which seems to suggest that a probationer is a person who has spent less than 3 months as an apprentice. I think the definition of 'probationer' should be made more exact.

In talking to clause 6, establishment and composition, the member for Millner said that he considered it undesirable that the minister appoint only 2 people from employer associations and 2 people from employee associations. What he neglected to see, whether by will or design, was that the minister has the power to appoint not less than 2. It does not say that he shall appoint only 2 representatives from the employer and employee associations. I find the honourable member's objection to that negated by his lack of attention to detail.

The member for Millner had some objection also to clause 6(4). He voiced his objection rather vigorously to the fact that the employer had to give his consent in writing to a ministerial appointment. Again, I am interested only in the small employer; I am not really interested in reading this legislation as it relates to the Woolworths and Coles of this world because they can very well employ people to do their work for them and they can engage legal opinion because their margin of profit is much larger than that of the small employer. Perhaps also they are better skilled at conducting their affairs than the small employer who has to work very hard at his business.

Looking at this from the point of view of the small employer of a person who is appointed by the minister, I think it is very much a personal matter for the employer whether he consents to that person continuing with or taking up an appointment as a member of this council. If the business is small enough, the absence of the employee at certain times may cause grave concern for the employer. This could result from the type of employment or the employee's prominence in the establishment. Some small businesses could even go bankrupt if a key employee were sitting on one of these councils and absent from his work for long periods of time. I do not share the honourable member's concern about the fact that the employer must give his consent in writing to the appointment of his employee.

In clause 11, dismissal of members, certain matters are mentioned. They are the usual matters that one sees in legislation of this type: leave of absence, bankruptcy and so on. However, personal interest is not mentioned and I think that it should be. I have been told that this is not relevant here, but I believe that it is. I would like the minister to look at that. Similar legislation provides that, if a member of a council has a personal interest in a matter to be discussed by the council, that person shall either retire or refrain from voting on that matter.

I found it rather difficult to understand clause 13, particularly subclauses (2) and (3). I was rather concerned about who exactly pays the employee for his attendance at meetings of the council. Is it his employer or the government through the Remuneration (Statutory Bodies) Act? If the employee's wages are above or below the remuneration offered to him, what is the situation? Again, I was looking at it from the point of view of the small business person. I have been told that the employer will be paid by the Northern Territory government under the Remuneration (Statutory Bodies) Act and he, in turn, passes the money paid to him to the employee who attends meetings of the council. I would assume that, if the employee earns less than is offered under the Remuneration (Statutory Bodies) Act, he would receive the amount over and above the normal wage paid to him by his employer. I am not quite clear what would happen in the reverse situation and I would like the minister to clarify that in his reply.

The member for Millner expressed grave concern about clause 14, functions of the council. I cannot remember his exact words but he said that this council could not undertake its own research but had to be a gatherer of other people's information. I believe that, if the honourable member had read the legislation through as thoroughly as he led us to believe that he had, he would have found that this council does have that power. Clause 14(a) says that the council can 'consider and advise the minister on, and make recommendations to the minister in relation to, any matter connected with training...'. 'Any matter' is a very wide term. Those 2 words mean exactly what they say. 'Any matter' may be information gathered by other bodies or it could relate to the council itself gathering information. I consider that subclauses (a) and (b) of clause 14 are adequate to cover the functions of the council so I cannot understand the concerns of the member for Millner.

What did give me some concern was clause 15 relating to confidentiality. Whilst I understand that councils of this kind, sitting in camera, have certain matters to discuss to which confidentiality would apply, I believe that other matters discussed at these meetings need not necessarily require confidentiality. I would like to compare the confidentiality mentioned here to that of the Rural Planning Authority, of which I have some knowledge.

I find that confidentiality is all right up to a point but, at different times, I have had the greatest difficulty in finding out what has occurred at meetings of the Rural Planning Authority which affects my electorate intimately. I find that confidentiality can be taken too far. Perhaps it is merely a question of the interpretation of the word 'confidentiality'. One interpretation may be that, when members walk out the door, they should button their lips and not say a word - not even say whether they had tea or coffee. Without suggesting that they are not conducting their duties properly, I feel that some members tend to take confidentiality too far. Clause 15(a) says that a member shall not disclose information etc unless the disclosure is 'made in the course of those duties'. Reading that, I believe some latitude is given for the member, on certain occasions and to certain people and for certain reasons, to disclose information. Again, I would like the minister to reassure me that this is so. The matter of confidentiality is also referred to in clause 16 which deals with committees. I will not reiterate what I have just said on confidentiality.

When this legislation is finally assented to, I would like the minister to pay particular attention to the development of apprenticeships in primary industry. Apprenticeships in primary industry are assuming more importance everywhere in Australia in view of the export dollar that primary industry earns. Apprenticeships in various sectors of primary industry should be encouraged.

I agreed with the member for Millner's reference to clause 20 which deals with declaration of apprenticeship trades. I found clause 20 to be incompatible with clause 19. By clause 20, the 'minister may, by notice in the Gazette, declare a trade, other than a professional or scientific pursuit, to be an apprenticeship trade'. I find that incompatible with clause 19 where the discretion given to the minister does not extend to apprenticeships offered in 'professional or scientific pursuits' nor to 'courses known generally as the technical and further education courses conducted by the Department of Education and the Darwin Institute of Technology'. I believe those 2 clauses should have some parallel interest and that those 'technical and further education courses' should also be referred to in clause 20. However, I am afraid that that is the only point on which I agreed with the member for Millner.

When I read clause 21, it appeared to me that there was a restriction on the small businessman employing people over or under the age of 21 years. However, that was clarified for me. I was concerned about a person who might be doing other work or studying and who wished to work during vacations for a close member of his family in the trade at which that relative was earning an income. I would suggest that, even though this family member would not be a probationer, apprentice or tradesman, nevertheless he would find family constraints put on him. I do not want the small businessman to be embarrassed financially and I do not want a burden placed on him. I have been told that this hypothetical student member of the family could find a job in his father's firm or be categorised as a labourer or a tradesman's helper or whatever they are called. I am prepared to accept that up to a point, but there is always the hint that the small businessman will be penalised.

The member for Millner expressed his grave concern at clause 28 relating to stand-down of apprentices. I may be rather green in the field of industrial relations but I am not so green as to be cabbage looking. The time is coming very shortly when somebody will have to put a brake on the small employer paying out and paying out. If somebody is not working for him, for

whatever reason - an industrial occurrence such as a breakdown in machinery, or a secondary boycott or industrial action - it cannot be expected that the employer should always pay and pay. It appears to me that the small employer is the victim of any industrial blackmail. The general public is the victim of any industrial blackmail at times, but it appears to me that, even before the public is victimised, the small employer suffers. Big business can carry this sort of thing, but the small employer cannot.

I agree with the legislation and, in fact, I would go further than the legislation does in clause 28. Probably I will bring down the ire of some of our members, though perhaps not all of them, by appearing anti-union. I am not really against unions; I just want a fair go for the employer. The employee does not get a bad go these days, but what about the small employer? Clause 28(3)(b)(i) states that an apprentice or probationer shall be paid for 4 hours' work if he commences work but is prevented from continuing work because of an industrial occurrence. I do not know why it is 4 hours except that I was told that that is a tradition. The requirement that payment be made for 4 hours' work again bites into the small profit margin of the small employer. Why can't it be consistent with clause 28(3)(a) where a period of 2 hours is mentioned? Somewhere along the line a break has to be made with tradition with regard to union matters.

Reading through the legislation, I see that the secretary has considerable power. I hope that he uses his power in a just and efficient way. I hope that he does not prove a hindrance to the industry, the small employer and the smooth workings of business. I hope his decision, or his lack of decision, does not hinder young people seeking apprenticeships.

I am a bit concerned about subclause 29(3). Where the secretary registers an employer under subclause (2), he may impose such conditions as he thinks fit on the employer concerning the employment of an apprentice or probationer. I hope that the secretary will be reasonable in his approach and will not tie up the employer with red tape as some government departments do from time to time. Some of my constituents have had that experience. That red tape takes a bit of unwinding even in this day and age. Clause 29 states that the employer 'shall comply with and not contravene a condition'. I would like to see a provision inserted which would allow a little discussion.

Under clause 30, it appears that the secretary has the sole power to hire and fire. Again, I find this an unnecessary intrusion by a public servant in the running of a business. I would like to be assured, if an actual change in the legislation is not made, that this hindrance will not occur.

In clause 32, execution of indentures of apprenticeship, I believe the word 'employee' should be 'employer'. I may be wrong but it appears that a sensible reading would require the word to be 'employer'.

Clause 47, execution of assignment of indentures, appears to be a little unclear. Subclause (3) reads:

> 'Where an assignment of indentures of apprenticeship is or is deemed to be executed in accordance with this act, the assignment shall be deemed to take effect on the day on which the apprentice commenced employment ...'.

It is unclear to me whether it means when the apprentice commenced employment as an apprentice and signed his indentures or when he was still a

probationer. Perhaps I do not understand it because of my greenness in relation to industrial matters.

I also find a lack of clarity in clause 49, termination of employment. Does paragraph 49(1)(c) relate to the time the apprentice commenced employment as an apprentice or as a probationer?

Clause 53, recovery of fines, seems rather unfair to the small businessman. Subclause (2) says:

> 'The secretary may, by notice in writing served on the employer of an apprentice or probationer, require the employer to (a) deduct the amount of any unpaid fine... and (b) pay that amount to the Territory'.

That, coupled with all the other red tape restrictions, will make things rather difficult for a small employer. I will speak more about this later in the sittings. The employer has enough bookwork to do before he even sells a loaf of bread or a bottle of lollywater without having to do bookwork for the government.

Mr Dondas: A person selling a loaf of bread or lollywater does not need an apprentice.

Mrs PADGHAM-PURICH: Let us say that he already has enough bookwork to do before he can weld a seam or take a wheel off a car. I feel that, if the government imposes a fine, it should collect the fine itself and not ask the employer to do it. If the apprentice is responsible enough to be setting out on the path to gain full recognition of his skill as a tradesman, then that is the time to learn. If a fine has been levied because of certain discrepancies in his behaviour, then I feel he should be made responsible for it. The employer should not be made to collect it.

Clause 55 concerns powers of entry and inspection. This matter has been raised in relation to many other pieces of legislation over the years. A public servant has more powers of entry, search and collection of information than the police. People complain about civil liberties when police take out search warrants or collect certain types of information but nobody seems to be very concerned about legislation which gives public servants powers of entry and inspection. Because it does not affect most of us, we are happy perhaps to go along with it. However, I regard it as an intrusion, not only on the community's privacy, but also on my privacy. I would not want my business open to inspection by anybody. They may have various reasons for requiring entry, but I feel that other ways should be found to collect this information. I do not have the information. There are many people who are much cleverer than I am, and who could work this out. All I am saying is that the small businessman should be given a fair go to conduct his business and to earn an honest dollar without too many restrictions placed on him.

It may appear that I have been speaking against the legislation. I was not. I simply bring those matters to the minister's attention. I support the intention of the bill.

Debate adjourned.

## ADJOURNMENT

Mr HANRAHAN (Health): Mr Deputy Speaker, I move that the Assembly do now adjourn.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I think that a number of members thought they would get off scot-free this afternoon. I will not take long. I must thank the Minister for Mines and Energy for his letter regarding my concern at certain aspects of the Electrical Workers and Contractors Act. My understanding from his reply is that, because the Electricity Commission Act does not apply to Nhulunbuy, the Electrical Workers and Contractors Act also does not apply to Nhulunbuy. My interpretation is that, if I buy a house in Nhulunbuy and, even though I am not a qualified electrician, I rewire that house and sell it and subsequently it burns down as a result of my faulty electrical work, I cannot be prosecuted. It may seem like a very extreme example but that is an example of the lack of legislative control in some areas of the Northern Territory.

Mr Perron: I said in the reply that both acts are Northern Territory acts and the relationship between the 2 is the same in Nhulunbuy as elsewhere in the Territory.

Mr LEO: You are relying on the NTEC board. NTEC inspects electrical work. Because NTEC is not there, the act cannot apply.

Mr Perron: Because it does not have a presence?

Mr LEO: That is right. One must follow a fairly complicated course through all these acts to determine their relationship to each other and the degree to which they rely on various boards within the Northern Territory. In fact, the example that I have given could occur in my electorate.

Another matter relates to the Plumbers and Drainers Licensing Act. I raised it with the Minister for Transport and Works. He has informed me that the Department of Transport and Works disinherited responsibility for that legislation some 2 months ago. The Minister for Lands is responsible for the administration of the Plumbers and Drainers Licensing Act. Once again, because Nhulunbuy is not in a declared water or sewerage district, the Plumbers and Drainers Licensing Act can have no application there. Once again, I can carry out work on my house which may include the laying of some drainage works. That work may subsequently bring about a deterioration in the standard of public health for my neighbours and, once again, I cannot be prosecuted. These potential problems are of great concern to people living within my electorate. I hope both ministers will address them very soon. I hope to receive some assurances that both matters will be taken up this year.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, there are a few matters that I want to raise in the adjournment this afternoon. I will be brief. The Leader of the Opposition spoke rather illogically about parents having to pay bus fares for children travelling to school. Obviously, he does not have a very long memory or perhaps he was not in Darwin at the time. Prior to Cyclone Tracy, all schoolchildren paid to travel by bus to school. I cannot see what the fuss is about. Most reasonable parents assume that services must be paid for and one such service is bussing children to school. The Minister for Education has said that the education dollar only goes so far and, if money is expended on free bus transport, there is less money for education. I thoroughly agree with him.

I know there has been a little confusion about this matter in the rural area but I believe that most of it has been resolved. I have had representations and I contacted the minister's office and the Department of Education. Before Cyclone Tracy, nobody thought twice about paying bus fares. I could not remember exactly myself, but I spoke to my children today and I asked them if they remembered paying bus fares. All of them attended primary schools in Darwin. They said: 'Certainly, we paid them until Cyclone Tracy'. The cyclone blew a lot of things away, including the paying of bus fares. I have no philosophical objection to their reintroduction by the minister.

In response to a question this morning, the Minister for Conservation commented on plagues or near-plagues of rabbits in the southern part of the Northern Territory. The minister spoke about introducing a Spanish flea as a parasite to reduce the numbers of these rabbits. That might be admirable up to a point and it would achieve what myxomatosis has achieved in other parts of Australia at other times. I did not hear - and please correct me if I am wrong - any mention of using these rabbits as a meat export industry from the Northern Territory.

Mr D.W. Collins: You cannot catch them.

Mrs PADGHAM-PURICH: You can catch them! I think rabbits could provide a specialist meat industry for the Northern Territory. It would enhance the tables of those of us who eat meat and enjoy eating rabbit. There is nothing nicer than rabbit. It is very difficult to obtain fresh rabbit meat these days. In fact, it is well nigh impossible because the only rabbits that are obtainable in the supermarket are rather elderly and stale and not very enjoyable to eat. I recommend that the minister encourage somebody in his department to examine the possibility of a rabbit meat export industry.

Finally, I would like to touch on a serious matter which I have observed not only in my rural electorate but also in Darwin. I refer to young people riding on the incorrect side of the road. We know that the current death toll from road accidents is well above last year's. To a certain degree, alcohol contributes to many road accidents but not to all. I believe that it would do no harm for the Road Safety Council or the Department of Transport and Works to think about the consequences of having cycle paths in the city. I am not speaking against them per se but I wonder, without having any definite information, whether the separation of bicycles from the ordinary traffic on the roads contributes to some young people's lack of attention to the ordinary rules of the road when they are travelling on the road with ordinary cars, trucks and other vehicles. These young people will grow up to be adults, at least we hope they will. They will not do so if they ride down the wrong side of the road.

Last week, I saw a young boy riding along Trower Road on my side of the road. I was travelling on the left side and he was coming towards me. I hate to think what would have happened if my attention had been diverted for a moment. In a city, you do not expect to have people driving incorrectly on your side of the road. I have also seen this sort of thing happening in the rural area. Again, it is young people on bicycles. Perhaps their parents are not aware of it or perhaps their parents are aware but do not care. Young people should attend the driving education courses that have been run in schools now for a number of years. In that way, they would learn that the rules of the road apply not only to people driving 4-wheeled vehicles, such as cars and trucks, and 2-wheeled vehicles, such as motor-bikes, but also to people riding bicycles on the road. Some of these young people will not reach

adulthood if they continue riding on the wrong side of the road against oncoming traffic.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

NOTICE OF MOTION

Mr SMITH (Millner): Mr Speaker, I give notice that on the next sitting day I shall move that this Assembly has no confidence in the Speaker.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Leader of Government Business): Mr Speaker, quite clearly, this matter is such that you, Sir, would want to see the it disposed of before any formal business of the Assembly takes place. Therefore, I move that so much of standing orders be suspended as would otherwise prevent that motion being debated forthwith.

Motion agreed to.

MOTION
Want of Confidence in Speaker

Mr SMITH (Millner): Mr Deputy Speaker, I move that this Assembly has no confidence in the Speaker.

I start by thanking the Leader of Government Business who is always scrupulous in showing us the normal proprieties on these occasions. Mr Deputy Speaker, there was a time in the history of the Speakership when Speakers went around in fear of their lives. There have been examples of Speakers who were in fact executed or murdered in the execution of their duties. Other Speakers have been imprisoned or impeached. Of course, that happened during the period of history of the Westminister system when there was a great struggle between the power of the King and the developing power of the parliament. The Speaker, as the major spokesman of the parliament, was caught in the middle of that. Too often, unfortunately, he paid for it with his life.

Fortunately for Speakers everywhere around the world today, that no longer happens. However, the essential role and the essential importance of the position of Speakers in parliaments under the Westminister system remains. In so many ways, they are the linchpin of the system of parliamentary democracy that we have today. Mr Deputy Speaker, I give you one quote from that well-known writer on parliamentary practice, Erskine May:

> 'The Speaker of the House of Commons is a representative of the House itself in its powers, proceedings and dignity. His function falls into 2 main categories. On the one hand, he is the spokesman or representative of the House in its relations with the Crown, the House of Lords and other authorities and persons outside parliament. On the other hand, he presides over the debates of the House of Commons and enforces the observance of all rules for preserving order in its proceedings'.

Mr Deputy Speaker, today we are concerned with the second part of that: 'On the other hand, he presides over the debates of the House of Commons and enforces the observance of all rules for preserving order in its proceedings'. It is clear that, in an important position such as that, we need someone who has special qualities. Again, that has been the subject of some comment over the years: the sort of persons we need as proper and appropriate Speakers in

houses of parliament. It is best summed up by Philip Laundy in his book 'The Office of Speaker'. He said: 'The office of Speaker does not demand rare qualities. It demands common qualities in a rare degree'. He also said: 'A good Speaker is not necessarily an extraordinary person. Therefore, he is an ordinary person, but an ordinary person of the highest calibre'.

In other words, for the position of Speaker, we are looking for and select people who have had a long experience in the history of the parliament within which they are operating, who know its procedures thoroughly and who can be expected both to uphold with honour the dignity of the position of Speaker that has developed over hundreds of years and also ensure the efficient running of this Assembly and houses of parliament in general. It is a very important position indeed and I expect it is fair to say that we demand a higher level of behaviour and of propriety in the Assembly from the Speakers whom we appoint than we demand from other members of the parliament. I will say that again because it is very important. We demand a higher level of behaviour and propriety from the Speaker whom we appoint than from other members of the parliament.

Mr Deputy Speaker, it gives me no joy to speak on this motion. It is a matter of grave and unprecedented concern to the opposition in the Assembly. It is the first time since self-government that a matter such as this has been raised. On the federal scene also, it is very rare indeed for a censure motion to be raised against a Speaker. There were no censure motions raised in the federal parliament between the period 1901 and 1944, and there have been fewer than 10 since. This is a very rare occasion. The opposition is conscious of this, and thought very carefully before introducing this motion. However, after the occurrences during question time yesterday, we believe we have no other option.

The essence of our charge is that the Speaker failed to act impartially and responsibly in this Assembly when he suspended the Leader of the Opposition. To put it bluntly, and more colloquially, it is our view that the Speaker was trigger-happy. I believe the occupant of the Chair moved so swiftly and arbitrarily that the Leader of the Opposition was denied his democratic right to a fair hearing. The gravity of this charge cannot be underestimated. I hope members will contribute to this debate. It saddens and angers me that the Leader of the Opposition cannot be here today. He was dismissed from this Assembly in summary fashion, with no clarification of his alleged misdemeanour.

It is instructive to go through the Hansard record of yesterday's events. It started inauspiciously with the Leader of the Opposition raising a legitimate point of order, as he had done on the previous day during question time, in an attempt to confine the Minister for Education to the point when answering a question without notice on school bus fares instead of hiving off the question, as he did, and talking about Ayers Rock and states' rights. In the course of that point of order, the Leader of the Opposition claimed: 'Only those drongos could possibly make the link'. At that stage, the member was called to order and asked to withdraw remarks which the Chair found to be 'highly disorderly'. The Leader of the Opposition asked, quickly and simply, which remarks he should withdraw. Mr Deputy Speaker, this was not met with the clarification sought, but with a repeat of the caution that he should withdraw the remarks. The Speaker also warned: 'If he does not withdraw his remarks, I shall have no hesitation in naming him'. The Leader of the Opposition attempted to respond: 'Mr Speaker, with respect...'. However, before he could complete this sentence, the Chair interjected and, shouting, named the Leader of the Opposition.

Mr Deputy Speaker, this all happened in a matter of seconds. The Leader of the Opposition replied: 'Mr Speaker, quite frankly, I think you are overreacting'. Who of us, in the clear light of today, would deny that? The Speaker then ordered the Leader of the Opposition to resume his seat. The Leader of the Opposition then indicated he was quite happy to withdraw that which the Chair wanted withdrawn. He stated: 'Do I withdraw the point of order or which remarks? It is a perfectly reasonable question'. This was met, not with a response from the Speaker with a genuine desire to sort the matter out but with a simple statement that the Leader of the Opposition had been named.

The Leader of Government Business then stated that he had no alternative but to move that the honourable member be suspended from the Assembly. I would invite members to reflect on the words 'no alternative'. I think they quite clearly indicate the strength of support that the Leader of Government Business was showing for the Speaker at that particular stage.

Mr Deputy Speaker, in his book 'House of Representatives Practice' - we refer to this book in this Assembly when things get hazy - Pettifer says: 'The Speaker shows impartiality in the House above all else. He should give a completely objective interpretation of standing orders and precedents and he should give the same reprimand for the same offence whether the member be of the government or the opposition'. Does anyone here doubt that, if any other member, whether it be a government member or a member of the opposition, had been involved in yesterday's exchange, the Chair would have moved quite so arbitrarily? Of course, Mr Deputy Speaker, the Chair would not have moved so arbitrarily. It is fair to charge that the Leader of the Opposition was singled out yesterday by the Speaker of this Assembly. In singling him out, the Speaker fell far short of his obligation to this Assembly and to the people of the Northern Territory to be impartial and above politics in the administration of this Assembly.

In the clear light of day, the inescapable conclusion is that the Chair failed to carry out the business of the Assembly in an impartial and responsible manner to ensure the good order of the parliament. The Leader of the Opposition at no stage refused to withdraw the remarks alleged to be disorderly by the Chair. On 2 separate occasions, he sought clarification in a calm and reasonable manner.

I must say at this point that, of the practitioners that we have in this Assembly and concerning their knowledge of standing orders and procedures and their respect for the institutions of this parliament, 2 people stand out. One of them, of course, is the Leader of Government Business and the other is the Leader of the Opposition. They have a depth of feeling for the institution of parliament and its practices that the rest of us do not have. I put it to you, Mr Deputy Speaker, that, in his exchange with the Speaker, the Leader of the Opposition was scrupulous in not attempting to undermine the Speaker's authority and in accepting the decision of the Speaker, particularly since the Speaker rose to his feet. That is a most unusual occurrence which, according to a very precise standing order, ensures that all other members of this parliament must sit down. Such was the respect of the Leader of the Opposition for the practices of the Westminster system which have been developed over a period of hundreds of years, that he did sit down when the Speaker stood up. He did so because of his respect for those practices.

Even though the Leader of the Opposition asked for clarification, at no stage was it given. He still does not know which remarks he was being asked

to withdraw. For the record, I ask: was he asked to withdraw the legitimate point of order which he raised or was it the description of members opposite as 'drongos' which he was asked to withdraw? Was it the word 'drongo' itself that he was asked to withdraw? We simply do not know, despite 2 precise attempts by the Leader of the Opposition to seek clarification so that he could phrase his withdrawal in terms that would suit the Speaker.

The Leader of the Opposition was charged, tried and convicted in a few minutes without the benefit of knowing his crime. The penalty of suspension for 7 calendar days is heavy indeed. Who would doubt that, if this case could be presented before a court in the Northern Territory, it would be thrown out and the Leader of the Opposition's suspension revoked on the grounds that natural justice had not been accorded to him. The Speaker has clearly failed in his duty and does not deserve the confidence of this Assembly.

One can only presume on rereading Hansard - and one must presume, because the Speaker has not ruled on it - that what he objected to was the word 'drongos'. The word 'drongos' would cause no one great offence. It is a colourful and effective alternative to 'dull-witted'. It is a word often used in conversation by the Leader of the Opposition. He certainly does not have a parliamentary monopoly on its use. I refer to the Hansard report of 21 August 1985 of the House of Representatives debate on the Wheat Marketing Amendment Bill. The member for Kalgoorlie said during the course of that debate, and I quote: 'The National Party in particular is a party of lawyers, accountants and assorted drongos'. He was continuing with his remarks when a National Party member interjected on a point of order and called on the Chair to ask that the statement be withdrawn because it was offensive. The Chair ruled that the remark was unfortunate, but not - and I repeat 'not' - unparliamentary. What a sane and sensible way of approaching the matter. Compare that with what happened in the Assembly yesterday.

I do not want to dwell on the use of the word 'drongo'. It is quite clear that the Speaker can determine any word to be unparliamentary. He could declare 'apples' to be unparliamentary or 'contingent liabilities' if that was his wish. We are not arguing with his ability to determine that words are unparliamentary. We are arguing with the procedures that he adopted yesterday in throwing the Leader of the Opposition out of this Assembly for a period of 7 days. I do not believe the Chair acted in a responsible manner during the debate in this Assembly yesterday. I do not go as far as some commentators to suggest that there was a deliberate plot to deny the Leader of the Opposition his rightful place here beside me in this vacant seat. However, I must say the events of yesterday cannot be entirely unconnected with the confirmation I received in response to a question yesterday that the Speaker regularly attends meetings of the parliamentary wing of the Country Liberal Party.

Mr Speaker, in his pre-Assembly briefing for the media this week, the Leader of Government Business issued a warning that he would not allow the sittings to be dragged into the gutter. Isn't it significant that in relation to a sittings at which we will be debating a large number of important issues ranging from the Chamberlain inquiry, to Uluru, to the railway, and to the introduction of education bills setting up a university, the Leader of the Government Business could spend so much time in his press release and his press conference discussing and warning off the Leader of the Opposition?

In that pre-Assembly briefing, the Leader of Government Business took it upon himself to criticise the Leader of the Opposition in this regard. Considering the behaviour of members opposite at the past 2 sittings of this

Assembly, we presumed he was simply playing politics in lieu of any legislative initiatives. It is quite clear that the issue of how to hobble the Leader of the Opposition, by far the most effective performer in this Assembly, as we all recognise, was probably discussed at some length at CLP strategy meetings. By his own admission in response to my question yesterday, the honourable Speaker has attended such meetings and the inference can be drawn that he was possibly involved in discussion on how to hobble the Leader of the Opposition. If, Mr Deputy Speaker, he was not involved, he was certainly there and he was certainly able to pick up the flavour of the comments that were being made. Let me make the point that we do not object to the CLP discussing tactics and discussing ways of hobbling the Leader of the Opposition or any other member of the opposition. We do the same on this side, and I think the history of this Assembly would reveal we probably do it more effectively. What we object to is the Speaker being involved in those strategy discussions. There is no place for a Speaker, who traditionally has an impartial role, to be involved in strategy discussions on how to get at the opposition during the course of the running of the parliament.

I would say again that it is inappropriate, given the massive majority that the CLP has - and probably in any circumstance - for the Speaker of this Assembly to be involved to such a degree in partisan political strategy meetings. If the one thing that comes out of this debate is a recognition by the Speaker that, in fact, he should not attend strategy meetings, and a statement from the Speaker that he will not do that in future - and I draw the distinction between strategy and policy meetings - I think we will have been well served by this debate. It is obvious that a Speaker charged with the task of being objective leaves himself wide open when he attends such meetings.

As I have said before, and as someone said to me when I first entered parliament - and I think it might even have been a former speech writer of the former Chief Minister - if you are offered a choice between a conspiracy and a stuff-up, you always take the stuff-up. As I have said, we are not advocating that there was a conspiracy but we are saying, to put it colloquially, that the honourable Speaker stuffed it up. The Speaker, in his haste to follow the mood of his party as expressed at party meetings, diminished the impartiality of his office.

By his actions yesterday, the Speaker failed to exercise the high responsibilities of that office. He failed to extend an impartial hearing to a member of the Legislative Assembly. The leader of Her Majesty's Opposition has been denied the right to present his views and the views of the opposition in this Assembly for 4 sitting days. I believe that the Speaker has abused his power and has acted capriciously. We on this side of the Assembly have no confidence in him. He has displayed an authoritarianism which is beginning to surface within the Country Liberal Party under the false guise of law and order.

Most honourable members have an acquaintance with sport, whether actively or passively. All members would be well aware of the dictum of some players: if you cannot play the ball, play the man. I submit that this was the fate of the Leader of the Opposition in this Chamber yesterday. Unfortunately, it was not a fellow player but the referee who played the man. In all true sport, both teams take to the field equal in number and chance. That, of course, is not the reality here - 19 to 6 speaks for itself. Therefore, in matters such as this, the opposition must rely on dissent among the other team. I believe that this is a matter of principle which should be considered free from party

political allegiances. Viewed in the fairest possible light, I believe all members opposite have a duty to vote in support of this motion. Such a vote will remove the stain of discredit which has befallen the Chair. It may help restore the credibility of the Legislative Assembly of the Northern Territory in the eyes of informed and impartial members of the community.

Mr ROBERTSON (Leader of Government Business): Mr Deputy Speaker, the Deputy Leader of the Opposition commenced his debate on this most unfortunate motion with a quote which he saw as defining the role of the Speaker in the parliament. It is my submission that that definition is one that can aptly be applied to the conduct of Mr Speaker Steele in this Assembly. He also gave us a brief lecture on the history of the function and role of Speakers in parliaments. I suggest that there would be no person in this Assembly, and probably no Speaker presently presiding in this country, who would know more of the history of the Westminster system and the role of the Speaker in it. Mr Speaker Steele has made a very definitive and lengthy study - a fine study indeed - of the very traditions which are necessary for him to conduct the affairs of this Chamber.

I have now replied to the first 2 points raised by the Deputy the Leader of the Opposition. The third concerned his views about the standards which he believes a Speaker should maintain. His view - which I do not necessarily share - was that the standard of behaviour and decorum of a Speaker should be above that which is expected from other members. In my view, that is a clear confession on his part that there is at least one member of this Assembly whose behaviour falls far short of any reasonable standards. We all know who that is.

The Deputy Leader of the Opposition led his debate with 2 quotes - 1 from Erskine May and 1 from the Commonwealth parliament - which related to the function of a Speaker. My argument will be based substantially on the views of a man who would have to be regarded as the doyen of modern parliamentary democracy. As such, he had a very precise understanding of the role of Speakers. I quote from the Parliamentary Debates of the House of Commons, Fourth Series, Volume 107, 28 April - 12 May 1902, column 1032. The authority is no less a person than the late A.J. Balfour:

> 'The Speaker for the time being, whoever he may be, is obliged constantly to make a decision upon the spur of the moment as to the precise character of expressions that fall in the heat of debate from one member to another. In a large class of these expressions, of course, the decision is obvious; the rule is clear, the line of demarcation cannot be mistaken. But there must be, and there is a large margin on which the right decision of the moment depends upon the character of what has preceded the remark. It does not depend on the mere sentence, the mere phrase taken in its isolation, but it depends upon the judgment of the Chair as to the effect which the expression may have on the general course of the debate.
>
> And I should say, on the general question, that it is the gravest and grossest abuse of the privileges of the House that we should be brought down, that the House should have to assemble, to defend the Speaker against a charge of having given a decision at such a moment and on such a class of question which happens to be distasteful to a certain section of the House. It is manifest if it is to be a precedent for our ordinary practice, that if every member of the House who can get a seconder is to ballot for a day in order to

discuss whether the Speaker was right or wrong upon some question which in the nature of the case is doubtful, you not only do your best to bring the authority of the Chair into discredit, but you are lowering the whole character of of this Parliament. For my own part, I should make these observations, and I should vote as I am going to vote, even if I were of the opinion that the judgment of the Speaker on such an occasion and in such a case was one which, after a week's quiet reflection, is one which I should not have adopted myself'.

I will demonstrate that that last paragraph is not a case to be applied here. Nevertheless, those are the words of the late Mr A.J. Balfour, upon which I will base my case.

The next point that was raised by the Deputy Leader of the Opposition can only be described as crass nonsense. What an absurdity it is for the Deputy Leader of the Opposition to denigrate his own leader by saying that he is a bear of little brain. During the course of this sittings, we have heard the Leader of the Opposition telling us with pride, and justifiable pride, that he has now been in this Chamber for 8 years. The Deputy Leader of the Opposition had the hide to suggest to us - and I might add that the Leader of the Opposition himself had the temerity to claim in the media what the Deputy Leader of the Opposition is now claiming - that he was confused as to what he was being asked to withdraw. After 8 years, the Deputy Leader of the Opposition and the Leader of the Opposition in his absence from this Chamber, suggest to us that they do not know the difference between the Speaker having the power to rule on a point of order and the power to demand a withdrawal of a word which is coupled with unruly behaviour.

The Deputy Leader of the Opposition read from the proof Hansard of yesterday. The last sentence used by the Leader of the Opposition before the Speaker used the word 'order' was 'only those drongos could possibly make the link'. To go back to the remarks of the late A.J. Balfour, the Speaker must take into account not the words in isolation but the context within which they are used and the overall tenor of the debate.

During the course of question time - 10 minutes, in the words of the Leader of the Opposition himself, into the day's sittings - the Leader of the Opposition is recorded in the proof Hansard as having made 7 interjections, 7 disruptions of the minister answering a question. Each of those 7 interjections was made before the minister could have been accused of drifting from the subject matter because, if the minister drifted from the subject matter at all, he did so very late. In fact, of the 15 or so pages of the very broadly-written Hansard tear here, it was only in the last 3 pages that that subject arose.

We all know well, as you do, Mr Deputy Speaker, that the only things that are recorded in Hansard by way of interjection or disruption are those which Hansard considers part of the substance of what is occurring in the Chamber or those that are responded to. 7 interruptions were recorded that morning within, as the Leader of the Opposition himself has said, 10 minutes of the beginning of the sitting. Indeed, it was not within 10 minutes of the beginning of the sitting at all because, if he was thrown out of this place - rightly so - after 10 minutes, it must have been within the first 5 minutes that this disruption occurred. But these are only the interjections that are recorded. In addition, we heard a series of other loud, clear interjections which would have gone over the microphone that this speech of mine is now going over. They were snide personal attacks and remarks from the

Leader of the Opposition directed at this side. They included the word 'dill'. Incidentally, he used the word that he was pulled up on finally, not on the 1 occasion that is at issue here but on another occasion as well. I would suggest that there were something like 15 to 20 interruptions by the Leader of the Opposition before he was finally brought to order.

To suggest that he did not know what it was that he was asked to withdraw is to suggest that the man is a patent idiot. For him to have to stand there and behave like a baby, which he is not, and say, 'I don't know what it is that you want me to withdraw, Mr Speaker', when the second last word he had used was the word complained of - 'drongo' - is to suggest that the man is entirely devoid of the common sense and intelligence that we know he possesses. Let us put that idiotic line behind us. Of course he knew what it was that he was being asked to withdraw. Did he withdraw? Not a bit of it. He continued with the type of behaviour which we have often seen from him.

The Deputy Leader of the Opposition said the the Leader of the Opposition is a man who has the welfare of this Legislative Assembly at heart. He said that he is a man who understands the standing orders, and I agree with that - certainly, he understands them very well. Indeed, apart from the tremendous help from the staff, the Leader of the Opposition and I wrote the current standing orders. Now he tells us - and his deputy supports him - that he did not know what it was that he was asked to withdraw. A co-architect of the standing orders! Did he attempt to withdraw? Did he say to Mr Speaker that he would be happy to withdraw whatever was offensive to the Chair? Did he say: 'Mr Speaker, tell me precisely what it is you want me to withdraw and I will do that specifically and unreservedly'? Did he say anything like that?

Mr Smith: Yes.

Mr ROBERTSON: Not a bit of it.

Mr Bell: Look in Hansard.

Mr ROBERTSON: Let us look at it. We have already dismissed this absolute absurdity about his not knowing what he was being asked to withdraw. Did he suggest that he would withdraw? Not a bit of it. He said: 'Which remarks, Mr Speaker?' And yet, in the proof, the offending word appears just 2 inches above his question. Good heavens, how can anyone believe that they are advancing that argument with any sort of prospect of its being believed?

The Speaker said: 'The honourable the Leader of the Opposition is being highly disorderly'. With great respect, Mr Speaker is a man who is very prudent in the use of his words. I think I could have found better ones than that. He continued: '...and, if he does not withdraw...'. He did not refer to the point of order, as the Leader of the Opposition queried. His deputy told us that he did not know whether it was the point of order he was to withdraw or the remarks. But he was not asked that. Let us read it: 'The honourable the Leader of the Opposition is being highly disorderly and, if he does not withdraw his remarks, I will have no hesitation in naming him'. The Speaker did not say, 'withdraw either your remarks or your point of order', did he? He referred to the Leader of the Opposition's 'remarks'. Yet we are still told there was some confusion.

What then did the Leader of the Opposition say? He said: 'With respect ...'. He was not interested in withdrawing his remarks; he was interested in defiance. He did not accept the decision of the Speaker, a

decision taken not in respect of that one word but, as Balfour would have it, in respect of his entire series of ill-mannered interruptions, stretched not over just 5 minutes of question time but over the last 3 sittings.

Mr Smith: Oh, go on!

Mr ROBERTSON: Why do you think I mentioned what I said in my press interview? By the way, I resent and reject any suggestion that the Speaker ever attends any discussion in the party room in relation to tactics conducted in this Assembly. The Speaker leaves before they are discussed. Of course, the members opposite will not believe me but I bet the public of the Northern Territory listening to what I am saying believes me because the public of the Northern Territory knows of the integrity with which Mr Speaker still conducts his affairs in this Assembly. There was no such conspiracy nor would there ever be.

As I said, prior to the last couple of sittings, the Leader of the Opposition has indeed respected the decorum of this place. Why is he now behaving in such a manner? I suggest that he heads a party ridden with factionalism and devoid of positive policy. His dilemma is that he himself is capable of the odd policy of worth but the massive leftist ideologues surrounding him reduce the poor fellow to impotence. He was twice defeated at the polls and twice hundred defeated by his colleagues. He knows he will be thrice defeated at the polls and he will thereupon be cast into the political dustbin.

Notwithstanding his personal difficulties, he owes a duty to his electors and to this Assembly to behave in a way which is acceptable generally to this Assembly and, in particular, to Mr Speaker Steele who, as presiding officer, has shown extraordinary tolerance and forebearance at times. Applying Mr Balfour's dicta to Mr Speaker Steele, Mr Speaker Steele should not be subjected to this motion and this Assembly should not be subjected to the gravest and grossest abuse of the Assembly possible simply because a decision may have been given which is distasteful to a certain section of the Assembly. This should not be a precedent for our ordinary practice. The opposition should not do its best to bring the authority of the Chair into discredit. It should not seek the lowering of the whole character of this Assembly either by its motion or by its conduct within it.

Members on both sides should remember that there is a large margin on which the right decision of the moment depends, and that is upon the character of what has preceded the remark. They must remember that the Speaker's decision does not depend on a mere sentence, the mere phrase taken in isolation, but depends upon the judgment of the Chair as to the effect that expression may have on the general course of debate.

Mr Deputy Speaker, I would suggest that Mr Speaker Steele has absolutely no case to answer here. Rather, he deserves our gratitude and respect for the dignified and impartial way in which he has conducted his high office. Members of both sides have in the past been unstinting in their praise of Mr Speaker Steele. This is certainly true of the Leader of the Opposition. I ask the opposition to reflect on the circumstances of this matter. If it does, it will realise that its own motion is ill-founded, put forward in the heat of a disappointment and not supported by calm assessment.

Accordingly, I move that the motion be amended by omitting all words after 'that' and inserting in their stead: 'this Assembly expresses its full

confidence in the Speaker and further expresses its appreciation of the dignified and impartial manner in which the Speaker has discharged his duties'.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the Leader of Government Business once again attested to his great love of that well-known television character, Rumpole. Not even the Leader of Government Business can defend the indefensible. He did give it his very best shot. I must admit that.

However, when attesting to the impartiality of the position of the Speaker and quoting from A.J. Balfour, the Leader of Government Business indeed expressed all of those sentiments which I am sure all of us hold dear. It is what we would hope and expect from any Speaker, not only in this Assembly but in any parliament within the Commonwealth and indeed the world. Unfortunately, the events of yesterday proved that, in this Assembly at least, that is not so.

The Leader of Government Business said that the Leader of the Opposition has been here for 8 years. Indeed, along with very few other members of this Assembly, he would probably have a very real grasp of our standing orders. Indeed, as the Leader of Government Business pointed out, he, along with the Leader of Government Business, wrote our new standing orders. He was well and truly aware that his being named and his suspension from this Assembly would mean his expulsion from this Assembly for 7 calendar days. I submit that it was never and could never be conceived that it would be in the Leader of the Opposition's interest, in the opposition's interest or in the interests of the government of the Northern Territory for the Leader of the Opposition to be suspended for 7 days. He was very well aware of the penalty for being named. To suggest, as the Leader of Government Business suggested, that the Leader of the Opposition would conspire to have himself removed from this Assembly for 7 days is bordering on the ludicrous. I would have thought that even Rumpole, even the Leader of Government Business with all of his oratory skills, could have perhaps struck upon something more telling, something more supportable, than the argument that he advanced in suggesting that the Leader of the Opposition in some way would conspire to have himself removed from this Assembly.

The Leader of Government Business then went on to some other fantasies that he occasionally indulges in as to his perceived reasons for the behaviour of the Leader of the Opposition over the last couple of months. We are a very small opposition: there are only 6 of us and there have been only 6 of us for 2 years now. To say that, in some way, the Leader of the Opposition's behaviour has been affected over the last 3 months because we are only a very small opposition is absolute nonsense.

Along with my opposition colleagues, I assumed that this was a parliament of 18 government members and 6 opposition members. I am now obliged to assume that, at least for the next week, it is a parliament of 19 members in the government benches and 5 in opposition benches. That is precisely the reason why the opposition has moved this motion. After the events of yesterday, we cannot accept that the Speaker has been impartial. We cannot accept, Mr Deputy Speaker, that the power that he exercised over the Leader of the Opposition was exercised in an objective and impartial way. We must assume that, for the next week, this Assembly will be an Assembly of 19 government members and 5 opposition members and, as of next Thursday, it will be an Assembly of 19 government members and 6 opposition members. It is only too readily apparent that indeed it is a government of 19 members.

The spurious allegations of the Leader of Government Business that the opposition has in some way dragged the business of the Assembly into the gutter is insupportable. The honourable member for Araluen is well known for his offensive arrogance but I submit that even he has surpassed himself over recent days. Mr Deputy Speaker, let there be no doubt that the actions taken in this Assembly by my 5 colleagues and I have always been designed to uphold the integrity of this Chamber. There have been no conspiracies by members of the opposition to have themselves removed from this Assembly either individually or collectively.

A close examination of the facts will support the assertion that what occurred yesterday is merely a symptom of a disease which has afflicted the honourable members opposite. It was not enough for them to be in a parliament of 19-6, they had to reduce it to a parliament of 19-5. I would suppose that, at some time during the next week, it will become a parliament of 19-4, 19-3, 19-2, 19-1 and then it will be what they have always wanted: a CLP clubhouse. As my parliamentary colleague, the member for Millner, has pointed out, it is a new brand of authoritarianism, a new age authoritarianism if you like, Mr Deputy Speaker, with the false public face of law and order.

Mr Deputy Speaker, I will return to the Leader of Government Business because his public comments in recent days are a clear demonstration of the false picture painted of us by those opposite and supported by the ham-fisted events of yesterday. The member for Araluen told the assembled media in his pre-Assembly briefing that the opposition had staged a petulant walkout during the last sittings. It was not staged, Mr Deputy Speaker, as I am sure any impartial observer on the day would attest. The honourable member was referring to one of the blackest days in the history of this parliament - Tuesday 6 June 1985. That was the day that the honourable Chief Minister of the Northern Territory entered the Assembly and moved the immediate suspension of standing orders to enable the introduction of a bill without notice: the now infamous Public Service and Statutory Authorities Amendment Bill. The timing was deliberate. It was an object lesson in how not to conduct the business of this Assembly, and the Leader of Government Business dares to question the opposition's role in this Assembly.

It was the last day of an Assembly sittings and the Chief Minister's declared intention was to pass the bill through all stages in the few hours remaining. What followed was a disgrace. The bill was prepared in secret. It became obvious by the stunned expressions on the faces of members opposite that there had been little consultation with Cabinet members. Members of the government backbench were totally ignorant of the Chief Minister's intention. Of course, the opposition was given no advance notice of the bill whatsoever. The events of that day were covered at some length in a well-publicised speech made recently in Darwin by the former Public Service Commissioner, Mr Ken Pope. I intend to quote from his speech in order to show how an outside but informed observer saw the so-called 'petulant walkout' by the opposition.

We have heard the Leader of Government Business speak...

Mr Robertson: We stayed in.

Mr LEO: We have heard this upholder of democracy, this upholder of Assembly procedures. How can he possibly condone the events of that day?

I now quote from the speech by Mr Pope, an impartial observer:

> 'The events which followed within the Chamber during the remainder of that Thursday afternoon had no precedent within the Northern Territory. A bill of major concern to all Territorians, and of particular concern to some 14 000 government employees, was introduced without notice and passed through its third reading, which was then rescinded to allow a major amendment to be made before the bill passed through another third reading, to be put forward for Royal assent, and all this in the space of some 3 hours'.

That shows the regard that this government has for the Assembly. That shows its absolute contempt for the Assembly and its procedures. I am amazed that the Leader of Government Business can ride on his high horse with all pomp, to try to defend what happened yesterday. I continue to quote Mr Pope:

> 'There were scenes of uproar and confusion, which can only reflect discredit upon the conduct of business in the Northern Territory Assembly. The entire opposition withdrew...'.

Yes, Mr Deputy Speaker, we withdrew. We felt that it was the only way that we could register our absolute disbelief that the Assembly could be reduced to such a level.

> 'The entire opposition withdrew from the Chamber and played no part in the final passage of the bill, we did that despite the undignified and unedifying actions of the Chief Minister and Deputy Chief Minister in telephoning the Leader of the Opposition to plead with him to bring his party members back into the Assembly. It can only be presumed that such an approach was decided on in an attempt to give some degree of respectability to the proceedings'.

What an absolutely desperate attempt that was! Subsequent newspaper comment described the events as highly unusual. It likened them to 'a low bedroom farce or worse'. And that is how the public perceives this Assembly because of the actions of members opposite. Yesterday, we learned that there are not 18 of them but 19. This is an Assembly of 19 government members and 6 opposition members. The speech given by the former Public Service Commissioner, Mr Pope, should be read by all members of this Assembly because it refers to a very black day in the Northern Territory's history. I will quote more of the salient points raised by Mr Pope:

> 'The introduction of a bill without notice is not a rare occurrence in any Assembly where the urgency of a proposed enactment may preclude advance notice. This sometimes occurs with money bills. Such a move, however, essentially takes the opposition by surprise. To that extent, it serves to inhibit the preparation of their responses. It is accepted, however, within the Australian system of government, but apparently no longer in the Northern Territory system of government, that the government of the day has a prime obligation to give full opportunity to the opposition to perform its functions. To do so is the essence of democratic and constitutional behaviour'.

The Leader of Government Business described the opposition's behaviour on that day as 'petulant'. I can only describe the government's behaviour on that day as 'arbitrary' at the best, 'bull in a china shop' at my most generous, and 'jackboot tactics' in fact. This Assembly is now reduced to

that - jackboot tactics, aided and abetted by no less a person than the Speaker. This was confirmed yesterday.

The amendment proposed by the Leader of Government Business should be rejected. It should be rejected because it in no way reflects the true state of affairs in this Assembly. I assume that, if there are any conscionable people in the government ranks, they will support the Deputy Leader of the Opposition's motion.

Mr TUXWORTH (Chief Minister): Mr Deputy Speaker, I rise to speak against the motion moved by the Deputy Leader of the Opposition and to speak on behalf of the amendment moved by my colleague, the Leader of Government Business.

The naming of the Leader of the Opposition yesterday was a very significant exercise. It was one that he undoubtedly brought upon himself because yesterday, as he is wont to do from time to time, the Leader of the Opposition challenged the authority of the Chair. He does it often. Yesterday, he did it subtly and he did it deliberately. He did it in a way that left him an opportunity to withdraw if he wished. He chose not to, and our only possible assessment is that his action was deliberate and provocative.

This was no new exercise for the Leader of the Opposition. He has done it often. He did it at the last sittings, with the deliberate effect of having himself named and removed from the Chamber. He did it to obtain press coverage. What he did yesterday, Mr Deputy Speaker, was nothing less than a cheeky, cheeky game. He knew exactly what he was doing. He knew exactly how much latitude the Speaker would give him and he persisted with his cheek, and he did it wilfully and deliberately. Whether or not the Leader of the Opposition believes that he was treated harshly or whether the members of the ALP believe they have been treated unjustly, the authority of the Chair in this Assembly is paramount and it will always be paramount. Members on both sides of the Assembly are obliged to maintain respect for the Chair and give it the authority that it deserves. If they are not prepared to do that, there are 4 exits here that they are all free to leave through any time they like, and that applies to all members of our side as to all members of their side.

Mr Deputy Speaker, the nub of this problem does not lie with the role of the Speaker or the responsibility of the Chair; the absolute nub of this problem is the man himself. We are talking about a Leader of the Opposition who is constrained and who is acting from frustration. We are talking about a man who is doomed to be in opposition. He is constrained by his policies and the policies of his federal party that he must maintain or they will throw him off the federal executive. He is constrained and frustrated to the degree that he has now alienated himself from his party and his colleagues and, as the Leader of Government Business said, from most of the Northern Territory electorate because he does not represent them any longer. He is embittered and he is doomed because of his embitterment. He is embittered because he cannot put forward the policies that he would really like to put forward because his colleagues either in or out of the parliament will not let him.

How does he overcome this, Mr Deputy Speaker? The only weapon that the Leader of the Opposition has left is theatre - absolute theatre. How many times in here and elsewhere in the Northern Territory have we seen the Leader of the Opposition ranting, raving, walking out, appearing to be enraged on television, and carrying on in a manner that is not befitting of this Assembly. We see it every day. In this Assembly, the Leader of the

Opposition's speeches are personal, they are venomous, they are generally irrelevant to what is going on in the Northern Territory and, most often, they are without substance. They have tended to alienate Territorians generally and they are totally theatrical.

The other interesting thing about the Leader of the Opposition's behaviour is the continual interjection that he maintains in this Assembly to yell down people who would dare to disagree with him. He does not interject merely in a friendly way. He is a bitter man and his interjections have venom and they have had it for a long time. Is it any wonder that Speaker Steele has put his foot down and said that enough is enough.

The other thing is that, if you take the rhetoric out of the speeches made by the Leader of the Opposition, there is not a lot left. The personal abuse and the rhetoric in his speeches are really the total of their content. For members on this side of the Assembly, it does not matter much because we are not upset by personal abuse. We are not put off by what the Leader of the Opposition thinks.

Mr Bell: Give us some examples, Ian.

Mr TUXWORTH: I am coming to those, Mr Deputy Speaker, and the member for MacDonnell will not be disappointed.

Territorians who have listened to this performance are absolutely astounded. The decorum of this Assembly is important to us all and the Speaker has a right to maintain that decorum. When the Speaker acts firmly and says to a member, 'You will withdraw', for both sides of the Assembly, that is exactly what it means. It means that for me as well as for anybody else.

Mr Deputy Speaker, I would like to run through some of the choice expressions used by the Leader of the Opposition in the last 12 months in this Assembly just to show that yesterday's expression was not just a casual occurrence, an off-the-cuff remark or an isolated incident. It occurs every day. I did not go through all the Hansards; I simply picked out a couple.

On 24 April, he said: 'Unfortunately, the thickheaded clots opposite'. On 5 June: 'In reference to the peanut brain on the backbench opposite'. On another occasion: 'Oh, you bastard. You bastard'. On another occasion: 'You're a raving ratbag. The greatest cowboy minister in the country'. On another occasion: 'What a load of crap'. On another occasion: 'What an ass you just made of yourself'. On another occasion: 'Drongos incorporated. Listen to them; they are like Pavlov's dogs. They ring the bell and they dribble'. On another occasion: 'You know, you are sick in the head. You really are'. On another occasion: 'Here he goes again. Brains incorporated on the front bench'. On another occasion: 'To the contributions of the honourable drongo opposite'. On another occasion: 'He is a liar'. I would remind honourable members, Mr Deputy Speaker, that during the last sittings he deemed to call me a liar 4 times to make absolutely sure that the Speaker would move against him so that he could be thrown out and attract some public interest. That is the only way he can attract public interest.

Mr Deputy Speaker, they are just grabs gathered over the last few hours out of the Hansards of this Assembly. They do not reflect a very flattering performance by somebody who would aspire to lead a party and to lead the Northern Territory. Where could you take him, Mr Deputy Speaker? Probably

you could only take him twice and the second time you would be apologising for him.

Very early in his parliamentary career in this Assembly, the Leader of the Opposition gave us a very colourful, humorous and entertaining dissertation on his association with major catastrophes and disasters in the Northern Territory. It was very interesting because his whole life has just been chapter after chapter of disaster, either by implication, involvement or association. You cannot help getting an impression that his whole life is just a reflection of poor judgment. He does not know when to pull out. One episode follows another.

Mr Deputy Speaker, let me raise a couple of issues that are of concern to me. The Deputy Leader of the Opposition said this morning that a higher level of behaviour is demanded of the Speaker than of other members of the parliament. I would submit to the opposition that its behaviour, in particular the behaviour of its leader, should be higher than anybody else's behaviour in the parliament because of its position in the parliament. The Deputy Leader of the Opposition said the opposition thought very carefully about bringing the motion on. I will bet your life it did, Mr Deputy Speaker. It thought very carefully about bringing it on because it knew it would be kicked to death for doing something stupid, and so it ought to be. It was bad enough that all of this stuff was put in Hansard. It was bad enough yesterday that the Leader of the Opposition should even challenge the Chair but, to stand up today to reflect on the Chair, is it any wonder it thought again?

The Deputy Leader of the Opposition said that the Speaker was 'trigger-happy' and that the Leader of the Opposition was denied a fair hearing. On reading the Hansard, Mr Deputy Speaker, anybody who has any doubts about what the Speaker said or did yesterday is not in total control of his judgment. There is no doubt that, when the Chair tells you to withdraw, you withdraw. If you are not prepared to do that, you are putting your head on the block and, when you do that, you cannot turn around and blame everybody else - the Speaker, the members of the Assembly, the people in the media or anyone else.

The Deputy Leader of the Opposition went on to say that the Leader of the Opposition was singled out. That is absolute tripe. It would not have happened to a member of the government. Mr Deputy Speaker, have you ever seen a member of the government challenge the authority of the Chair? I would certainly hope not. When the Chair gives instructions, we are all bound to withdraw. The difference between us is that the government does not behave in the way that the members of the Labor Party opposition behave.

The Deputy Leader of the Opposition went on to say that the Leader of Government Business and the Leader of the Opposition have great respect for the practices of this Assembly. I would agree to that being said about my colleague, the Leader of Government Business. His propriety in 10 or 11 years in this Assembly has been exemplary. But one could not say that about the Leader of the Opposition when he deliberately called a member a liar 4 times in a row, with the express purpose of being sent through that door so that he could hold a press conference. If that is the honourable deputy leader's idea of how people maintain respect for the practices of this Assembly, there is a long way to go.

The Deputy Leader of the Opposition then said the Leader of the Opposition did not know which remarks to withdraw. If a man who makes remarks like that

in the Assembly sittings after sittings, year after year, still does not know which ones to withdraw, then he ought not be in here. It is absolutely shameful that he does not know.

The Leader of Government Business has already said publicly that he will not allow the business of this Assembly to be dragged into the gutter. Neither it should be; there is no need for it. This Assembly is about policies, the development of the Northern Territory and the welfare of its people, and about all the denigration and nonsense that goes on week after week in here.

The Deputy Leader of the Opposition said that he objects to the Speaker being involved in strategy meetings. He made an assumption automatically and declared the man guilty of the charge or the assumption. He then proceeded to denigrate him for being involved in strategy meetings. In the time that Mr Speaker Steele has been in the Chair, I cannot ever remember him being involved in a tactics meeting. From time to time, he comes to the party room and participates in discussion and then leaves. He discusses electoral matters and nothing else.

The Labor Party and the Leader of the Opposition have got themselves into a fix. They have now moved into a position of total disregard for authority in the Northern Territory. Yesterday's example was just a very small issue. A few week's ago, the Leader of the Opposition declared total and unreserved support for people in the Mudginberri meat dispute who had been declared illegal picketers by the courts. Is it the role of members of this Assembly to side with people who have been deemed by the courts to be acting illegally?

The Leader of the Opposition has rebuked the government and expressed his total lack of confidence in the legal system of the Northern Territory in relation to the Lindy Chamberlain affair. He has gone to the extent of threatening to bring Prime Ministerial intervention into the Northern Territory to make these fellows toe the line so that he will feel warm and fuzzy inside. What sort of regard for the law and order of the Northern Territory is that? He does not accept the view of the Northern Territory public in relation to things like Uluru, the Kakadu National Park and the role of the Territory in its development. He would rather accept the role of the ALP in Canberra. They tell him what to say. This incident is simply a symptom of the Leader of the Opposition's problem: his total disregard for the authority of law and order in the Northern Territory and, in particular, the role of the Chair.

I say to the Deputy Leader of the Opposition that he is being absolutely petulant in what he is doing. The motion he has moved this morning is a dreadful reflection on him and the Chair. It does not deserve the support of this Assembly. The Labor Party in the Northern Territory ought to do a bit of soul-searching and ask itself whether it really did go a bit far, whether it really was a bit cheeky and whether it did attack the authority of the Chair. It should ask itself whether it did in fact give the Chair the due respect that it deserves. Then it should ask itself whether it is reasonable to blame others and to cast aspersions on everybody else in the community because of its own misjudgment. The fact is that it did go too far. It was cheeky and it did challenge the authority of the Chair. It is not reasonable for it to blame everybody else.

Mr Deputy Speaker, I have total confidence in Mr Speaker Steele and the rulings he has made in this Assembly since he has been in the Chair, and I give him my total support.

Mr EDE (Stuart): Mr Deputy Speaker, I think that that was one of the greatest loads of crass nonsense that I have heard since I came into this Assembly, and I am starting from a fairly low standard when I say that. We have just heard the Chief Minister try to maintain, on the one hand, that the Leader of the Opposition has a very exact and correct knowledge of the standing orders and, on the other, that he set out deliberately to have himself thrown out.

Mr Tuxworth: If you challenge the Speaker, you do. That is the rule.

Mr EDE: Mr Deputy Speaker, that is a load of crass stupidity. One would have to take the view that he had decided that, with all the debates that will be coming up - the Ayers Rock debate, the railway, the finances, the education bills etc - he would not take part in them. Mr Deputy Speaker, you can say a lot about the Leader of the Opposition but you cannot say that he has ever shirked a fight. He would not - just would not - have himself thrown out of this Assembly so that he would not be involved in those debates. There is not a member here who can gainsay that fact. The other proposition put was that he set out deliberately to go against the Speaker. That is absolutely false. If the proposition is false, we must examine what actually happened yesterday and I will do that during the course of my speech.

The Leader of Government Business said that the proposal by the Leader of the Opposition that he did not know what he was being thrown out for was incorrect. He said on television and in the NT News that it was not because of the use of the word 'drongo' that the Leader of the Opposition was thrown out but for some sort of disorderly behaviour. He indicated that somehow there was some pattern of misbehaviour which has not become clear to us yet.

Mr Robertson: Which I have generally noticed.

Mr EDE: He said that this was what was being objected to. But how, Mr Deputy Speaker, was the Leader of the Opposition to withdraw a behaviour pattern?

The Chief Minister recited a whole of series of words which he said was what it was all about - that the events of yesterday were somehow a culmination of what had been occurring over the last 18 months and the final straw that broke the camel's back. I am not one for paranoia or for theories of conspiracy, but it really worries me when I see what has been occurring here. It finally makes sense. Because of the way the Chief Minister set out to bully and denigrate the work of the Leader of the Opposition, it makes me wonder whether, having gained control of the public service, he is now attempting to bully and inhibit the work of this opposition.

This is not an action that we take lightly. It has never occurred before in the parliamentary history of the Northern Territory. Never has a member of this parliament, government or opposition, been suspended for 7 days. Who was suspended, Mr Deputy Speaker? Was it a newcomer who knew so little of this Assembly's procedures that he needed a demonstration of the power of the Chair? It was not! It was the Leader of the Opposition, the most senior person on this side of the Assembly. He is the person through whom we carry out our duties as an opposition and, indeed, he is more than that.

When we attack what we see as being a major error by this government, we tend to direct our primary attack at the Chief Minister because, to a large extent, he is the embodiment of the government in this Assembly. In the same

way, the Leader of the Opposition is the only officially-recognised parliamentary office-holder on this side. To a great extent, he is the representative of our view and thus the personification of opposition in this place. He is not some callow newcomer to be chastised for impetuous behaviour. In the eyes of the public, our leader is one of the top 3 comprising the Speaker, the Chief Minister and the Leader of the Opposition. That is not the order of precedent and protocol, but it certainly reflects the public perception. He is not a man to be dealt with in an inconsiderate or offhand manner. He is a man whose views are to be taken with the weight that they deserve, not simply because of the incumbent but because they represent the voice of opposition in the Assembly and the Territory. I want to develop that point further.

As an opposition, we are most aware of the fragility of parliamentary democracy in our Northern Territory. We, no less than government members, want to see the Territory take its place in the community of states that makes up the great Commonwealth of Australia. As citizens of Australia, we claim our right to take that place. We have been consistent in our insistence that our place will be as an equal, not as a second-class state with less than our quota in the Senate. We have supported the establishment of a committee to chart the path which will enable us to take our place. Our action in that matter was a demonstration to Australia of our level of maturity. It showed our readiness to play our part.

I refer of course to the agreement whereby the government and opposition have equal numbers on the Select Committee on Constitutional Development. That demonstrated some maturity, and I had hoped that further maturity would flow from it. You know, Mr Deputy Speaker, as do all citizens of this Territory and many of the people with whom we will need to cooperate, that there have been instances in the past 18 months that have cast doubts upon our political maturity. I could refer to the acquisition of casinos, open-ended financial deals and unwise utilisation of government funds, but I will not do that because they are political acts which will be judged at the ballot box by the people of the Northern Territory.

The procedures of this Assembly are of more importance in the course of our constitutional development. In the final analysis, we will have to demonstrate to the Australian public that we have a solid grounding in democratic principles and the forms of Westminster parliamentary procedure. We will have to demonstrate that we hold those things so important that we are ready to take our legitimate place in the Commonwealth. During a previous and now notorious debate in this Assembly, I said that I believed our system was under threat. I stated that many emergent nations would give their eye teeth for a politically neutral public service. Such a public service would serve this Territory, soon to be a state, with all the devotion and care that is its due.

The events of that day have been sufficiently canvassed and I do not wish to go into them in detail now. Suffice it to say that one of the 3 cornerstones of our Westminster system, the neutrality and impartiality of the public service, has been threatened. Some would put it a lot more strongly than that. I did so myself at that time, and I hope to do so again when the occasion presents itself. I say this in real sorrow: just as that debate threatened the trinity on which our society is built, so now the government lays it bare. Our parliament is at the crossroads; the Northern Territory is at the crossroads. The course will be set by the way we handle this debate. Democracy and the institutions that uphold it have been

described as delicate flowers that germinate in the minds of great men. They are nurtured by lesser mortals, people like you and I, who are given custody of their growth in the hope that they will bloom and bear bountiful fruit. Maybe I am old fashioned. I came to this place with the reputation of being a bit of a rough bushy, but I came because, despite all the cynicism about our politicians, like many ordinary Australians, I have considerable respect for the institution of parliament.

The Speaker of this Assembly is the hand that holds together the various conflicting forces that make their presence felt here. More than any other person, he must ensure that fair debate ensues. He must ensure the essential component of democracy, the right to disagree, is allowed its part in the deliberations of this Assembly. It is a high honour, and rightly so. Tradition has it that the Speaker is dragged to his post. He has an awful duty. He must put aside friends, self-interest, ambition and, of course, party politics in the pursuit of a higher ideal. It is not for him to worry about the day-to-day success of his erstwhile party companions. It is not for him to worry about the ascendancy of this or that leader or a particular ascendancy that has been gained over a government by an opposition leader. He must ensure that the Westminster system continues and flourishes in this Assembly. He has the standing orders to guide and assist him. He has Pettifer's book on the practice of the House of Representatives. He has the services of the Clerk and Deputy Clerk.

How has this power been wielded in this Assembly? What standards have been set before in this Assembly? What sort of behaviour has been accepted in this Assembly previously? I am not referring to other houses of parliament in Australia or elsewhere. I will refer to a speech made in this Assembly by the former member for Jingili who was then the Chief Minister. I hesitate to speak these words, Mr Deputy Speaker, because my gall rises when I read them. However, to demonstrate my point, they must be said. The honourable member for Jingili said in a debate on 12 September 1978: 'These are the words that came from the crowd to the Governor-General: "You little mongrel jew bastard! Why don't you get your foreskin cut off?"' Those were repulsive statements by the then Chief Minister. I believe that the then Assembly should have asked that those statements be struck from the record. No action was taken in that event. The words remain on the Parliamentary Record.

I believe that the general public can judge for itself whether there is a connection or not between the following events. There was a party meeting which, by his own admission yesterday, the Speaker attended. At the conclusion of that meeting, we had a statement from the Leader of Government Business that they would not allow us to continue with some purported misbehaviour. Finally, we had the suspension of the Leader of the Opposition.

Mr Robertson: That's not what was said at all, and you know it! That was not what was said at all.

Mr EDE: Mr Deputy Speaker, I am not going to go into details...

Mr Robertson: No, because you know you haven't got any.

Mr EDE: I wish to refer to an incident which will bear out my belief that, unfortunately, our current Speaker has, on occasion, the habit of shooting from the hip. During the debate that I referred to earlier - the public service debate on 6 June - the Speaker asked the Chief Minister to sit down and stated:

'Honourable members, I think the lack of decorum has gone far enough. The members of the opposition have expressed their views across the floor by way of interjection which has now become very repetitious. If there is one more interjection, I shall name the members of the opposition'.

Mr Speaker did not even say: 'I shall name the next member who interjects'. He threatened to name the entire opposition if there was one more interjection. His statement did not even stipulate that the interjection would need to come from the opposition. Obviously, that action was taken on the spur of the moment. It was not thought out, and I submit that that is what happened here yesterday.

I wish to go back to the events of yesterday and to re-examine the statements from the Leader of Government Business and the Chief Minister as to what occurred and what were the reasons for that occurrence. The Leader of Government Business argued that it was the Leader of the Opposition's behaviour that caused the suspension. The Speaker said: 'The honourable Leader of the Opposition will withdraw his remarks. I find them highly disorderly'. However, the Leader of Government Business stated that it was behaviour - that it was not words and not the word 'drongo'.

Mr Robertson: Read what I said in the context of Balfour.

Mr EDE: The transcript clearly shows that those were his remarks. Let us go back to the remarks that were made. The Leader of the Opposition raised a point of order and then said that the whole thing was debated at length during the last sittings of the Assembly. Then he said: 'I would have thought even those opposite would have learned by now that the answers must be relevant to the questions asked. The question was specifically about bus fares for schoolchildren. This has nothing to do with Ayers Rock. Only those drongos could possibly make the link'. That was the statement made by the Leader of the Opposition after raising a point of order. He has used the word 'drongo' before on a number of occasions and has never been pulled up for it. The House of Representatives practice, on which we have based our own standing orders, has allowed the usage of that word. Therefore, we must take it that there is something else. Once the word 'drongo' is removed from the remarks that were labelled 'highly disorderly', it is obvious that there is nothing left.

The earlier remarks of the Leader of Government Business and the remarks of the Chief Minister were directed at a very personal level to the Leader of the Opposition. I believe that was extremely distasteful. We heard their remarks about political dustbins. That is a cowardly attack on a man who cannot be here to defend himself. It does no credit to the member for Araluen to indulge in an attack on our leader in his absence and ignore the issues that were raised by the motion.

The fact remains that, when you take out the word 'drongo', which he stated was not the point at issue, there is nothing left in the point of order. When he tried to find out what he should withdraw and said, 'With respect, Mr Speaker', he was not allowed to continue. He was not given the consideration which is his due as Leader of the Opposition. He deserved some explanation of what it was that he had to withdraw, a withdrawal that he would have made had he been given the opportunity.

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

Mr DONDAS (Deputy Chief Minister): Mr Deputy Speaker, I will start my contribution on the line that the member for Stuart finished on. By way of interjection, I asked him if he was going to read out the full transcript of the incident. I will read it out:

> 'Mr B. COLLINS: A point of order, Mr Speaker! This was debated at length during the last sittings of the Legislative Assembly. I would have thought even those opposite would have learned by now that the answers must be relevant to the question asked. The question was specifically about bus fares for schoolchildren. This has nothing to do with Ayers Rock. Only those drongos could possibly make the link.
>
> Mr SPEAKER: Order! The honourable Leader of the Opposition will withdraw his remarks. I find them highly disorderly.
>
> Mr B. COLLINS: Which remarks, Mr Speaker?
>
> Mr SPEAKER: The honourable Leader of the Opposition is being highly disorderly and, if he does not withdraw his remarks, I will have no hesitation in naming him'.

Of course, we all know what happened after that. I have known Mr Speaker Steele for more than 11 years. In that time, he has had many parliamentary duties to perform. I have found that, not only in the Speaker's Chair but also as a minister and as a backbencher of this Assembly, he has displayed a high level of fairness. In fact, I would remind honourable members that, during the last sittings, when I rose to speak during a debate, the Clerks forgot to adjust the time clock. I found that I was running out of time and realised that something had gone wrong with the clock. The Speaker, in his impartiality, told me that I had only 2 minutes left. I told him that I thought I had 5 minutes left but he said again that I had only 2 minutes left. I accepted that decision. I am trying to make the point to the Deputy Leader of the Opposition that the Speaker has displayed a sense of fairness.

As the Leader of Government Business has said, the Leader of the Opposition was the co-architect of our standing orders that were adopted on 29 August this year. They must be very fresh in his mind. I have always respected the Leader of the Opposition's ability to pick up points in the standing orders which are relevant to the debate. He should have known the consequences of his actions yesterday. I was not surprised that it happened, Mr Deputy Speaker. Because I have been Deputy Speaker and Chairman of Committees myself, I have noted the actions of the Speaker. He has acted patiently in the face of bickering, constant interjections and constant talking over the Chair which, as far as I am concerned, has become much worse in the last 6 to 12 months.

As the Leader of Government Business said, between the time at which the prayers were read yesterday morning and the time the motion to suspend the Leader of the Opposition was moved, there were 11 interjections. As we have all said, he was only in the Assembly for a few minutes. He certainly came in here with something on his mind. Perhaps, as the Chief Minister said, it was the frustration of trying to pull 5 members of his opposition into line and trying to keep his party in line. Perhaps it might have been part of the particular problem that happened on 11 November 1975. There was a party the other night. Perhaps the Leader of the Opposition was trying to keep the rage on. Who knows?

Mr Deputy Speaker, this is the first time that we have actually debated a motion of no confidence in the Speaker. All members would be aware that Speakers in the past have assumed their responsibilities in a most honoured tradition. I believe that tradition has been upheld by Speaker Steele in his impartiality and his desire to ensure that Westminster parliamentary procedures are strictly adhered to. At times, he has allowed members a little rope so that the debate would flow.

The Deputy Leader of the Opposition spoke about CLP meetings and in fact asked the Speaker a question. However, under standing order 120, the Speaker did not have to answer that question. Standing order 120 says: 'A question may be put to the Speaker at question time relating to any matter of administration for which he is responsible'. He did not have to answer the question that he was asked.

Mr Smith: But he did.

Mr DONDAS: He did. In all honesty and fairness, he said that he did attend meetings. As a member of this parliamentary wing, Mr Speaker Steele has every right to attend those meetings. After all, he represents a constituency and the parliamentary wing on all occasions decides on policy and legislation to be introduced for the betterment of this Territory. He has a part and a role to play in that. As stated by the Leader of Government Business, he has never taken part in strategy meetings. But, as a member of parliament and as a member of the parliamentary wing, he has every right to attend parliamentary wing meetings on policy.

Let us refer to standing order 239. I would like to read it out for the benefit of members:

'Naming of Member: If a member has -
(a) persistently and wilfully obstructed the business of the Assembly;
(b) been guilty of disorderly conduct;
(c) used objectionable or disorderly words, which he has refused to withdraw;
(d) persistently and wilfully refused to conform to any standing order; or
(e) persistently and wilfully disregarded the authority of the Chair;
he may be named by the Speaker, or, if any of the above-named offences has been committed by a member in committee, by the Chairman'.

The Leader of the Opposition was the co-architect of these standing orders. He would have known that, after he was suspended on 29 August at the last Assembly sittings, if he were suspended again, it would be for 7 consecutive days. He also knows that, if he returns and does it again, he will be suspended for 28 consecutive days.

Mr Smith: Was he suspended under (d) or (c)?

Mr DONDAS: That has nothing to do with it. If you look at the Hansard report, it is there.

I think that the Leader of the Opposition, in being a smarty and playing it smart yesterday, thought that he would be suspended only for 24 hours. He was going to walk out here grandstanding, as he did at the last Assembly

sittings when he was suspended. Instead, he was caught because the suspension is for 7 consecutive days. According to the media, he was stunned and could not believe it: 7 days.

Mr Smith: He wrote the rules.

Mr DONDAS: He wrote the rules. Let us read standing order 240. I always know when I have got to the other side, Mr Deputy Speaker, because the Deputy Leader of the Opposition cannot get the grin off his face. Standing order 240, suspension of a member, reads:

> 'If the offence has been committed in the Assembly, the Speaker shall forthwith put the question, on a motion being made, no amendment, adjournment or debate allowed, that the member named be suspended from the service of the Assembly. If the offence has been committed in committee, the Chairman shall forthwith suspend the proceedings and report the circumstances to the Assembly; and the Speaker shall forthwith, on a motion being made, put the same question without amendment, adjournment or debate, as if the offence had been committed in the Assembly itself'.

What is the question about wanting to discuss it? He had already debated it once with the Speaker when he said: 'What do you want me to withdraw?' He knew what he had said only 10 seconds earlier and that is what the Speaker wanted him to withdraw. The period of suspension is determined by standing order 241:

> 'If any member be suspended under standing order 240, the suspension on the first occasion shall be for 24 hours; on the second occasion during the same year for 7 consecutive days excluding the day of suspension; and on the third or any subsequent occasion during the same year for 28 consecutive days excluding the day of suspension. For the purposes of this standing order, any suspension in the previous session shall be disregarded, and "year" means a year commencing 1 January and ending on 31 December'.

The co-architect of these standing orders is now standing out on the streets and calling 'foul'. He has brought it on himself. The Deputy Leader of the Opposition has suggested it was a deliberate plot. As if we would need to have a deliberate plot to get rid of the Leader of the Opposition; he is the best thing that we have going for us. The action taken by Speaker Steele yesterday morning was taken because of his belief in how he thought the proceedings of this Assembly should be conducted. He stood up. How many members have ever seen the Speaker stand up before? Not very many. The Leader of the Opposition should have realised that the Speaker was fair dinkum. All he had to do was say: 'Mr Speaker, I withdraw the remarks which have offended you'. That was all he had to say and he would be here today and we would not be wasting 4 hours of the Assembly's time on this debate.

Mr Deputy Speaker, I do not support the motion moved by the Deputy Leader of the Opposition. However, I do support the amendment.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise to lend my weight to this motion of no confidence in the Chair because I am particularly concerned at the behaviour of the Speaker in this regard and the implications that it has for the good conduct of business in this Assembly and ultimately for the good government of the Northern Territory. I appreciate that previous government

speakers in this debate have been a little concerned about that fragile consensus of diverse interests that this Assembly represents. That they are so uninterested in that fragile consensus of diverse interests that they wish to replace it with some sort of corporate style that the Chief Minister has announced redoubles my concern. Therefore, I wish to support this motion of no confidence.

Let us face it, the naming and 7-day suspension of the Leader of the Opposition must surely be something of a record in terms of Westminster parliamentary practice. After examining the actual exchange between Speaker Steele and the Leader of the Opposition yesterday morning, one can only conclude that Speaker Steele overreacted in an outrageous fashion. I will pass on subsequently to explain to members the way this overreaction was compounded by an ill-disguised alacrity on the part of the Leader of Government Business.

The fact of the matter is that Speaker Steele used a pile-driver where a tack hammer would have been far more appropriate. In fact, he used 2 pile-drivers. First, he used the pile-driver of rising to his feet. As members are aware, that would have been sufficient if he had allowed sufficient time for tempers to cool down and for the altercation to be resolved. I have no doubt it would have been resolved. However, he decided to drive the Leader of the Opposition through the floor with a second pile-driver by naming him. I find it difficult to believe that any parliament that holds the ideals of Westminister parliamentary practice in any regard whatsoever can do anything but vote for this motion of no confidence.

Yesterday, we saw the Leader of the Opposition speaking cogently albeit aggressively, as is his wont, to a point of order. He closed off by saying: '...only those drongos could possibly make the link'. 'Drongos' was clearly the word in contention. The Speaker then asked the Leader of the Opposition to withdraw his remarks because he found them 'highly disorderly'. Quite reasonably, before he was able to apologise, the Leader of the Opposition asked: 'Which remarks, Mr Speaker?' At that stage, Speaker Steele was on his feet, and he said: 'The honourable Leader of the Opposition is being highly disorderly and, if does not withdraw his remarks, I will have no hesitation in naming him'. No opportunity was given for the fact to sink in that he had risen to his feet and that the Assembly should follow the appropriate standing order and come to order accordingly. The Leader of the Opposition again sought elucidation of what he should apologise for. He was forthwith named - the second pile-driver. There were 2 pile-drivers in the space of 20 or 30 seconds at the most. It was a quite unprecedented, unacceptable overreaction.

That was followed by an equally inappropriate response from the Leader of Government Business. Before I deal with the response from the Leader of Government Business, let me refer to the precedents in this regard from Pettifer. Pettifer has a whole section dealing with proceedings following the naming of a member. There are a large number of circumstances under which this 7-day suspension - which makes things difficult not only for the opposition, but for the government too - could have been avoided. This particular difficulty is not merely a difficulty for the opposition but also for the government.

We have 4 bills on the notice paper for which the Minister for Education has sought urgency. Members will be aware that the member for Arafura is not only the Leader of the Opposition but also the shadow minister for education.

I wonder where that will leave us. Does the Minister for Education expect these things to be passed through the Assembly with due consideration, given the absolutely chaotic display that we were forced to witness yesterday morning?

It was with extraordinary alacrity that the Leader of Government Business said: 'I have no alternative but to move that the services of the honourable Leader of the Opposition be suspended from this Assembly'.

Mr Robertson: Resulting wholly from the behaviour of the Leader of the Opposition.

Mr BELL: That is absolute nonsense. I refer him not only to standing orders, but to Pettifer, 'House of Representatives Practice', at page 475, which details proceedings following the naming of a member. There is quite clearly a serious lacuna in his understanding of parliamentary practice. I bitterly resent the alacrity with which the Leader of Government Business has sought to compound the overreaction of his close colleague, Mr Speaker Steele. The contributions and statements that have emanated from the Leader of Government Business and Special Minister for Constitutional Development indicate that he is underemployed. This has been clearly demonstrated by his conduct in this matter. In his speech, he made great play of the number of interjections made by the Leader of the Opposition. The number of interjections is entirely irrelevant. None of them was found unacceptable by Speaker Steele, the Leader of Government Business or the Chief Minister. I will come to his crocodile tears a little bit later.

I really fail to see how members have any alternative but to speak and vote in favour of this motion of no confidence. It is difficult to imagine how the conduct of this Assembly can continue under circumstances in which an already beleaguered opposition is dealt with in such a prejudicial fashion. I personally feel the burden of 4 portfolios which cover matters affecting the lives of many Territorians. Each member of the opposition puts considerable time and effort into his portfolios. I believe that Her Majesty's Loyal Opposition is owed a little more respect by Mr Speaker Steele and his colleagues on the frontbench of the government.

Let me now turn to the response of the Chief Minister. It was perhaps one of the most unfair attacks on an absent member that I have ever heard.

Mr Tuxworth: Bring him back and I will say it all over again.

Mr BELL: If the Chief Minister or his Leader of Government Business had their wits in place and had not been so vindictive, that might have been possible. It was playing the man - an argument ad hominem. To describe the aggressive, perceptive, thoughtful debating style of the Leader of the Opposition as 'venomous' is such an unreasonable accusation as to deserve no consideration either from yourself, Mr Deputy Speaker, or anybody else of good conscience.

The Chief Minister unburdened himself of his great concern about the Leader of the Opposition's choice of words on various occasions. He then referred to various interjections and previous uses of the word 'drongo' for which the Leader of the Opposition was so severely punished. I am surprised at the Chief Minister's reaction. If these interjections had caused him so much heartburn, why didn't he raise them before? He certainly has had every opportunity. He was crying crocodile tears, and he knows it. Did he

communicate his concern to the Speaker previously? Did he communicate with the Leader of the Opposition and say: 'Listen Bob, it is getting a bit rough. I take objection to this and that'? No, of course he did not. For the purpose of this debate, to defend his mate, he decided to indulge in the sort of criticism that he does not even believe in himself. If he does believe in it, I challenge him to get up in the adjournment debate tonight and tell us what he has done about it. He has done nothing.

In closing, let me say that I had no particular desire to participate in this debate. I had no desire to participate in what must be one of the most prolonged and offensive spectacles I have ever seen in this Assembly. Mr Deputy Speaker, you will be aware that I have had my altercations, not only with government frontbenchers but also with the Chair. In the past, they have always been resolved. The fact that so much Assembly time has to be taken up with this matter is a sad reflection not only on the behaviour of the Leader of Government Business but also on the incompetence of Speaker Steele.

Mr DALE (Wanguri): Mr Deputy Speaker, I firmly believe that this motion by the opposition is frivolous and, quite frankly, impertinent. It is on a par with the standard of behaviour that was obviously set by the Leader of the Opposition yesterday. The Leader of the Opposition has a repertoire which identifies him more as a vaudeville act than as an effective leader of Her Majesty's Opposition. The first thing he does when he walks into this Chamber is to look up at the press box to see if he has an audience. While he is speaking, particularly when he is grandstanding and lairising, it is almost comical to watch him continually look in the direction of the press box for reaction. It seems that, if members of the press were to run outside, he would stop speaking and run out after them.

Mr Robertson: He did.

Mr DALE: He did. Part of his repertoire is his tactic of using quips by way of interjection to denigrate members of the government. Yesterday, he made that one quip too many. Let me take us back to where this all started. If honourable members will look at page 65 of the proof Hansard for Tuesday 12 November, they will find an adjournment debate speech by the Leader of the Opposition. It starts:

> 'The recent imposition of school bus fares is yet another example of the ineptitude with which this government manages the economic affairs of the Territory. The callousness and irresponsibility displayed by the government in foisting these new charges upon the parents of Territory children is exacerbated by the fact that, at the same time as the fares were being imposed, the people of the Northern Territory were witnessing a typical display of extravagance and unproductive waste as their Chief Minister gallivanted around the country on a campaign of misinformation which did nothing but help to divide the nation and bring scorn upon the Northern Territory'.

Then he continued to speak about the $300 000 that it cost - and he said that the opposition supported the program at Ayers Rock - and tried to denigrate that. He was talking about the bus fares and he related it to what was occurring at Ayers Rock.

As a consequence of the adjournment debate, I thought it necessary to ask the following question on the next day. I directed my question to the Minister for Education and I will read what I said:

> 'The Leader of the Opposition raised the issue of school bus fares in the adjournment debate yesterday afternoon. Has the review that has been referred to been carried out as yet and, if so, when will he make public the guidelines for exemptions from the payment of bus fares?'

Certain comments were then made by the Minister for Education in his answer to that question and, of course, that was when the Leader of the Opposition bounced to his feet to make a point of order. He said:

> 'A point of order, Mr Speaker! This was debated at length during the last sittings of the Legislative Assembly. I would have thought even those opposite would have learned by now that the answers must be relevant to the questions asked. The question was specifically about bus fares for schoolchildren. This has nothing to do with Ayers Rock'.

My question related specifically to the Leader of the Opposition raising the issue of school bus fares in the adjournment debate the day before. That is what the question was about.

The chest-beating instigator of all things in the Territory was wrong. With his audience looking at him sanctimoniously endeavouring to educate the Minister for Education in how to answer a question in this Assembly, he felt his trousers slipping slowly down around his ankles. But we all know how bullish he is, don't we? He is never wrong. The honourable member for Stuart said that he never shirks a fight. No, he does not - not even with the Speaker. Even when he knows he is wrong, he has to prolong the agony. He has to tough it out. He has to have the last say. That, of course, is the makeup of the man. This time he tripped over his trousers and fell flat on his face.

The member for Stuart suggested that the Leader of the Opposition was asked to withdraw because of a 'behavioural pattern'. Of course, that is nonsense. He was asked clearly to withdraw his remarks. It was interesting to see the Leader of the Opposition's bullish attitude once again immediately after he had been named. He said: 'Mr Speaker, quite frankly, I think you are overreacting'.

The member for Millner tried courageously to make a case for his boss and he said that his leader had a deep feeling for the institution of the Assembly. He said this was illustrated when the Leader of the Opposition sat down when the Speaker rose to his feet. How jolly good of him! If he had wanted to show his deep feelings for the Assembly, he should have shown a little humility. He should have admitted that he was wrong on his point of order and that he was wrong in his attitude. He should have acknowledged that he was wrong in making his remarks by withdrawing them on 1 of the 2 occasions he was asked to do so by the Speaker. It was his choice. It is his fault and nobody else's that he is not here today to do his job.

To suggest that we would bother to conspire to have the Leader of the Opposition expelled from this Assembly is nothing short of laughable. As the Deputy Chief Minister said, he is our best asset. The accusation really does not deserve much more comment. The Deputy Leader of the Opposition said that all good sportsmen play the ball and not the man. We heard some of it in Latin, did we not? I would suggest that champion sportsmen play to the umpire's whistle. This is the second time this year that the Leader of the Opposition has been named and expelled. He cannot blame the Speaker for the

term of his expulsion. He was a party to the drafting of the standing orders. It is laid down in standing orders.

I wish to defend the fact that the Speaker attends party meetings. In fact, he always leaves before the strategy part of those meetings. I might add that the strategy section of our meetings does not really take too long because there is not much that we must plan against the opposition. I would like also to point out that the vehicle by which the Speaker is actually in this Assembly is that he is the elected representative for the electorate of Elsey. He has to represent his constituents in that area. If he does not come to party meetings, he has little opportunity to do that job properly.

The Leader of the Opposition spoke 6 times after first being asked by the Speaker to withdraw his remarks. According to Hansard, it was 5 times but I would suggest that it was 6. The sixth time he spoke, he was heard all around this Assembly, even up where his audience sits. As he walked past the Speaker on his exit from the Assembly, the Leader of the Opposition called the Speaker an ass. At that stage, one could really see his deep feelings for the institution of the Assembly oozing from him. It was a delight to see.

We have just experienced the lowest tide in this area for some 80 years. The behaviour of the Leader of the Opposition was just a little lower than that. I hope that, while he is sitting in his office listening to this debate, he is holding his own counsel on his behaviour. We may then witness a genuine effort by the opposition at least to perform for the remaining 2 years of the term of this Assembly. The behaviour of the Leader of the Opposition yesterday and the thrust and tone of this motion today have done nothing to uphold the overall dignity of this Assembly.

Mr SMITH (Millner): Mr Deputy Speaker, I wish to speak to the amendment moved by the Leader of Government Business. It is always interesting listening to the Leader of Government Business when he has the task of defending the indefensible. His efforts in doing so always remind me of the story of the 3 pigs - there is a lot of huffing and puffing but, when the wind blows away, nothing has changed. That is a fair description of the sum of his contribution in the Assembly this morning. He relied for much of his arguments on the statement made by A.J. Balfour in 1902. All I can say is that I am glad that Mr Balfour is dead and not able to hear the misconstruction of his remarks. I hope the remarks made by the Leader of Government Business do not make Mr Balfour turn in his grave.

The Leader of Government Business quoted Balfour as saying that, in coming to the decision on whether the remark is unparliamentary or there is a case for disorder, the character of what has preceded the remark must be considered.

Mr Robertson: Absolutely correct. You have finally got something right. Congratulations.

Mr SMITH: Absolutely correct. Then he tried to convince this Assembly that that did not mean simply the remarks immediately preceding but that it stretched back for 3 or 4 sittings or how ever long was convenient for the Leader of Government Business to make his case. We have a situation whereby, if it suits the Leader of Government Business, he could go back to the first sittings that the Leader of the Opposition attended in this Assembly and extract something from the record and argue that Balfour supports it.

Mr Robertson: I never said any such thing.

Mr SMITH: That is palpable nonsense and he knows it.

Mr Robertson: I never said any such thing. I was referring to yesterday's transcript.

Mr SMITH: He knows that he extended it back to previous sittings. While I am talking about previous sittings...

Mr Robertson: You are having a flight of fancy again.

Mr SMITH: Let's check heads out tonight. The Leader of the Opposition was punished by this Assembly after being named by the Deputy Speaker for comments that he made on the last Thursday of the last sittings. In a sense, that was self-induced and no one on this side, including the Leader of the Opposition, complained about any inappropriateness in the Deputy Speaker's actions. We accepted that they were appropriate. What we are saying in this particular case is that the actions taken by the Speaker were not appropriate.

The Leader of Government Business also said that Balfour's remarks indicate that we must take into consideration what happened earlier during question time. There are a number of precedents established by our very own Speaker as to what he does with persistent interjections. The words are familiar to all of us: 'The honourable member will be heard in silence'. He can hardly, at a later stage, have the Leader of Government Business raise them in his defence. It is just nonsense.

Mr Robertson: To what exactly are you speaking? Are you speaking to the amendment or the motion or in reply or what?

Mr SMITH: I am speaking to the amendment, Mr Deputy Speaker.

Mr Robertson: I will make a judgment on that when you start to repeat yourself.

Mr DEPUTY SPEAKER: Order! The honourable member for Millner will be heard in silence. Any remarks will be addressed through the Chair.

Mr SMITH: I turn to the comments of the Chief Minister. Both the Chief Minister and the Leader of Government Business in fact argued our case when they talked about the impartial manner in which the Speaker has discharged his duties. They both clearly pointed out that the word 'drongo', the very word that the Leader of the Opposition used yesterday and the word that seems - I say 'seems' because we have not heard from the Speaker - to have been the subject of the Speaker's concern was a word that the Chief Minister used on a number of occasions in this Assembly, both immediately preceding the incident in question time yesterday and, as the Chief Minister pointed out, in previous sittings of this Assembly. He seems to have forgotten that he quoted the Leader of the Opposition as saying ...

Mr Robertson: That is not what you said.

Mr SMITH: 'Drongos incorporated'.

Mr Tuxworth: You just said that I used it.

Mr Robertson: He is wrong again.

Mr SMITH: No, I did not say that you used it.

Mr Dale: You didn't mean it but you said it.

Mr Coulter: Read the Hansard tomorrow.

Mr SMITH: All right. I will.

Speaker Steele has been inconsistent in the extreme on this particular matter. The Leader of the Opposition, on a number of occasions since he has been in this Assembly, has used the word 'drongo' and he has never been corrected or pulled up for it by Speaker Steele. Yesterday, for the first time, he was pulled up. In that situation, you can understand why he was concerned and why he did not understand what the ruling was about. As far as he knew, he was using a word and in circumstances which Speaker Steele had approved of numerous times before. If that is not an indication of a lack of impartiality in the manner in which the Speaker is discharging his duties, I do not know what is. What is clear is that the Speaker has been remarkably inconsistent in his rulings on what is parliamentary language and what is not, and the poor Leader of the Opposition was dropped into it yesterday because of that very inconsistency.

Mr Deputy Speaker, the other thing that we had from the Chief Minister was his usual bitter, twisted and personal attack on the Leader of the Opposition. No wonder, Mr Deputy Speaker, he has no friends either in his own party or anywhere else.

Mr Hatton: Don't kid yourself.

Mr SMITH: You have to believe only half of what you read in the newspapers to realise that the relationship between the member for Nightcliff and the Chief Minister is pretty dicey at the best of times. One does not have to be a genius to work out that there is a bit of egging on and to-ing and fro-ing there to sort out who is the kingpin. One does not have to be a genius to work out who is going to win that as well.

The Chief Minister had the gall to stand up and criticise the Leader of the Opposition for dragging this Assembly down into the gutter when he, of all members past and present in this Legislative Assembly, has done more to drag this Assembly into the gutter than anybody else. I refer, of course, to the inept way that he introduced the public service legislation without notice, proceeded through all stages, had to bring it back on the same day, had to bring it back in the next sittings, and has now given notice that he will bring it back again in order to get a decent piece of legislation. If that is not bringing this Assembly and its procedures into contempt, nothing is. It is about time that the Chief Minister realised that he has an obligation ...

Mr Robertson: Are you speaking to the amendment or the motion?

Mr SMITH: ... to promote the proper workings of this Assembly.

Mr Robertson: You are speaking to the motion, aren't you?

Mr SMITH: I am not speaking to the motion, Mr Deputy Speaker. I am speaking to the amendment.

I conclude by taking up a comment made by the Deputy Chief Minister. It relates to that part of the amendment which deals with expressing full confidence in the Speaker. The point has been made by a number of speakers that the Leader of the Opposition, together with the Leader of Government Business, was on the standing committee which developed the new set of standing orders. Because of that and because of the Leader of the Opposition's general interest in the matter, he would be very familiar with standing orders. If you look at standing order 239, it says ...

Mr Robertson: What has this to do with the amendment? We just want to know.

Mr SMITH: If you didn't interrupt, you would find out.

In standing order 239, there are 5 paragraphs under which a member can be named. Despite the fact that he was asked by the Leader of the Opposition to clarify his remarks, the Speaker did not make it clear whether the Leader of the Opposition should be judged guilty of disorderly conduct under paragraph (b) or judged guilty of using objectionable or disorderly words...

Mr Robertson: Both!

Mr SMITH: Mr Deputy Speaker, now we are told that it was both. That is his interpretation. It would have been very useful to have had that interpretation from the Speaker at the time. It may have saved a lot of fuss. Certainly, it prevents this side of the Assembly from expressing its full confidence in the Speaker. Yesterday, to put it frankly, the Speaker did not do his job and, because he did not do his job, we are in a mess and we have spent 3 hours talking about something that should not have happened.

Mr DEPUTY SPEAKER: The question is that the amendment be agreed to.

The Assembly divided:

| Ayes 17 | Noes 5 |
|---|---|
| Mr D.W. Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Finch | Mr Leo |
| Mr Firmin | Mr Smith |
| Mr Hanrahan | |
| Mr Harris | |
| Mr Hatton | |
| Mr McCarthy | |
| Mr Manzie | |
| Mrs Padgham-Purich | |
| Mr Palmer | |
| Mr Perron | |
| Mr Robertson | |
| Mr Setter | |
| Mr Tuxworth | |
| Mr Vale | |

Amendment agreed to.

Mr DEPUTY SPEAKER: The question is that the motion, as amended, be agreed to.

The Assembly divided:

| Ayes 17 | Noes 5 |
|---|---|
| Mr D.W. Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Finch | Mr Leo |
| Mr Firmin | Mr Smith |
| Mr Hanrahan | |
| Mr Harris | |
| Mr Hatton | |
| Mr McCarthy | |
| Mr Manzie | |
| Mrs Padgham-Purich | |
| Mr Palmer | |
| Mr Perron | |
| Mr Robertson | |
| Mr Setter | |
| Mr Tuxworth | |
| Mr Vale | |

Motion, as amended, agreed to.

## LEAVE OF ABSENCE
### Deputy Chief Minister

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, I move that leave of absence for this afternoon be granted to the Deputy Chief Minister who has been called to Sydney for a meeting with the Premier of New South Wales.

Motion agreed to.

## MINISTERIAL STATEMENT
### Death of Bishop O'Loughlin

Mr TUXWORTH (Chief Minister)(by leave): As members will be aware, Bishop O'Loughlin passed away this morning. Many members have indicated that they would be keen to attend Bishop O'Loughlin's funeral which has been proposed for Friday 22 November in Darwin. I have spoken with Mr Speaker and the Leader of the Opposition and, if it pleases the Assembly, we will move a motion of condolence next Friday morning before proceeding to the St Mary's Cathedral for the funeral.

## LAW REFORM (MISCELLANEOUS PROVISIONS) AMENDMENT BILL
### (Serial 164)

Bill presented and read a first time.

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

Mr Deputy Speaker, this is a technical law reform exercise to put the Territory in the same position as the states and the ACT. I am afraid that,

for such a very short bill, quite a long explanation is required. In 1808, an English decision held that a person who negligently caused the death of another was not liable to any person in respect of that death. In reaction to that decision, a statute of 1846, generally known as 'Lord Campbell's Act', provided a remedy to the close relatives of a person killed by the negligence of another. This is presently provided for by the Compensation (Fatal Injuries) Act of the Northern Territory. This is known as 'the dependants' action' because the share of damages that each relative is entitled to is in proportion to his dependency. Such damages include an amount in respect of the loss of future earnings of the deceased. These are called 'damages for the lost years'. This separate problem was overcome for most actions, subject to certain exclusions in the amount of damages, by a 1934 statute conferring these rights on the estate.

The Law Reform (Miscellaneous Provisions) Act now covers this in so far as the Territory is concerned. This is called 'the estate action'. If A negligently kills B, it can be seen that there may be 2 courses of action against A in respect of the 1 event: firstly, by B's dependence under the Compensation (Fatal Injuries) Act and, secondly, by B's estate under the Law Reform (Miscellaneous Provisions) Act. Indeed, 2 actions are the normal practice. The law has existing mechanisms by which one person cannot recover damages twice in respect of the one injury. The amount Mrs B recovers in respect of an action as a dependant must be offset against the sum she recovers by reason of being part of Mr B's estate.

I will not inflict upon members the legal rules relating to set-off. However, there are still 2 areas where there may be double payout for the lost years. Firstly, if the dependants are not part of the estate, this sum would have to be paid once to the estate and once to the dependants. Secondly, the respective shares of dependant and estate may be different. For many years after introduction of the Law Reform (Miscellaneous Provisions) Act, under the then current law, it was not even possible for the estate to recover damages for the lost years. However, by reason of a High Court decision in 1966 which changed the law, it became possible, although it was not realised until the litigation of Fitch v Hyde Cates in 1981-82 in the High Court.

In 1981 and 1982, insurance companies approached the Attorney-General of each state, except Queensland where this possibility of double payout does not exist, to exclude the estate from recovering damages for the lost years. As a result, each jurisdiction enacted appropriate exclusionary legislation in 1982, except Tasmania which enacted it in 1983. A recent case in the Territory has pointed up this area of duplication here. This bill will put an estate in the same position as it was in when the Law Reform Act gave it a right to recover damages. That is the position everyone thought was the case until 1981. I commend the bill to honourable members.

Debate adjourned.

## ADOPTION OF CHILDREN AMENDMENT BILL
(Serial 134)

Bill presented and read a first time.

Mr COULTER (Community Development): Mr Deputy Speaker, I move that the bill be now read a second time.

This bill introduces a number of changes which, although relatively minor, will correct an anomaly in the principal act which provides assistance to prospective adoptive parents. It reflects an agreement reached with other states and territories relating to inter-country adoption. An amending bill has been introduced now because certain of the changes proposed are relatively urgent and could not await the forthcoming major review of the principal act. This review will take into account major changes which have been made and which are being proposed in interstate adoption legislation. This will be done against the background of circumstances existing in the Northern Territory.

The anomalous situation which gives some urgency to this bill was created with the repeal of the Child Welfare Act and the consequent abolition of the statutory office of Director of Child Welfare. The situation will be corrected by clause 9 of the bill which transfers to the minister the powers previously exercised by the Director of Child Welfare.

Clause 6 provides for a change which should be of benefit to prospective adoptive parents. This change will require that the criteria which are used to assess the suitability of applicants for inclusion on the adoption list must be published in the gazette. The clause will also create formal power for the removal of people from the list when, for some reason, they have become ineligible.

In provisions relating to inter-country adoptions, it is clearly important that Australian jurisdictions achieve a substantial degree of uniformity and consistency. The governments of all states and territories have agreed with a recommendation from the Standing Committee of Attorneys-General that provisions should be repealed which require that prospective adoptive parents must be resident or domiciled in the country in which the adoption is to take place. These provisions were enacted prior to the development of inter-country adoption programs and, in many cases, create an impediment to the legal recognition of overseas adoptions. This requirement is repealed by clause 7.

The repeal of the residency or domicile requirement may leave the way open for an adoption to be legally arranged and recognised without the adoptive parents leaving Australia - in other words, 'mail order' adoptions. Clause 8 will therefore provide the power to require that a child be supervised for a period for 12 months after its arrival in Australia. This will allow for the protection of the child's interests and welfare.

These amendments do not involve a dramatic change in the present situation relating to the adoption of children. However, they should remove an anomalous situation and clarify the position of prospective adoptive parents. I commend the bill to the Assembly.

Debate adjourned.

## APPROPRIATION BILL 1985-86
(Serial 137)

Continued from 13 November 1985.

Mr PERRON (Mines and Energy): Mr Deputy Speaker, I could not help thinking, as I listened to members speaking in this debate over the past few days, that any student who sat down to read budget debates would find a good

example of the nonsense spoken in this Assembly. Every year, the opposition predicts financial disaster. It says it has been warning us about it for many years and that it is with us now. The government then states that the situation ranges from pretty fair to very good, depending on how money is being disbursed in various areas of government activity. It disheartens me that the party positions are so stereotyped. I suppose, in considering past debates, people could accuse me of being guilty of that. They may even do that here.

I would like to refer to one statement made by the Leader of Opposition on the question of the allocation of funds to purchase non-commercial assets at Yulara. It is quite short:

> 'Let there be no misunderstanding. When this government speaks of spending $20m to purchase staff, housing, sewerage and water facilities, it is not talking about spending $20m on new construction work in the Territory. It is simply talking about a payment of money from Territory taxpayers to the south or overseas to purchase...'.

Mr Deputy Speaker, of course the purchase of existing assets at Yulara involves a payment outside the Territory. It is done in order to give some return to a private organisation which used its funds to construct facilities there. Where a private organisation invests its funds in the construction of facilities, the Territory benefits because it delays the need to pay out any taxpayers' funds. The Territory receives building materials and wages for construction workers and there is generally some local manufacture involved. All the activity at Yulara over the past 3 years had no impact on the Territory budget.

As members know, part of the arrangement was that the government would pay annual rental for all sorts of government assets there in preference to owning them. That was the method of paying for the private money that came in to build Yulara. It was then decided, for various economic reasons, that it was more appropriate, in view of forecasts, for the Northern Territory to buy some of the assets rather than to pay annual rent. It is a more sensible financial strategy. The Leader of the Opposition implied that that is an enormous drain on the budget with funds flowing out of the Northern Territory. You cannot have it both ways. Firms will not build assets in the Northern Territory unless someone pays for them sooner or later, particularly if they are not profit-making assets. In this case, we are talking about assets at Yulara which do not make profits. Not too many sewerage systems make money.

I want to touch briefly on some aspects of my own portfolios. The Department of Law has received a normal on-going budget. I will provide a couple of details. $155 000 has been provided to use computer technology to improve the processing of the registration of births, deaths and marriages. A much-improved and speedier service should be available to members of the public who need to obtain certified copies of registrations. Members of the public require such certificates when applying for passports, arranging school enrolments and for a range of other purposes. The advanced technology will also apply to the register of companies. Members of the public and the accounting and legal professions will benefit from these improved services. They should be available following the relocation of the magistrates courts and Registrar-General's office in a new building.

This may be a fairly small matter but it is an important one because it pertains to the theme of government service to the community. We have an

enormous bureaucracy. From time to time, one has the feeling that there are office blocks just crammed with people whom the public never see, all beavering away with computers and bits of paper. It is almost frustrating as a politician and former Treasurer to see that those funds are not being spent on schools, roads and services where the public actually has an interaction with government and can see something physical for their taxes. However, the upgrading of computer technology is an area where the government's interaction with the community will have a direct benefit.

The new building for the magistrates courts and Registrar-General's office in Bennett Street is well on the way. It is hoped that the relocation of staff and services into the building will occur about July next year. The fitting out of such buildings is very time consuming. $660 000 is provided in the budget for furniture and equipment and there is funding to cover the cost of water, power and cleaning. The magistrates courts are presently located in the Nelson Building and the Registrar-General's office is located in the Civic Centre. The new building was designed specifically for its purpose and I am sure the magistrates, in particular, will be delighted to move into a new building, having regard to the accommodation that they have had to operate in.

The budget allocation to the Department of Law will allow for an additional 10 staff positions. I am pleased to say that the department has a complement now of 295 employees and provides services to the Chief Justice and judges of the Supreme Court, 15 personal staff for judges, the Chief Magistrate and stipendary magistrates. The additional funds for staffing will provide for a growth factor of 3% in staffing.

As part of our contribution to International Year of Youth, we are compiling a document on youth and the Northern Territory. It will be a very enlightening document. I was delighted to see the proposition. We will make some fuss, of course, when we release it in due course. Young people will know all about those laws that affect them.

A significant event at the end of this financial year, hopefully, will be the Northern Territory's membership of the National Companies and Securities Scheme. At present, I understand that we are awaiting New South Wales' decision on our joining the scheme. All other states have agreed to it informally. The matter has to be put to a NCSC meeting but, assuming all is well - and there is no reason not to assume that - we will be holding a very significant workshop next year for local lawyers, accountants etc to be addressed by experts on the scheme, how it works and what differences it will make to their current practices so that there is a smooth transition on 1 July next year.

The electricity commission has a planned capital works program of approximately $22m exclusive of expenditure on Channel Island Power-station. All centres in the Territory will benefit from the expenditure by way of improvements and extensions to their respective electricity systems. The gas pipelines from the Amadeus Basin to Darwin is under way and funds have been provided for a new 18 MW gas turbine power-station at Katherine. In addition, some $2m will be spent on system extensions there.

In Tennant Creek, $0.5m will be made available as an initial expenditure on a $6m gas turbine project. Several interconnections are planned for completion during the year. 22 kV powerlines are being installed from Katherine to Pine Creek, Mataranka, Maranboy, Bamyili and Beswick, and from Tennant Creek to Ali Curung or Warrabri. The total cost of these interconnections is in excess of $6m.

Honourable members would be aware that we made some significant cuts in NTEC's capital works program following the Commonwealth government's decision which took us quite by surprise, to cut in half and extend for 2 years the annual subsidy to NTEC. Those are the extensions which survived; work on them had progressed so far that we could not abandon them. Although some money had been spent on other projects, we had to cut them off the list altogether. This is unfortunate because, by spending money today, we could save a lot of expenditure in the future.

To ensure electricity supply at Yulara, two 1.5 MW dual fuel generating sets will be installed during the year at a cost of $4.3m. Conversion of generators at Alice Springs to gas will be completed this year. This project started in 1982 to use gas from Palm Valley rather than imported distillate and substantial savings on fuel costs are already evident. When complete, the project cost will be approximately $10.5m. Other capital expenditure for Alice Springs amounts to $2.2m.

One relatively small $100 000 project of great benefit to the Territory has already been completed this financial year. A fuel receiving station is now in operation at Stokes Hill Power-station in Darwin in order to use heavy fuel produced from the Mereenie field. I understand 400 t of fuel is being brought to Darwin every week.

A start will be made on construction of the new terminal substation at Hudson Creek which is down near Palmerston. This important substation will be the bulk terminal point for the Channel Island Power-station. $3m has been provided this year towards the total project cost of approximately $8m.

$38.36m has been allocated for ongoing work on Channel Island Power-station. During the coming year, all remaining contracts will be let. During the second half of the year, work on the Channel Island Power-station will accelerate considerably. The first of the gas turbines is due to be delivered on site late this financial year.

The solar rebate scheme has been very successful in the Northern Territory. NTEC provides a direct cheque to cover a portion of the cost for people who install solar hot water systems in the Territory. That will continue next year. Payments to date under that scheme have been $100 000.

In the Department of Mines and Energy , the provision of $350 000 for core sheds at Alice Springs and Darwin will provide mining companies with easier access to drill core provided by the department. The preservation of drill core is enormously important. It provides an archives that is extremely valuable to geologists and other people who need to know what is under the ground. This does not relate solely to the mining industry. The pastoral industry and the agricultural industry also require information relating to the structure of the soil beneath our feet. Huge sums are spent on taking these drill cores in remote areas and it is important that these valuable samples be properly preserved. Our legislation provides that mining companies must provide these cores to the government after they have completed their own analyses. Department of Mines and Energy officers decide what they need to keep, what they should cull and what should happen to it. We have been in need of some additional storage space because this material should be kept out of the weather because some of it deteriorates and crumbles. New core storage sheds will be built in Darwin and Alice Springs this year.

The establishment of a task force to promote the development of the Bonaparte Basin gas reserves this year was mentioned in the Treasurer's speech. That project will be very important to us if it comes off. It is the biggest project that the Territory has ever contemplated. If it comes off, it will probably be the biggest development to happen here for a long time. Its estimated total development cost is $3000m. It is about one-third the size of the North-West Shelf project.

It will be expensive to follow it up. There is strong competition from Malaysia, Alaska, the United States and Indonesia to try to secure gas markets in Japan and Korea in the 1990s. Everyone is in there lobbying. We are going there pretty regularly to lobby as well and that is a very expensive business. On this matter, we are cooperating very closely with the federal Department of Resources and Energy and the Western Australian Minister for Mines and Energy, Mr Parker. We all see as one on this particular development. I am delighted to say that a Western Australian officer will be going to Japan and Korea with us as a representative of the minister before Christmas to present further documents to those governments. It will probably be over a year before they decide where they will purchase their gas for the mid-1990s. We have to be up there with the competitors. We believe that we can be, provided that we follow it through.

The future of the mining industry, at least in the short term, does not look good. As Minister for Mines and Energy, it saddens me to say that. Of course, we must continue to be optimistic that obstacles currently confronting us will be overcome. Exploration in the Northern Territory has faced continued frustration as mining companies try to obtain access to Aboriginal land. The continuing uncertainty regarding amendments to the Aboriginal Land Rights Act is causing people to stall totally. Sadly, offices have been progressively closing down in the Territory. These are small mining company offices with a staff of sometimes only 2 or 3 people who have been hanging on year after year to monitor the scene, ready to move on exploration on Aboriginal land if the opportunity came. But the frustration has gradually worn them down.

Recent federal government proposals on taxing so-called fringe benefits have not enthused the mining industry either. Is housing a fringe benefit when you are being asked to live in the sticks? Is flying staff down south every 12 months a fringe benefit or is it a necessity to get people to live out in the sticks? Unfortunately, the Commonwealth tax proposals will encourage more arrangements such as that at the Argyle mine in Western Australia where the company flies up most of its work force from Perth. It is more economical for it to do that than to build a town on-site. There are some facilities on-site, of course, because the workers have to live there for a period, but they will not be given their own homes. I would like to think that towns like Batchelor and Jabiru, and many others around Australia that really make up part of the Australian way of life by populating the more remote areas, will continue to exist after mining finishes. Possibly, they will find other economic activity to keep them going after the mines close, even if it is at a reduced level. Goodness knows what will be resolved in the end for Nhulunbuy. However, in decades to come, the bauxite will be mined out and Aboriginal ownership over that land - if the situation is as it is today - will occur. But I am sure that it will always be a town of some description and size, servicing that region of the gulf - and so it should.

The continued procrastination by the Commonwealth in regard to the future of Gimbat and Goodparla has caused enormous concern because the area is

fascinating to geologists. It is very prospective in their view, but no one has been allowed to set foot on the area for years and years. They have not been told that they will never be able to go there; they have been told nothing except to wait and the answer will be there one day. Couple all that with low base-metal prices around the world and things do not look really bright for the mining industry in the short term. However, hopefully over the next year or so, we will see some improvement in at least some of these matters and we will try to be optimistic until then.

Mr TUXWORTH (Chief Minister): Mr Deputy Speaker, I will be brief because there will be ample opportunity to canvass many issues in the committee stage. I would like to touch briefly on the budget in the sense that opposition members have gone to great pains to point out how terrible they thought the budget was. I guess we are essentially very different in our outlooks on life. To reiterate the government's position, we are committed to looking after Territorians and to ensuring a sufficient level of growth and development that will enable young Territorians of tomorrow to have a job and a place in society and not be lined up in a dole queue receiving benefits from the rest of Australia because we were unable to do anything with our Territory.

A great deal of play was made by members opposite about the government's waste and mismanagement and about allegations that Peter Walsh made that the Northern Territory government had a $55m hole in its budget and the people of Australia would not pay for it. I would relay the message back to Senator Walsh in very simple terms. If there are any imperfections or irregularities in the way the Northern Territory accounts for its money and spends it, he has the opportunity to go to the Grants Commission to point out how these imperfections came about, but he has not done so in 3 or 4 years and it would appear that he will not do so. He just likes to talk about it a lot. All that the Territory government expects of the Commonwealth government is that it meet its promises. We do not ask it to do anything special at all other than the things it promises to do. If the Commonwealth government does nothing else but meet its promises, the Northern Territory would not have a gripe in the world with what it is doing.

The Darwin Airport, a $130m project, which is important to enable us to bring in hundreds of thousands of international tourists to use our infrastructure, has had $20m spent on it. What have we got for that? 1 wine goblet or half a wine goblet, 2 slabs of concrete and a demountable building. The Commonwealth government has walked off the site. It cannot decide whether it ought to finish work on that site, move to another site or wait a while. If that government is running the rest of the country the way it is organising the construction of the Darwin Airport, is it any wonder our dollar is falling towards US50¢? We are not asking for something special that no one else has. We are asking merely that the government do what it has promised it would do and started to do. If it does that, we will not have any complaints.

It is the same situation with the roads money. The Commonwealth government said: 'You will not have a railway. It is outrageous. We have built you half a railway and it did not make any money. That is a good reason not to build the second half'. Only the Labor government would argue that the reason not to build the second half of a transcontinental railway is because the first half did not make any money. That is so Irish it is unbelievable, but that is the federal government's attitude.

Peter Walsh's attitude on the airport was demonstrated to me and the Under Treasurer when we met with him in Canberra: 'I do not know why you guys want an airport in Darwin. We built one in Launceston and no one uses it'. There is a line of logic there that escapes most Territorians; it might make sense to Senator Walsh, but certainly it escapes the logic pattern of most Territorians.

I reiterate that we are not asking for anything special. If the recommendations of the Grants Commission are positive, we would like the cheque and, if negative, we would like to discuss with the Commonwealth how that is handled. We have always accepted the findings of the Grants Commission. We have asked only that the Commonwealth meet the obligations that it said it would meet in terms of the construction of roads, airports and a range of other things. If it does that, we will have no complaint.

If the Commonwealth could cease its involvement in Yulara, Kakadu, the uranium industry and the offshore mining and fishing industries and let constructive people get on with the job, we would be most grateful. The only role the Commonwealth has managed to maintain here is one of stifling the Northern Territory's development. To turn around and say that the Northern Territory ought to be treated financially as every other state is, but without those things available to the other states, is totally unreasonable.

In a little bit of a slash yesterday, the member for MacDonnell referred ungraciously and unkindly to the government's commitment to the White Gums development. He was most incensed that White Gums and outstations should be mentioned in the same breath; he seemed to regard them as 2 different things. I would make the point to the member for MacDonnell that the White Gums development is a special situation because it is at the end of the line and it is only a matter of time before we will have to develop the valley down to White Gums. It would be absolutely futile for us to put infrastructure into White Gums that will not handle the development for 20 000 people down the valley. It is in our interest to ensure that the infrastructure for that valley is in place from day 1.

There is a parallel between White Gums and outstations. Outstations accommodate people who live in special circumstances by their own choice and we have an obligation, where possible, to provide them with the facilities that they need to do that. There is a financial penalty in providing facilities to outstations and we have never complained about that. We do it graciously.

Mr Bell: The difference is that people on outstations have nowhere else to go.

Mr TUXWORTH: Mr Speaker, the member for MacDonnell is really getting excited. I know that 'outstations' is a trigger word for him and I did not want to set him off. There is a penalty for the Northern Territory in helping people on outstations, but we do it as well as we can and wherever we can, and without any begrudging attitude on our part at all.

Honourable members opposite have also reflected from time to time on the investment that is occurring in the Northern Territory. I would like them to look around at the investment in small mines, farming, fishery activities, the tourist industry generally, the proposal to develop the Bonaparte Gulf, which the Minister for Mines and Energy has indicated will cost $3000m, the Alice Springs retirement concept, which will be dealt with later in these sittings,

and a range of other investment opportunities for the Territory to develop. We cannot sit and dream about what might be; we must make the most of what we have. It is not always possible to do as much as we would like. If we could get the dead hand of their mates in Canberra off our backs, we would do a whole lot better. I thank honourable members for their support in the budget. It will be beneficial for the Northern Territory.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

## POISONS AND DANGEROUS DRUGS AMENDMENT BILL
## (Serial 153)

Continued from 29 August 1985.

Mr LANHUPUY (Arnhem): Mr Speaker, the opposition supports this bill which contains a whole range of minor amendments to the act. Pharmacists are required to keep certain records in respect of the supply of certain substances. The supply of addictive drugs for a medical condition is not permitted if that condition is addictive itself. The possession of certain drugs by nurses, dental therapists and Aboriginal health workers in appropriate circumstances is permitted for therapeutic purposes. The provisions in respect of the period of validity of certain prescriptions are clarified as are the requirements on pharmacists in respect of records kept of prescriptions filled.

There is the establishment of a register and a Registrar of Pesticides. Conditions are imposed on the use of pesticides for permitted purposes. It also prohibits the storing of food in containers for poisons. This provision is taken from the Containers for Hazardous Substances Act which this bill repeals. The powers of the minister to amend the schedules are extended to schedules 2, 3 and 4. The ALP regards the amendments as uncontroversial and commends the bill.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in rising to speak in support of this legislation, I have 2 or 3 matters to bring to the minister's attention.

Proposed new section 59A states that a person shall not possess or sell a pesticide other than a registered pesticide. On the surface, that appears to be a quite reasonable provision to insert in legislation of this kind. However, there is a bit of background which I would like to bring to the attention of honourable members. It is a fact that certain pesticides and many well-known proprietary chemicals which have been on the market for a number of years, and which are beneficial and safe, are no longer on the market as a result of certain decisions.

Most of our proprietary medicines, chemicals, poisons, weedicides etc are made by well-known chemical companies such as Ciba. These very large chemical companies originate and do most of their work in other countries, particularly the USA where the legislation states that, after specified periods, the products of the chemical companies must be reassessed. This is an automatic reassessment irrespective of whether they have been successful or not, whether or not they have developed side effects and whether or not they can be easily produced in Third World countries for specific needs. This reassessment is so costly that the product is taken off the market, to the public's detriment, and a new product which has nearly the same properties is registered.

I realise this legislation seeks to be compatible with legislation in the states but I would like to relate a personal experience I have had with one of these chemical substances. I used it both for human and veterinary uses. The substance was very efficacious for the purpose for which I purchased it. It also has another use. That substance was taken off the market, and I would say that it was taken off the market for the reason I stated. From that day to this, I have not been able to buy any product that serves the same purpose as that substance. In view of the fact that this legislation seeks compatibility with state legislation, I sometimes wonder whether we should not run with the majority. It might be better to stand up for our principles and rights rather than blur into federal unanimity at all costs.

There are 2 other matters I would like to discuss in relation to this legislation. There is a particular word which I have not seen in legislation before. I refer to clause 7, supply of substances for therapeutic use. I refer to the use of the female pronoun in relation to a nurse. The clause has the phrase 'in the course of her duties'. The Interpretation Act says that the male pronoun refers to females as well as males. To my knowledge, this is the very first time that I have ever seen the female pronoun used. I wonder why it has been used in this legislation. Is it here by chance? Since the Interpretation Act indicates that the male and female pronouns are interchangeable, is the female pronoun used here in the interests of equality? Or do I detect a backlash on this whole anti-discrimination matter and a prominent linking of the female pronoun with the registered nurse in view of the historical connection between females and the nursing profession? Will we see plumbers and drainers referred to by the female pronoun in future legislation? Will we see surveyors, geologists, fitters and turners referred to by the female pronoun? I wait with some interest for the descriptive sex changes of the people in those occupations.

I heartily agree with the provisions of clause 16 which state that a person shall not put food or drink in a container which is clearly marked as having contained poison. I was always very careful about that. In fact, I was more than careful; I was very strict. Not once did it happen in our household because of the risk to our children. If food or drink containers are used to store lethal chemicals - for example, garden poisons - a small child might think it is harmless and taste it to his or her grave detriment. How many times have members seen bleach or turps in a lemonade bottle? It looks the same to a child. It does not smell the same but a child might not notice that. All the child sees is a liquid in a soft drink bottle. How many times have we seen garden poisons in drink bottles whose dark glass disguises the fact that they hold poisons?

Whilst I thoroughly agree with the minister about the introduction of this clause, I fail to see how it can be adequately policed. The places where it should be policed are the places where I would hate to see more inspectors intruding - the privacy of people's homes. What I would like to see is a campaign - like the very successful NOAH campaign - conducted by the Minister for Health to bring home to parents the grave risks they run in storing poisons in soft drink bottles. I think it is up to us as legislators to encourage parents to do the right thing by their children. Only then should we consider other action. However, that action should not lead to further intrusion on people's privacy. I will leave it to the minister to work that out. But, before he starts imposing fines, he should encourage parents to follow the law in this regard and have the welfare of their children at heart.

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, this subject is of considerable interest to me, particularly in regard to sprays, pesticides and fungicides related to the agricultural and horticultural industry. I am pleased that, if a chemical is registered for use in a state, then that is the guide for its use in the Territory. There are slight variations from state to state on the rates of application of various pesticides, fungicides etc. That probably reflects the different conditions in each state; for example, the amount of rainfall. I cannot think of any other reason for the variations although, generally, they are not that significant. I come from one of the most private enterprise families around.

Members interjecting.

Mr D.W. COLLINS: The members for MacDonnell and Stuart are displaying their total ignorance. On both my father's and mother's side, my family worked on the land and were involved very much in the hurly-burly of the market in Adelaide which spawned people of such eminence as Sir Thomas Playford who said he obtained his education at the university of hard knocks.

Mr Bell: The best socialist in South Australia's history - Thomas Playford.

Mr D.W. COLLINS: Well, that is your opinion. It certainly was not the opinion of the people in South Australia.

Mr Bell: He set up the South Australian Housing Trust, the finest socialist initiative in the country.

Mr D.W. COLLINS: It is of concern to the consumers of our horticultural products that sprays are used correctly and in the right amounts so that the withholding periods are adequate and guarantee the safety of those consumers. That is of importance to Territory consumers and also to people overseas. It was of interest to me to learn recently that the natural bloom on grapes, particularly dark grapes, which is really a natural wax which helps protect the fruit, is often mistaken by Asian people as a spray of some sort. People who sell grapes insist on careful handling so that the wax remains. The people in Asia are very concerned that it could represent excess doses of spray. That is one of those little quirks of marketing. When you go to a new country to try to sell something, you must learn the little things which are of concern to them.

In my own little venture down south, and that of my neighbours, we are able to get away with a minimal use of sprays. That pleases us because of the time and the cost involved. It is also good to be able to say: 'This particular product has not had any spray on it at all'. That is not always possible.

There are some concerns with sprays. One spray is rated S8 which indicates that it is extremely poisonous. It is called phosdren. Although it is very deadly and the operator must use breathing equipment and completely cover his hands, face and body, it has the advantage that, 24 hours after it is sprayed, it reverts to a harmless phosphate substance which, effectively, is a fertiliser. It is indeed a very powerful and useful poison for eliminating grubs which are out of control and cannot be eliminated any other way. It should be applied when the wind is not blowing. Once sprayed, it knocks down all the pests and a crop can be saved. Amazingly, 24 hours later,

you can eat the food without any problems whatsoever. Unfortunately, some people did not take notice of the safeguards. Perhaps they lacked sufficient command of the English language or were just foolish. Whatever the reason, phosdren caused a couple of deaths in Victoria and was subsequently taken off the market. One might sayss that it is a pretty dangerous substance, but it is safe if used according to the instructions and appropriate protective clothing and a respirator are worn. It is a pity that such a chemical, which is absolutely harmless 24 hours after use, has had to be taken off the market. I believe it had a place.

I am interested in the safety of people working in the horticultural field. My parents and their parents before them worked in market gardening, and my father used many sprays. In later life, he developed what was once diagnosed as Parkinson's disease. His health has been very poor. I have noted that many other people who were in similar agricultural and horticultural enterprises developed unfortunate debilitating diseases in later life. These made their latter days rather less enjoyable than one would wish. Safe practices do need to be encouraged. I believe that we have come a long way in understanding the side effects of sprays, and people are much more careful. That should be taken into account.

In closing, I am pleased that we will have some guidelines. We do not know where we stand on these sprays. I commend the encouragement of safe practices and good commonsense rules in the use of pesticides. To put turps in lemonade bottles is absolute foolishness. I am sure that more TV campaigns would be more effective than using inspectors. I also hope that a balanced view can be taken. If a particular spray does happen to kill someone and that person has been stupidly negligent, we should not rush into banning the chemical. You can take a horse to water but you cannot make it drink. There are many effective chemicals which help produce foodstuffs and we should be circumspect about unnecessarily banning them.

Mr HANRAHAN (Health): Mr Deputy Speaker, I thank the member for Arnhem for his comments and support of the bill. I also thank the members for Koolpinyah and Sadadeen for their comments which I will address shortly.

I remind honourable members that the introduction of this legislation is a consequence of the original legislation in 1983 which resulted from the National Health and Medical Research Council's recommendations. At that time, it was not considered necessary to introduce a schedule of registration of pesticides in the Northern Territory. However, it has now become apparent, because of subsequent Commonwealth legislation to enable Australia to ratify various international agreements, that a form of pesticide registration is required in the Northern Territory. The bill before us does not limit the Northern Territory to an absolute requirement to follow the dictum of the Commonwealth. There is still discretion for the Territory although I must admit that we usually follow the Commonwealth's schedules of drugs because of the expertise developed over the years by Commonwealth departments.

I want to deal very briefly with the comments of the members for Koolpinyah and Sadadeen. Federal unanimity is certainly not the case because the Northern Territory retains discretion.

The use of the word 'her' in clause 7 is quite interesting. It comes about because of the reference to the Nurses Act which is deliberately couched in terms of 'her' because of the objections from many nurses to the use of the word 'him'. The Interpretation Act does remedy that.

I could not agree more with the proposed clause relating to food in poison containers. Comments were made regarding grave risks to public health and the desirability of promotional campaigns. I am sure that the member for Koolpinyah will be more than aware of some of the programs planned by the Department of Health in the area of public health. Balanced views are always something that the Northern Territory government seeks.

I have circulated a schedule of amendments and I commend the bill to the Assembly.

Motion agreed to; bill read a second time.

See minutes for amendments agreed to in committee without debate.

Bill passed remaining stages without debate.

## BUILDING SOCIETIES AMENDMENT BILL
(Serial 154)

Continued from 29 August 1985.

Mr SMITH (Millner): Mr Speaker, this bill contains a range of amendments which, in our view, are basically non-contentious. They include: provision for ex-officio members of the Building Societies Advisory Committee; removal from the act of provisions on minimum amounts required for incorporation, prescribed amounts in respect of special advances and liquidity formulas, all now to be prescribed by the minister by notice in the gazette; tightening up of the provisions relating to changes of rules; provision for transfer of accounts where a building society retires from its operations in the Northern Territory; repeal of the provisions whereby the registrar may draw up model rules for societies which would apply to societies in so far as they are not inconsistent with their own rules; listing of the rules relating to unsecured loans; alteration of the provisions for advice on interest and other information on loans to successful applicants in accord with current practice; loosening of the rules relating to special advances; widening of the societies' borrowing powers and their powers to act as collecting agents for subsidiaries; provisions whereby reports required to be lodged with the registrar need not be released publicly in order to keep sensitive information from the marketplace and rivals; and softening of some of the offence provisions.

We are concerned about clauses 20, 23 and 24. I hope that the minister is listening to this and can give a response. In clauses 23 and 24, the word 'knowingly' has been introduced. As we all know, that makes it much more difficult to prove an offence. The insertion of the word 'knowingly' is in fact contrary to the trend of many of the government's recent amendments to other legislation where it has removed the word 'knowingly' as a qualification. The effect of removing it from those other pieces of legislation has been to make prosecution and proof easier, thus changing the nature of the offence to one of strict liability. When referring to the amendments in this bill, the minister indicated that a defence of exercising due diligence would be available. This is true of clause 20 but clauses 23 and 24 do not allow proof of due diligence as a defence. Rather, they require that the prosecution must prove knowledge. In our view, this could create some problems, and I would ask the Treasurer to comment on that in his response.

The other item of interest is in clause 19 which contains an amendment to section 62. Currently, the majority of directors of a building society must be permanently resident in the Northern Territory. The section will now read: 'Unless the minister otherwise consents...'. In itself this may be acceptable but, when introducing the bill, the Treasurer stated that this consent may only be for a short period. We have no objection to that but there is nothing in the bill to implement it. That concerns us. I invite the Treasurer to respond to those 2 points when he closes the debate.

More generally, I would like to pay credit to the role of building societies in the development of the Northern Territory. It has become quite clear that the Territory Building Society has carved for itself a major role in the provision of housing finance in the Northern Territory. In doing so, it has brought home ownership within the reach of a large number of people. It is quite clear that we still have some way to go before building societies in the Northern Territory occupy the position that they occupy in the more established areas of Australia, where they are very important financial institutions in terms of providing home finance. Of course, a number of them are now branching out into other areas. Obviously, the Territory Building Society and other building societies that may wish to establish in the Northern Territory will be looking at broadening their areas of interest in years to come. I expect that this is not the last amendment to the Building Societies Act that we will see in the next few months.

Mr TUXWORTH (Treasurer): Mr Speaker, the Deputy Leader of the Opposition has supported the bill. I have some minor technical amendments and I will discuss those in a minute.

His first point related to his concern about the importance of establishing knowledge in clauses 23 and 24. I think it is important that knowledge be established before you penalise anybody. Recently, we have seen instances of boards and directors being embarrassed because of the activities of their staff who had concealed information which led to the board and directors being involved in impropriety. That was unfortunate. For that reason, I think it is important that knowledge be established. It is possible in this day and age, particularly in the computer world, for people to conceal information. That does not reduce liability unless there is a requirement to prove knowledge, and I think that is a very important point.

The Deputy Leader of the Opposition's second point concerned the minister's ability to consent to directors residing outside the Territory and the comment in my second-reading speech that there would be a time limit on this. I think the Deputy Leader of the Opposition has covered it himself in terms of the state of progression of the building society industry and the whole financial industry. We did not see the point in being too rigid on that issue. If he wants to advance an argument as to why we should be rigid on it, I would be happy to hear it.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr TUXWORTH: Mr Chairman, I move amendment 47.1.

By way of explanation, given the existing wording, it would be possible to set a lesser amount than $1m and we thought that $1m should be the minimum.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6:

Mr TUXWORTH: Mr Chairman, I move amendment 47.2.

This would give people a couple of days grace to comply with the section whereas the word 'immediately' requires them to do it immediately. We thought it reasonable that they have time.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 13 agreed to.

Clause 14:

Mr TUXWORTH: Mr Chairman, I move amendment 47.3.

This amends an incorrect reference.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clause 15 agreed to.

Clause 16:

Mr TUXWORTH: Mr Chairman, I move amendment 47.4.

The amendment restores the original intention that building societies be allowed, without having to seek the registrar's approval, to act as a paying or collecting agent for other Australian building societies.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 47.5.

By this amendment, building societies will be able to act as paying agents as well as collecting agents.

Amendment agreed to.

Clause 16, as amended, agreed to.

Clauses 17 to 24 agreed to.

Clause 25:

Mr TUXWORTH: Mr Chairman, I move amendment 47.6.

This corrects a spelling error by changing the word 'register' to 'registrar'.

Amendment agreed to.

Clause 25, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

TAXATION (ADMINISTRATION) AMENDMENT BILL
(Serial 146)
STAMP DUTY AMENDMENT BILL
(Serial 145)

Continued from 29 August 1985.

Mr SMITH (Millner): Mr Deputy Speaker, the Stamp Duty Bill aims to place duties and taxes on credit card debit transactions and debit transactions through an electronic bank machine and the Taxation Bill introduces the necessary mechanisms for these taxes and duties. The opposition supports the bills.

Motion agreed to; bills read a second time.

In committee:

Taxation (Administration) Amendment Bill (Serial 146):

Clauses 1 to 2 agreed to.

Clause 3:

Mr TUXWORTH: Mr Chairman, I move amendment 46.1.

By way of explanation, this merely omits the word 'amendment'.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 agreed to.

Clause 5:

Mr TUXWORTH: Mr Chairman, I move amendment 46.2.

By way of explanation, the definition of 'card holder' is varied by this amendment to reflect actual practice more accurately.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 46.3.

This amendment reflects discussion with representatives of the banks and credit card agencies. The bill is now similar to Tasmanian and Queensland

legislation and will enable the use of existing computer programs to identify liable transactions and calculate the tax to be paid.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 46.4.

The amendment will enable the collection of tax from the credit card user should the bank or credit card agency, which has primary responsibility to collect and pay the tax, default on payment.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 46.5.

By way of explanation, the amendment brings the power of the bank or credit card agency to pass the tax on to the user into line with similar arrangements in other areas of taxation; for example, cheque duty.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 46.6.

By way of explanation, this amendment is the same as that made for credit card transactions. It will enable the collection of duty from the customer where the bank defaults on payment.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 46.7.

By this amendment, the arrangements for the passing of the tax on to the consumer are brought into line with those which exist in other areas of the Taxation (Administration) Act.

Amendment agreed to.

Clause 5, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Stamp Duty Amendment Bill (Serial 145):

Bill taken as a whole and agreed to.

Bills passed remaining stages without debate.

## ENERGY RESOURCE CONSUMPTION LEVY BILL
## (Serial 155)

Continued from 29 August 1985.

Mr SMITH (Millner): Mr Deputy Speaker, this proposed legislation is a complete and utter sham and this opposition opposes it totally and with full vigour. I say that it is a complete and utter sham because the government is trying to impose a discriminatory and unfair tax on Nabalco in particular. Further, it is seeking to pressure Nabalco into the gas pipeline deal and we on this side of the Assembly want no part of it.

When we first heard of the proposal in the mini-budget for this completely discriminatory tax, the honourable Chief Minister said in introducing it: 'The levy will be introduced to encourage conservation of these scarce resources and is expected to be introduced in the new year'. I can remember vividly the broad grin that he had on his face as he said that because, even at that stage, it was purely transparent as an attempt to get stuck into Nabalco. So transparent was the alleged reason given in the mini-budget speech that it was not even mentioned in his second-reading speech when he introduced this bill at the last sittings. In fact, no reason at all was given in his second-reading speech as to why we needed this particular tax. Clearly, it is a highly discriminatory piece of legislation aimed at pressuring Nabalco into the gas pipeline project. Unfortunately, if the bill is passed, the ones who will suffer will be the consumers of electricity in Nhulunbuy - all of those people who live in houses, own shops or run businesses in Nhulunbuy. They are the ones who will suffer because, quite clearly, if it is passed, Nabalco will increase the price of electricity. As a result, the disadvantages that people in Nhulunbuy already suffer because of high prices caused by their remoteness will be added to by this discriminatory piece of legislation; that is, if this matter gets through the High Court. It is quite clear that, if this piece of legislation is passed by the Assembly, that is where it will end up, and everybody knows the success rate of the Northern Territory when it has appealed or defended matters in the High Court.

When we look at the proposed extension of the pipeline to Nhulunbuy, obviously Nabalco, which has been invited by the Northern Territory government to be involved, will look at the economics of the proposal. Obviously, Nabalco would agree to the pipeline deal if it was an economic proposition. What Nabalco is saying at this stage is that, so far, the deal offered to it does not make sense. In fact, in a letter that every member of this Assembly received from Mr A.G. Powell, Managing Director of Swiss Aluminium Australia Ltd, it was indicated that oil is $15m cheaper to the company than the best possible deal it could obtain on gas. In addition, Mr Powell pointed out that the conversion to gas would increase his company's financial liability by $140m.

It is quite clear that the company's understanding of the economics involved in the extension of the gas pipeline to Gove is much greater than the Chief Minister's understanding. I want to quote from an article which appeared in last week's Sunday Territorian. It is headed: 'Pipeline Proposal'. Apparently, the Chief Minister has written to the Northern Land Council asking it to enter into a consortium to build the gas pipeline from Mataranka to Nhulunbuy. The article contains what appears to be a direct quote from the Chief Minister's letter: 'From the Alu Swiss Nabalco point of view, if we were able to provide gas at the Nabalco gate for the same price as oil, it would have to be in their interest to come to an agreement with the consortium. Such a move would provide Gove with the integrity of supply that they need'. That statement indicates an appalling lack of knowledge of the economics of the pipeline or other deals. For the proposal to be an economic proposition for Nabalco, the price of gas would have to be significantly cheaper than the price of oil to cover the new infrastructure costs that Nabalco would need to incur to set up the facilities to handle and process gas. That did not occur to the Chief Minister. It is just another example of those off-the-top-of-his-head comments that, when examined too closely, do not make any sense at all.

It would appear that this so-called private enterprise government is on a collision course with big industry in the Northern Territory. First of all,

it took on the casinos and now it is taking on the mining companies in the Northern Territory. The point must be made that this particular piece of legislation will impact not only on Nabalco but also on all major companies in the Northern Territory which use more than a certain quantity of oil in a particular period. Certainly, it will catch Ranger and certain Tennant Creek mines in its net.

Interestingly, it is quite clear that this legislation will catch NTEC as well. There is a specific clause - I think it is clause 5 - which says that this legislation shall bind the Crown. It appears that, if this bill becomes law, consumers of electricity supplied by NTEC will be faced with a further slug in electricity costs to pay for this tax that will be imposed on the operations of NTEC. I have heard from quite senior people in the public service that it is not the government's intention that NTEC be affected by this legislation. If that is true, I would like to know how the government intends to get out of it when clause 5 quite clearly states that the legislation will bind the Crown.

To summarise, the opposition opposes this legislation because, in our view, it is discriminatory, it serves no useful purpose and it has been introduced for a devious reason.

Mr PERRON (Mines and Energy): Mr Deputy Speaker, I had no real desire to speak on this bill, but I cannot resist commenting on the opposition's leaping to the defence of the multinationals. The member opposite said that this government seems to get stuck into anyone who gets in its way. I think it is commendable that we treat companies the same, irrespective of their size, in the interests of the Northern Territory. Just because they are giant mining companies, we are not prepared to exempt them from any imposts or charges that the Territory might care to impose.

The member said that, in this case, we are being selective. Goodness me, I cannot think of many taxes that are not selective. Isn't personal income tax selective? The more you earn, the more you pay. Is payroll tax selective? Some employers pay none. In New South Wales and Victoria in recent years, a 1% surcharge has been levied on top of payroll tax for payrolls in excess of a certain figure. Isn't that selective? I cannot think of another word for it. No one is denying that this tax applies to one group and but does not apply to others. We did not pick the figure of 10 million litres per annum from numbers in a barrel; we decided on it deliberately. Of course it is selective, and there is nothing at all wrong with its being selective. There is nothing at all wrong with this government levying an impost on the biggest consumers of fuel in the Northern Territory.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, over many years, I have had more blues with Nabalco Pty Ltd than anybody in this Assembly. Those blues have run right through the full gambit of human endeavour - from industrial blues to social blues. In fact, I wish that the Minister for Primary Production were here because I have had blues with him when he was employed by Nabalco. When I was employed by Nabalco, I was threatened with the sack and I have been stood down. Therefore, not for 1 second can the Minister for Mines and Energy suggest that I am in any way afraid of taking on a mining company. He cannot suggest for 1 second that I am in any way scared of Nabalco Pty Ltd because I have fought it without the full weight of government behind me - little old me on my pat malone out there in the scrub. For the Minister for Mines and Energy to spout that nonsense will not wash with me. If anybody else in this Assembly wants to listen to it, that is fine; I will not cop it.

However, in all of my dealings with that company - and, I must say, in all of that company's dealings with me - no matter how harsh or dictatorial it may have been, it has always acted openly and honestly with me and I always acted openly and honestly with it. This bill is dishonest. This bill is not about raising revenue. If it were about raising revenue, then I would have no hesitation in supporting it.

It was introduced by the Chief Minister for the spurious reason of encouraging consumers to conserve their oil. Nabalco Pty Ltd does not buy one pint of oil from this country. We will not save this country one barrel of oil by this bill. It will not force it to conserve one ounce of oil. This bill is not about conserving valuable products. Nabalco has fixed costs which it cannot avoid. Regardless of the price, it will have to burn oil or close the town down. It is that simple. It must burn fuel products.

Blackmail is what this legislation is about. It is nothing more than legislative blackmail of the very worst kind. Do members realise who will pay? Nabalco Pty Ltd will flick off $0.5m with no worries at all but it will pass it on to the consumers who have never received a cracker from this government. We have not had a cracker from this government in all the years of the federal government's electricity subsidy. Admittedly, it is back to the odds now but, for years and years, we paid over the odds and received not a peso from this government. It intends to slug us again, Mr Deputy Speaker. We are the goose that continually lays the golden eggs for this collection of sycophants and wanderers through wonderland who do not know what isolation means. We continue to pay through the nose for the excesses of these people. I will not support this legislation because my electorate will have to pay for the government's excesses.

Mr EDE (Stuart): Mr Deputy Speaker, that is a rather difficult act to follow but it was an excellent speech and obviously reflects the member's feeling for justice and the needs of his own electorate. This bill is obviously discriminatory. It will go to the High Court where this government obviously will lose, as it has done time and time again. Once again, it will look like the mob of fools that it is.

I am not opposed to the removal of inequitable provisions that give advantages to large companies. When we last debated payroll tax, I spoke about provisions in that act where the amounts specified as the cost of food and accommodation are woefully low. There could be little argument against rationalising them and increasing the amounts to something approaching reality. I would have preferred the government to use that means of taxing large companies such as Nabalco and Ranger. That would enable the amounts accruing to Treasury from that taxation to go to the companies at the lower end of the spectrum which still pay comparatively high levels of payroll tax.

I would like to raise another point concerning the damaging effect of this legislation on mining companies in the Northern Territory. We hear a lot from this government on other issues but it does not speak out very loudly on actions like this. Companies are beginning to feel that this government is always ready to get stuck into what it sees as the goose that lays the golden eggs. We saw it before with the casino where the government thought it had found a big bickie tin and put its hand in and had it bitten off. It blew it, Mr Deputy Speaker. I wonder whether this is another such attempt . If that is not the case, is it as we suspect - a matter of simple and blatant blackmail?

Mr Coulter: That is what we get for trying to conserve energy.

Mr EDE: That is an interesting interjection. Maybe the minister will explain what energy in the Northern Territory or indeed in Australia will be conserved by this. Possibly he could even go so far as to tell us the net effect of that saving compared with the amount of gas that would be used under the other option. That is an argument that could be expounded upon, and no doubt the Minister for Community Development will do that when I sit down. I look forward to hearing his comments.

I also want to ask what impact this will have on the projected electricity costs given to this Assembly in June. I would like to know how much this tax will cost the Northern Territory government. It says that the Crown is not exempt. How much will it cost when the tax is passed on to NTEC? The answer has yet to be given. I would like to know how much it will equate to on a kilowatt-hour tariff, and I would like an assurance that we will not have these government taxes used once again to produce a blowout in the deficits of NTEC, with the government blaming us for another grotesque and massive increase in electricity charges. Mr Deputy Speaker, I oppose this bill.

Mr TUXWORTH (Treasurer): Mr Deputy Speaker, those were most interesting contributions from the members opposite. They did not have much to do with reality, fact or common sense, but they were interesting contributions. I think it is time we stopped for a minute and put this whole matter into perspective. Members opposite were really talking a lot of drivel. If they would like to listen for a few minutes, we will go through it again to ensure that they understand what it is all about.

There is an operation at Gove that is currently consuming a thousand tonnes of bunker-oil a day. Australian money has to pay for 365 000 t a year. I tell myself that that does not help Australia's balance of payments and it does not help the Northern Territory. There is no royalty revenue for oil or gas. Money is paid to Kuwait for oil to burn in Gove. If that is absolutely necessary, fine. Up until now, it has been. In 1985, there is another option - the use of local Australian gas.

There would be several distinct advantages: integrity of supply, predictable long-term price projections and savings in balance of payments. It would be important in other senses. It would be important because the Northern Territory government would receive a royalty at the wellhead for the gas used by Gove just as we will receive a royalty on the gas that everyone else uses. We will also receive a royalty on the oil that is pumped out of the Mereenie field and we would obtain savings by pushing additional gas along the pipeline. That would reduce the cost to NTEC for gas used. The cost of power would reduce, together with the cost of gas.

The cost of the gas to Gove could be forecast for the next 20 to 30 years. The government has never argued to Nabalco that it should be involved in anything that is uneconomic. We said that we had examined its fuel consumption figures and, from our own knowledge, it would gain the same long-term savings as ourselves if it converted to gas. The company said it had looked at the proposal and it agreed. Later, it said that the proposal would not be economic because the cost of conversion would be too dear. Its officers sat down with our officers and we went through it all. The cost of conversion is no longer an argument; there would be indisputable savings at Gove by using gas.

Mr Ede: You people just cannot keep out of its pocket, can you?

Mr TUXWORTH: Mr Deputy Speaker, I am not arguing that we ought to dip into anybody's pocket. Here is an example of how a company in Australia could use a local product to run its operations and accrue enormous savings - savings that it is not disputing. If it does not want to accrue those savings, what is the story? Why would a company not want to be involved in an exercise that accrues savings? It is a very interesting question. It needs answering, I would think.

We have said to the company that, if it chooses to use fuel that is more expensive, that is its right. We do not understand why it would want to spend more money than is necessary. But, in doing that, it has denied a possible royalty at the wellhead for the Northern Territory. That is an option it can take; it is entitled to do that. But what is it all about? It really defies any logic at all that a company would want to use a more expensive fuel source than is necessary when it could obtain a local supply at a reasonable price, and be able to forecast what its energy costs will be for the next 20 years. Can you do that with oil or coal? You cannot, but you can do it with gas.

Therefore, we put to it the proposition that it convert to gas. As I said, we are no longer disputing figures. The company is simply being bloodyminded and saying it will not do it. The Deputy Leader of the Opposition is correct in saying that I wrote to the NLC. I said that the company does not want to become involved in the pipeline because it is concerned for its future. Because the aluminium industry is in a state of flux, it is saying that it does not want to become involved in a 15-year contract for the purchase of gas when it might find, in 7 years time, that the aluminium industry is no longer viable and it will not require the gas. When you look at the world situation with aluminium, I guess that is a reasonable position. The proposition that I put to the NLC was that it might like to consider becoming involved in a consortium with the Northern Territory government and other parties involved with the pipeline to see whether it would be possible to take gas out to Gove. The basis of the deal would be to ask Nabalco to pay the price it pays for oil. Nobody would ask it to pay more; nobody would ask it to be financially disadvantaged. It would be using a Northern Territory resource and it would have integrity of supply.

I put this same proposition to one of the directors of CRS which is one of the Gove participants. He looked me in the eye and said: 'I do not think the numbers will stack up'. I said: 'If the numbers do not stack up, that will be a problem for the consortium and it will lose money. On the other hand, if the numbers do stack up and the price of oil goes through the roof, the consortium will make a lot of money'. That is the risk. He said that they would need to look at their figures again. There is no apparent reason why Gove should not use Northern Territory gas. If there is a demonstrable financial reason, no one has produced it yet.

I say to the member for Nhulunbuy, who is worried about the cost of his electricity, that his is a genuine concern. I can give him an absolute guarantee that, if it continues to use bunker oil, the cost of electricity in Gove will go through the roof. By his determination to continue using bunker oil in Gove, he is dooming his constituents to increases in electricity charges which would defy the imagination. If he encourages the Gove people to convert to gas, he will be able to say to his constituents that they will know what the price of electricity will be in 5, 10, 15 and 20 years time because, after the pipeline operation, it will be possible to forecast energy costs

accurately for that period. That cannot be done with oil or coal, but it can be done with gas.

Mr Deputy Speaker, I think it is time we dispensed with the hype that the Northern Territory government is involved in some con. The Northern Territory government is suggesting to Nabalco that it is a corporate citizen of the Northern Territory. If it has a good economic reason why it should not be involved in the pipeline, there is nothing to worry about. We are not talking about its doing economically unreasonable things. It has now agreed that it would be economic but it is saying: 'To buggery with you'.

Mr DEPUTY SPEAKER: Order! I ask the Chief Minister to withdraw that remark.

Mr TUXWORTH: I withdraw it, Mr Deputy Speaker.

The company said that it was not interested. It did not care if it saved money or not. All things being equal, for Australia to save in foreign exchange, the equivalent of 1000 t of oil a day would be worth going after. We ought to try to make the effort. If it is not possible, that is another exercise. The other interesting thing in all this is that other mining companies are asking how they can become involved because they see what it is all about, yet we have this intrasigence from the Nabalco partners that does not make any sense.

I will pick up a point that the member for Stuart raised about support for the mining industry. Does he recall that, 2 years ago, the federal Labor government introduced indexation of the excise on petroleum and bunker fuels. That cost the Northern Territory Electricity Commission $3.6m or $4m in one swipe. It took $6m out of the pockets of people in Gove. Who else in Australia paid it? Weipa, the Northern Territory and the iron ore companies in the west paid it. How many people down south paid it? How discriminatory was that tax? It hit all the country people. How many people on that side of the Assembly said a word? Not one. Did we hear the member for Nhulunbuy bleating about increased electricity costs when Paul Keating took $6m off Gove? We did not hear a word. What hypocrisy!

What we are proposing is perfectly reasonable in terms of the Northern Territory's development. It will have enormous benefits for the whole community, and Gove is a part of that community. We are trying to encourage Nabalco to be a part of it and not to treat us as though we are another part of the world and it belongs to Switzerland. I would say to members opposite that they can play their funny little games.

Mr Leo: I'm sick of paying through the nose for you.

Mr TUXWORTH: Let me just go through it again for the benefit of the member for Nhulunbuy. If he wants electricity costs that his constituents can afford to pay, he has only one option and that is to convert to gas like the rest of us. If he wants to stick with oil, he can promise all his constituents that they will be paying much more than they ever believed possible because there is only one way for the price of oil to go, and that is up.

Mr Ede: Will NTEC pay the levy?

Mr TUXWORTH: Certainly NTEC will pay the levy.

Mr Ede: It will pass it on to the consumers.

Mr TUXWORTH: No, the NTEC levy will go to the government. Where does NTEC's money go?

Mr Smith: It must cover its costs.

Mr TUXWORTH: It does. When we talk about NTEC covering its costs, can we reflect on the fact that NTEC is $37.5m short this year because the member's colleagues in Canberra...

Mr Smith: Who is paying, the consumer?

Mr TUXWORTH: The consumer always pays. The consumer is currently paying for the $37.5m that Senator Walsh took off us this year in one swipe. There was not a word, not a representation from members opposite - nothing. Poor old Canberra is having a hard time and the Northern Territory is receiving too much.

Mr Smith: Every consumer in the Territory will pay for this.

Mr TUXWORTH: That is the essential difference between us. We are interested in the interests of the whole of the Territory and they are interested in opposing anything at all that will lead to development in the Northern Territory.

The Assembly divided:

| Ayes 17 | Noes 5 |
|---|---|
| Mr D.W. Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Finch | Mr Leo |
| Mr Firmin | Mr Smith |
| Mr Hanrahan | |
| Mr Harris | |
| Mr Hatton | |
| Mr McCarthy | |
| Mr Manzie | |
| Mrs Padgham-Purich | |
| Mr Palmer | |
| Mr Perron | |
| Mr Robertson | |
| Mr Setter | |
| Mr Tuxworth | |
| Mr Vale | |

Motion agreed to; bill read a second time.

Committee stage to be taken later.

## SUPREME COURT AMENDMENT BILL
(Serial 151)

Continued from 29 August 1985.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, this bill is preparatory to the Northern Territory setting up its own court of appeal. It is intended that there be a court of appeal for civil matters and a criminal court of appeal. This is what occurs in most other states. These amendments basically take out of the Supreme Court Act references relating to criminal appeals and provide that those appeals are covered by the appropriate provisions in the Criminal Code. These were passed as part of the code but have not yet commenced.

Currently, appeals from our Supreme Court go to the Federal Court. However, the Northern Territory and Commonwealth governments have agreed on the necessary legislative amendments and the latter's legislation has already been passed and is awaiting proclamation. The date will be the subject of discussions between the governments so that the whole set of changes by both are coordinated. The minister said they were hoping it would be as soon as possible but gave no further indication of likely dates. The amendment is seen as an inevitable step on the road to statehood. No doubt, the retirement of Mr Justice Muirhead, the last Northern Territory judge of the Federal Court, has been a factor in the timing of these amendments.

In introducing the bill, the minister spoke in terms of the obviously desirable situation of having Northern Territory judges decide upon Northern Territory matters. The problems of the lack of sufficient numbers of judges, cost implications, court rules and court time and facilities were raised. However, the minister stated that he was satisfied sufficient arrangements can be put into place to allow a system of appeal which will be more efficient than that which applies currently. The minister did not elaborate on this but, given the recent problems in the magistrates courts and the length of time it took to obtain the Supreme Court judges rules for the Motor Accidents (Compensation) Act, the public should be informed on how it is planned to overcome these problems. Despite those few queries, the opposition supports this legislation.

Mr ROBERTSON (Constitutional Development): Mr Deputy Speaker, I wish to be briefly associated with this bill simply because of my time as Attorney-General for the Northern Territory. I wish to indicate how pleased I am to see this final legislation necessary to give effect to a fuller appellate bench of the Supreme Court of the Northern Territory. It was pointed out by the member for Nhulunbuy that the Criminal Code, through its uncommenced division, will provide for the appellate jurisdiction in respect of matters determined under it. This legislation clearly covers areas of law which are not encompassed in terms of appellate jurisdiction in the Criminal Code.

I would like to record my appreciation of the encouragement given to me at the time that I was Attorney-General by the recently-retired Chief Justice of the Northern Territory, Sir William Forster, and his successor, Mr Justice Muirhead. Both were a credit to the bench of the Northern Territory Supreme Court and, indeed, would have been a credit to the bench of any Supreme Court in this country. One must take exception to comments in a certain rag in Canberra which made terribly disparaging comments about our courts.

I believe that we have very good reason in the Northern Territory to be singularly proud of the way in which our Supreme Court is being staffed by its justices and the staff who work under them. Certainly, judged by any yardstick, the 2 persons that I have just mentioned would be as fine members of the bench as any that one could ever wish to find. They both held the

bench and its standards and traditions in the highest regard. They maintained those standards with absolute diligence, strength and determination. It is also of some satisfaction that Sir William Forster indicated to me that he would be willing to continue holding a commission - call it a dormant commission if you like - as a member of the bench of the Supreme Court for the purposes of assisting that bench in appeal matters which may arise when we have our own appellate jurisdiction. This is notwithstanding, as we would probably all agree, that he is getting on in years. Such is his love of the Northern Territory. My recollection, and the Attorney-General will correct me if I am wrong, is that Mr Justice Muirhead has indicated a similar willingness to assist. Indeed, I would imagine that other judges retiring from the normal workload of day-to-day administration of justice in the Northern Territory, be it civil or criminal, will probably wish to provide their services to the bench when it is needed.

There are 2 other people whom I would like to mention. Oddly enough, the first is the former Attorney-General, Senator Gareth Evans. Despite what some people might think of him as a centralist, he was quite the opposite in this exercise. Gareth's encouragement to me to form this appellate bench and to set in train negotiations to achieve it was a great help indeed. It is clear that the same attitude is being adopted by his successor, Mr Lionel Bowen. They genuinely believe that a Supreme Court clearly is not a whole Supreme Court - if I may be forgiven for using that term - without its own appellate division.

Obviously, the best people to administer justice in terms of the public sense of balance and proprieties within a particular jurisdiction is the bench in that jurisdiction. It is unreasonable to expect that the Northern Territory would continue forever to have as its first court of appeal a bench comprised of people from beyond its borders. Although we have great regard and respect for the members of the Federal Court of Australia, clearly they are not in a position to understand the aspirations and the balance of society in the Northern Territory. Obviously, judges who reside here and come to love this place can express through their judgments a greater understanding than people who live beyond our borders.

It gives me great pleasure to support this legislation and I trust that, through the continuing efforts of the current Attorney-General of the Northern Territory, we will very soon have, in the fullest sense, a Supreme Court of the Northern Territory complete with its own appellate system of jurisdiction, both civil and criminal.

Mr PERRON (Attorney-General): Mr Deputy Speaker, the member for Nhulunbuy raised a couple of matters. I do not have much information to pass on to him. He mentioned problems in the magistrates court and how long it took to have rules operating in the Supreme Court for the Motor Accidents (Compensation) Act. He asked that I be mindful of these matters before we set up an appeal court and find ourselves buried in paperwork with the machinery unable to operate.

Firstly, to my knowledge, the only trouble we have had in the magistrates court was some months ago when at least 2 magistrates unexpectedly went off duty because they were unwell. There were quite a number of part-heard cases and we were not sure for a while how long they would be off duty. If I recall correctly the latest information prior to my having taken some leave recently, it gradually became evident that they would not be coming back. In fact, any trouble we have had with the magistrates court was unexpected. It was not as if we were buried in bureaucracy without the procedures to cope.

There was mention of the situation regarding the Supreme Court and its rules. These days, we have modern equipment that is capable of processing such voluminous documents. An enormous amount of work has been done since self-government on developing the rules and procedures for our judicial system. I can assure members that I will satisfy myself that we will not commence an appeal court in the Northern Territory until such time as we are prepared for the workload. It will need to be satisfactorily equipped with procedures to deal with the volume of work that will come before it. That flexibility rests with the government.

The legislation now before the Assembly will come into effect on a date to be proclaimed. Of course, we have to finalise some matters with the Commonwealth prior to establishing this court. We are not quite there yet but we propose to commence as soon as we reasonably can. It is as simple as that. We hope to be able to commence on 1 March but, unless I am satisfied that we are ready, I will not give final approval. As the Leader of Government Business said, this is a significant constitutional step for the Northern Territory. It is another first and another small part of the history of the emerging seventh state of Australia. However long it takes, this is certainly a step in that direction. I thank the opposition for its support.

Motion agreed to; bill read a second time.

Mr PERRON (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 (Leader of Government Business): Mr Deputy Speaker, I move that the Assembly do now adjourn.

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, last night I witnessed a ceremony which is becoming an annual affair in the Territory: the presentation of the Territory Tidy Towns awards. I would like to endorse a couple of remarks by His Honour the Administrator who said that it was a unique gathering because of the number of people who had been brought together from communities both large and small from right across the Territory. Those people came to receive incentive awards and the more prestigious awards. For ease of administration, electorates of roughly the same size have been grouped together for the purposes of judging. I dislike the political implications which could be associated with that.

In the Sadadeen electorate, I have always given praise to Ashley Meaney and his good wife, Jan. They have organised the Territory Tidy Towns competition there since the days when it was the electorate of Alice Springs. Together with the group of people whom they have been able to gather around them, they have indeed been very successful. During the very first competition, a tremendous effort was made to remove truckload after truckload of rubbish which had been dumped in the bush just east of Alice Springs over the years. We did not gain an award on that occasion but, nevertheless, I was very impressed with that effort. It did not impress the judges but over 30 truckloads of rubbish were removed from that area.

In the days before the 2 km law, there were many areas in the Alice Springs electorate where bottles were scattered on the ground. People from

Giles House would go out day after day to pick up the bottles. They would never find a whole bottle because all the bottles had been smashed to smithereens. Picking up a whole bottle is easy but picking up dozens of broken bottles is very difficult. The 2 km law has played a tremendous part in helping to clean up the town and greatly improve race relations. But that is not the point at issue here.

For the work they have done, I pay tribute to the following people and organisations: Ashley and Jan Meaney, Len and Phyl Kittle, Giles House and Mrs Daph, Christine Franks, the council, the Department of Community Development, the Conservation Commission and the people in the electorate. Their many contributions have allowed the electorate of Sadadeen to win the section C award twice. I should not forget to mention the hard work of Frances Smith and her husband, Clarie, who live in my street. Others have moved out of the street and down to Adelaide. They have been instrumental in beautifying Undoolya Park behind Burke Street. They planted trees there and watered them daily. It is a great community and I dips my lid to it. I give these people the credit they so richly deserve.

One thing does disturb me a bit. I came back from overseas to find a number of newspaper clippings. One said: 'Territory Tidy Towns Signs to Go'. That was a council decision. Territory Tidy Towns had requested that we erect those signs to indicate that it was the Territory's tidiest electorate in 1984 and thus help promote the competition. My only involvement was that Mr Meaney requested me to contact the Department of Transport and Works to see if it was willing to help. It was very willing and I appreciate the efforts of the people who helped to make the signs. I left the actual location of the signs up to Mr Meaney and the Department of Transport and Works. They were erected about 10 weeks ago.

When I returned, I received a message to contact Territory Tidy Towns in Darwin. I spoke with the lady who sent the message. She seemed to be very keen to know about the level of cooperation between our group and the Alice Springs Town Council. I told her the story. Incidentally, 2 of the signs were erected on roads controlled by the Department of Transport and Works and the other 2 were moved to areas under its control. There are no signs on council land now.

The council did not seem to be concerned about the signs at first. However, there were several indications that some phantom person objected to the signs. A council alderman indicated that he had been approached to have them removed. Even the lady from Territory Tidy Towns said that she had been contacted about having the signs removed. People are entitled to their points of view but Mr and Mrs Meaney were disappointed. They put in a special effort this year to try to take out the top award for the Territory's tidiest town. One can understand that, after the special effort they put in this year, they were a bit disappointed.

On their behalf, I spoke quietly to one of the judges about what I saw as certain difficulties. I asked how they can judge the efforts of a naval base, which has a somewhat captive population, compared with an electorate which certainly does not have a captive population. He said that he could appreciate my concern, but the key factor is the level of cooperation that is obtained from the public. He said that the judging was very close. In fact, they re-examined the 4 winners in the 4 categories very carefully. It was that close. It suddenly clicked about my being questioned on the cooperation between Territory Tidy Towns and the Alice Springs Town Council. I believe

that there is a phantom person behind this. We will never know for sure but the Meaneys and myself will always suspect that, because of some petty jealousy, some person may have cost Sadadeen and Alice Springs the honour of being the Territory's tidiest town. I have no way of knowing but the suspicion will remain. I impose this curse on that phantom person: when he plays indoor cricket, may all his scores be ducks and may all his chooks turn into emus and kick his dunny down.

The other matter that I wish to talk about tonight is privatisation. The last time I spoke about privatisation, the member for Nhulunbuy interjected about telephones in Scotland. That tended to throw me, I must confess. I do not know whether he has been to Scotland. I had the privilege of going there a few years ago. Scotland covers a fairly big area and it has some large cities: Edinburgh, Glasgow and many others. I presume that he was really asking how people in the more remote areas fare under the privatisation of British Telecom? I can assure him that they fare very well indeed. The once considerable waiting time in many areas in the United Kingdom has virtually disappeared. Since British Telecom became a private company, a great deal of modern technology has been installed. Before it was privatised, guarantees were required in relation to the provision of services to remote areas. I would not be half as happy about supporting privatisation if I thought that the people in our remote areas would not be looked after.

Before British Telecom became a private company, conditions were imposed on the company as follows: it must continue to provide a comprehensive telephone service where reasonable demand exists; it must maintain emergency and rural telephone services, including that very expensive and often vandalised item, the telephone box; and it must connect its systems to competitors' systems. Some people in Telecom would have liked to have gone from a public to a private monopoly. That is even better than a public monopoly because it is not propped up by the taxpayers. There is also quite a deal of competition in the provision of data services. Many companies are setting up data services using Telecom. They are competing with Telecom and the British people are getting a good deal.

There are many more things that one could say. The concerns about privatisation are real. The policy of the Adam Smith Institute is to examine carefully the views of people who are concerned about privatisation to see how they can be accommodated. There are many different strategies open to governments to guarantee that services will be provided. In reality, the guarantees are often not required. Amazingly, in the more remote areas, the person who delivers mail also delivers fresh fruit and vegetables. There are endless stories to illustrate my point.

I see my time is running out. I will keep the serial going because I can assure you it is of interest. It is something one cannot dodge; I am not dodging it. The experience in other places illustrates that the fears that many people have expressed, including my own fears and those of the Leader of the Opposition, are often groundless as services are provided in a meaningful and proper way.

Mr SMITH (Millner): Mr Speaker, I and a number of others continue to be appalled by the ineptitude of the Chief Minister and Treasurer in the administration of his Treasury portfolio. On a number of occasions during question time at these sittings, we heard the Treasurer deferring answers to questions that I asked on Treasury matters because of his inability to master his portfolio.

This afternoon, I sought to find out why the statement of public accounts for the 3 months ending 30 September 1985 has not yet been published. It is a very relevant question because, last year, the statement of public accounts for the same period was available on 31 October. You may also remember, Mr Speaker, that, at the last sittings, we raised the same question concerning the previous statement of public accounts. That too was late compared with previous years. It is now 14 November - 2 full weeks later than last year. We still do not have the documents.

What is even more amazing is that, when I asked the Treasurer when the documents would be available, he did not even seem to know what I was talking about. He indicated that he had confused the quarterly accounts with statement 6 of the Treasurer's annual financial statements, and he indicated that he thought statement 6 would be tabled next week. Statement 6, as I hope all of us except the Treasurer would know, forms part of the Treasurer's annual financial statement which, according to section 21(1) of the Financial Administration and Audit Act, the Treasurer must transmit to the Auditor-General as soon as practicable after the end of each financial year. A report on this financial statement is then transmitted to the Assembly by the Auditor-General and his report includes a copy of the financial statement. The Auditor-General's report was tabled by the Treasurer on the first day of the sittings this week. Statement 6 served as a basis of questions that I asked the Treasurer yesterday. Yet, this afternoon, he seemed to think it would be tabled next week. It is clear that the Treasurer does not have a proper grip on his portfolio. To be kind, it may well be that he is overloaded. Certainly, it is time that he thought very seriously about giving the portfolio to someone in his Cabinet who can handle it, along with the very basic question that we have asked in these sittings.

The other matter that I wish to address tonight is the plight of small miners in the Northern Territory. I am pleased that the Minister for Mines and Energy is here. I am sure that what I am going to talk about is not particularly new, but certainly it is a matter of some concern to small miners. We will all be aware that, for a number of years, the Mount Wells area was called the Mount Wells policy reserve area. It was restricted to small-scale miners to give them an opportunity to eke out a living if there was sufficient gold or other minerals there. Certainly, it gave them the opportunity to become involved in the mining industry. I am not sure whether I have all the miners in Darwin in my electorate but, certainly, I have a large number of them. I suspect that there are in fact a large number of people who want to become involved in the mining industry in one way or another and many of them choose to become involved through taking out small mineral leases.

Some time ago, the decision was made by the government that the Mount Wells policy reserve area would be abolished and the region would be opened up to larger companies. We now have the situation where a larger company has taken up an exploration licence over the whole of the Mount Wells area. That is of great concern to the miners already there, particularly those miners who have worked their existing lease and are looking to take an adjoining one. They are finding that impossible under the present arrangement because of the exploration licence given over the entire area. As the minister is probably aware, that is creating some ill-feeling. I would like to suggest to the minister that maybe there is a case, where a miner is already present, has demonstrated a capacity to work his mineral lease and is seeking an adjoining lease - which happens to be in the former Mount Wells policy area - for the development of some mechanism to allow that, without disrupting the government's concept of a single exploration licence over the whole area.

The other thing that upsets people is that, despite the fact that it has not been the Mount Wells policy reserve area for a long time, the Department of Mines and Energy maps still indicate that it is. That is causing quite unnecessary annoyance to people and I would ask the minister to look at that problem with a view to removing the offending words.

I want to relate an experience of one of my constituents who tried to take out a mineral lease adjoining his present lease which is actually outside the former policy reserve area. The 2 new applications that he made would have taken him into the policy reserve area. I mention it because it is an example of bureaucratic ineptitude within the Department of Mines and Energy and has caused him some considerable frustration and annoyance.

First of all, he had some trouble with the department actually locating on a map the precise position of his existing lease. In fact, on 4 different maps, his lease was located in 4 different areas. Finally, he had to go out and plot his lease himself. After doing that, he sent in the required locational figures and the department accepted them. His lease now appears on the map, on the figures that he produced. They are accurate; there is no doubt about that.

On 21 October this year, he applied for 2 mineral leases one of which is completely within the old policy reserve area and the other is partly in it. As I said, they are extensions to his present lease. The Department of Mines and Energy accepted the application for the leases. It took his money. Subsequently, he arranged for an advertisement to be placed in the NT News, as is required when you take out a mineral lease, only to receive a letter from the Department of Mines and Energy 2 weeks later saying that the 2 mineral leases were the subject of an exploration licence and therefore could not proceed. Naturally, he was upset. He had wasted time and energy on this application. It should have been pointed out to him at the time that he lodged his applications and certainly before his application was accepted and he was advised to insert the advertisement. He should have been advised that his application could not proceed because the area was subject to an exploration licence. He was caused quite unnecessary inconvenience by the inefficiency of the Department of Mines and Energy in this particular matter. I hope that the minister will address that problem to ensure that it does not happen again to other people.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, tonight I wish to speak on a subject that I raised yesterday - bureaucratic red tape that is tying up more and more small business people in the Northern Territory. This may happen in other parts of Australia and I believe it does. I am not aware of the details there but I certainly am aware of some of the details of this bureaucratic tangle in the Northern Territory.

My electorate office is in a building that is shared by 3 shops, and 1 of them is a supermarket. A brief inquiry revealed to me all the restrictions that are placed on the operators of this supermarket. The operators of this supermarket are small business people who leased the establishment in the hope of providing a service to the people in the rural area and of making a few honest dollars. I think they should be complimented as should any people who are working and paying their taxes. There are not many of us left.

I hesitate to think what I would do if I were asked to operate a supermarket or a small shop. I would be confronted with so much paperwork and red tape that I do not think that I would go ahead with it. Nevertheless,

these people persevere. I will give members some idea of the problems, the hurdles and the frustrations besetting these small business people.

I will deal firstly with the permits that these people must have. They sell pet meat because there is a well-known pet meater in the rural area and there is a market for his pet meat. Pet meat must be sold from a separate freezer and the supermarket owners must have a permit which they obtain from the Department of Primary Production.

They also sell alcoholic beverages and, as honourable members know, they must have a permit from the Liquor Commission to do that. The liquor section is, of course, not open for the same hours as the rest of the supermarket. They also sell poisons, garden sprays, weedicides and pesticides. Again, they must have a permit from a third department to sell these - the Department of Health. They also sell milk and, to do that, they must have a permit from the Department of Health. They also sell fish. They must have a permit not only to sell the fish but also to buy it. Those permits are obtained from the Department of Ports and Fisheries.

As well as those 6 permits, there is another permit which they must obtain to run a TAB agency. They have to obtain those permits before they start earning a dollar for themselves. As far as insurance is concerned, they first of all pay for a comprehensive insurance policy. They also pay for public liability insurance, fire insurance, insurance on money on the premises, insurance on money in transit to the bank, insurance to cover fusion and insurance on loss of profit. They pay insurance on 7 items.

Mr Hatton: Voluntarily!

Mrs PADGHAM-PURICH: Yes, but they could not operate successfully if they did not take out such insurance. It may be 'voluntarily' but it is 'voluntarily' with a half-Nelson on them.

Now, we come to the matter of inspections. A health inspector inspects the hygiene of the establishment - the selling of milk, poisons and probably pet meat. An inspector from the Liquor Commission inspects the sale of alcoholic beverages. An inspector from the Fire Service inspects their fire precautions. There are also auditors from the Liquor Commission for whom the supermarket operator pays.

That is not the end of it, Mr Deputy Speaker. This supermarket owner operates under the wholesalers and retailers award which I understand is different for small business people as opposed to large business people.

Mr Hatton: To the advantage of the small business people.

Mrs PADGHAM-PURICH: The honourable minister says it is to the advantage of small business people. I have been told it is to their disadvantage in comparison to big operators. I am going on information supplied to me and I understand that one of the disadvantages is that, because of the award under which they operate, the smaller operators pay more for their employees who do not work after hours. Is that correct, honourable minister? That is what I have been told. I will not bring you into the debate.

Mr Hatton: No.

Mrs PADGHAM-PURICH: As regards the inequities afforded to the small business people by the fact that they are in small business, I have been told that they pay a warehouse cost tax whereas the big operators do not as they operate their own warehouses and it is not incumbent on them to pay this tax. We are talking of a tax of about 4%.

In the same shopping complex, we have a newsagency. Not quite as many restrictions operate if one wants to sell newspapers, magazines, pencils, biros and things like that. There are restrictions associated with hiring videos. However, I was interested to learn that, before one can set up a newsagency, one must show that one has a certain amount of financial backing. I understand that, from next year, it will be compulsory for all newsagents to have a home delivery run although I understand that the newsagency in the rural area does not have that restriction put on it. I hope honourable members realise the increasing restrictions that we are placing on small businesses. I hope that the minister notes what I am saying about restrictions on people in small businesses and also my remarks yesterday on the legislation relating to the training of apprentices.

This probably does not affect any of us because, looking around this Chamber, I would say there are no small business people amongst honourable members so the problem is not really brought home to us. I know honourable members have constituents running small businesses in their electorates but most of those people are too busy trying to earn an honest dollar and do not have time to complain to their local member. I think it is incumbent on us in representing our electorates to be aware of this. Despite their socialist views, I have heard members from the other side say that they feel for the small business people in the community. Therefore, I think it is in our interest to support these people because it is on them that the sound development of the Territory depends. Certainly, it contributes something to the development of the Territory for big operators to settle here and to employ people, but the sound development of the Territory rests with these small people and we must give them all the support we can by enacting adequate legislation and ensuring its proper implementation.

Mr VALE (Braitling): Mr Deputy Speaker, I will be fairly brief. I would like to talk about a commercial TV station application for a licence in central Australia. My comments relate to 2 applications presently before the Australian Broadcasting Tribunal. I would like to take honourable members back about 4 years to when a group of businessmen in Alice Springs approached me with a request that I make a formal request that the Australian Broadcasting Tribunal come to central Australia to hear an application for a commercial TV station in Alice Springs.

Following that request, I wrote to the then Minister for Communications who, I believe, was the member for the Victorian electorate of Diamond Valley. The minister wrote back and advised me that the tribunal was very busy and that it would be several months at least before it could visit central Australia. That type of correspondence between the tribunal and the minister's office continued over a period of about 3 years. Certainly, it annoyed me and it annoyed the residents of central Australia who were looking forward to having a commercial station so that 'hopefully we would obtain much better coverage of major national and international sporting events'. But we accepted the fact that the tribunal was busy and its workload was such that it took so long to visit Alice Springs. In fact, ultimately, it did not even get to central Australia. For some reason, the proposal was put to one side and the tribunal never visited the Centre.

But the most amazing thing occurred this year when a national news report indicated that the community at Yuendumu was broadcasting television illegally. I must compliment the Yuendumu community. I think that, if it has enough initiative to get its act together and start broadcasting within the community, it deserves 'A' for effort. In fact, I played some small role with that commercial station.

The most amazing aspect of it all was that, although the Australian Broadcasting Tribunal was 'too busy to come to central Australia' over a 3-year period and, despite repeated requests, was not able to get there, within a matter of weeks of the national publicity concerning Yuendumu, the Australian Broadcasting Tribunal was there, held a formal hearing of the Yuendumu application and, within 30 days, licensed the TV operation. Following that, the Minister for Aboriginal Affairs, Mr Holding, presented Yuendumu with something like $30 000 to assist it. Certainly, I have no objection to the Yuendumu community receiving that amount of money. However, I think it is rather hypocritical that, in one breath, the Australian Broadcasting Tribunal was too busy and, over a 3-year period, was unable to visit central Australia, and yet, in the next breath, it was in central Australia and licensed the Yuendumu broadcasters formally.

Tonight, I want to speak about the 2 applications presently before the tribunal. As you are aware, the commercial station in Darwin is 1 of the applicants and the second is the Central Australian Aboriginal Media Association. I am of the opinion that the CAAMA application would be dealt with more properly under an ethnic broadcasting proposal rather than a broad-based community cover. I have no objection whatsoever to the CAAMA organisation or the Verdi Club in central Australia or any other community-based organisation seeking a broadcasting licence and, indeed, gaining one. I think it would be a great step forward for the Aboriginal community to have such a licence. However, I repeat my belief that such an application should be more properly dealt with on the basis of an ethnic licence rather than a general community licence. I think that it would be a great disappointment in central Australia if the commercial licence for what is being referred to as the central Australian footprint, if my memory is right, from the AUSSAT satellite were granted to CAAMA and not to a commercial station which would serve not only the Aboriginal people but all people in the region north of Port Augusta and, if my understanding is correct, as far north as Katherine.

I emphasise that I have no objection whatsoever to the Central Australian Aboriginal Media Association gaining a licence, but I hope that, when the final decision is made by the Australian Broadcasting Tribunal, the general community licence is not granted to a community-based group such as CAAMA but that the wider needs of the whole community are recognised. However, I fear that the Aboriginal organisations in Canberra, through federal funding, have just presented the Central Australian Media Association with a cheque for $1.4m which is close to the total amount required to set up television broadcasting for the central Australian regional footprint, as it is commonly referred to.

Mr BELL (MacDonnell): Mr Deputy Speaker, apropos the comments made by the member for Braitling in relation to the broadcasting at Yuendumu, I heard him say that the Australian Broadcasting Tribunal was extremely expeditious in dealing with an application from it but had been quite dilatory in dealing with applications from organisations that had made representations to him and on whose behalf he had in turn made representations to the federal Minister

for Communications. I think that it is worth while to point out that the reason the application had to be made to the Australian Broadcasting Tribunal in the case of Yuendumu was because the transmitting station was breaking the rules at that stage. There was an urgent need to formalise this limited broadcasting because it was not taken around the community by landline or whatever. It was broadcast over a radius of a few kilometres and therefore required some particular formalisation by the Australian Broadcasting Tribunal. The member for Braitling may be interested to consider that matter further.

The reason that I rise in this evening's adjournment debate is to raise some matters in relation to the Department of Lands and the activities of the Northern Territory Housing Commission in Katherine. I preface my comments by pointing out to honourable members that the adjournment debate now provides one of the few remaining opportunities for shadow ministers to pursue matters such as these where people make representations to the opposition in the hope of obtaining a fair hearing or perhaps in the belief that the government may require scrutiny in particular areas. In Katherine, 3 matters have come to my attention that I wish to raise this evening.

The first relates to draft planning instrument K68. I do not have details of this particular draft planning instrument with me at the moment but I am advised that it affects lots 2157 and 2158 and that they are to be rezoned as part of Katherine east stage 2. I am not completely sure in that regard. I understand that K68 is open for public comment and that the period during which public comment will be accepted will close on 28 November.

However, it appears that, currently, houses are being built on both of these lots. Eden Constructions is carrying out a contract for the Housing Commission - I believe it is No 524 - to build a house on lot 2157 and that AA Constructions is carrying out contract No 526 for the Housing Commission on lot 2158. I bring that matter to the attention of the Minister for Lands and I trust that he will act on that appropriately.

The second matter I wish to bring to his attention has been the subject of correspondence between the minister and myself. I refer to the effects of blasting in relation to the Katherine east stage 2 land development and a letter I wrote to the minister on 24 September in which I raised concerns about the physical effects of blasting on neighbouring houses. I understand that the occupants of some of those houses have been concerned that structural damage has been occasioned by this blasting. I believe that the concerns of those people should be placed on record in this Assembly so that they can be reassured about the activities of the developers and the bona fides of the government departments involved, specifically the Department of Lands.

The third matter I wish to comment on involves the actions of both the Department of Lands and officers of the Northern Territory Housing Commission. It relates to the effect on a particular couple who live in Katherine. I refer to Trevor and Denise Surplice who occupy a house on lot 1668 in Forscuit Place in Katherine. I have no doubt that Trevor Surplice is known to many people - including the Minister for Primary Production who is also of course the Minister for Lands - as an erstwhile ALP candidate for the seat of Elsey and, more recently, as the organiser for the Australian Meat Industry Employees Union in the Katherine region.

Mrs Padgham-Purich: We know about him.

Mr BELL: I presume that the honourable minister will not allow any feelings he may have either about the Australian Labor Party or about the Australian Meat Industry Employees' Union to colour his judgment in respect of the situation of Trevor Surplice and his wife.

Mrs Padgham-Purich: Of course he would not.

Mr BELL: I am deeply concerned at interjections from both the member for Koolpinyah and the Minister for Lands and Minister for Primary Production because it suggests to me that they may be having a little difficulty. Certainly, I do not expect that objectivity is a particularly strong point with the honourable member for Koolpinyah. However, I have some faith that the Minister for Lands has some capacity to distinguish between the difficulty that a particular family might have in gaining and securing adequate accommodation in Katherine and the activities of Trevor Surplice, be it as a political candidate or as a union organiser. I have every confidence that the minister will be able to do that because of previous dealings I have had with him.

I raise that as a matter of concern because of the correspondence that has occurred between Mrs Surplice and the minister in relation to rezoning in the vicinity of their battleaxe block in Katherine. As you will be aware, Mr Deputy Speaker, a battleaxe block is a block that is boxed in on 3 sides and has access by a driveway up the side of an immediately adjoining block. Hence, it has the shape of the battleaxe. The difficulty that has been experienced by several owners of these battleaxe blocks in Katherine is that, with the Katherine east stage 2 development, they have been hemmed in virtually on all sides. The concern of the residents of these battleaxe blocks is that they were not aware of the rezoning proposals at the time that they negotiated with the Northern Territory Housing Commission to buy these blocks.

To place it on record, in October 1983, Mr and Mrs Surplice were shown several houses in Katherine of the particular Housing Commission style that they were interested in and they specifically selected the house on lot 1668 because they had been told by officers of the Housing Commission that parkland would be retained in the rear of that particular block. They made representations to the minister in a letter on 6 September 1985 expressing their objection to the erection of houses at the rear of that block. The minister pointed out in his reply that they should have known about it because there was a draft planning instrument to rezone it. There was public comment from 15 September to 13 October 1983 and the rezoning was gazetted on 18 April. 'Caveat emptor', the Minister for Lands has said.

I sincerely hope that the Minister for Housing will be apprised of the contents of my speech this evening because, quite obviously, this concerns him. The Minister for Lands, in reply to Mrs Surplice, went on to say, and I quote from his letter:

> 'I have a copy of a letter dated 16 January 1984 which was written and sent by you to the Northern Territory Housing Commission prior to the purchase of your property. It is evident from this letter that you were aware there would be 5 separate blocks created with fencelines common with your property'.

I think that any intelligent person would perceive how sophistic that comment is - sophistic because the minister points out that the Surplices were

aware that there would be 5 separate blocks created with fencelines common with their property. They certainly were aware that there would be 5 properties but they were also acting on the belief that one of those blocks was rezoned for parkland and would not be resumed for residential accommodation. I believe that they have been treated rather harshly. Without knowing all the parameters of the Katherine east stage 2 development, it is a little difficult to understand why they have been treated in this fashion. I look forward to a more satisfactory explanation from the minister in this regard.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, along with a number of other members, last night I attended the presentation of the Territory Tidy Towns awards. I want to say a few words about those awards because they impacted pretty heavily on the Victoria River electorate. In fact, the electorate of Victoria River took out 18 individual awards. Of course, it would be very difficult to enter Victoria River into the Territory Tidy Towns awards as an electorate. I have been saying quite a lot recently about the beautiful area that I represent and the number of very interesting places in it. I would just like to mention the places which received awards within the electorate.

It was said to me that the police stations around the Territory took out awards because they were given a direction by the commissioner that they had to make an effort. I do not doubt that he said that they should make police stations around the Territory look as good as they do look. I am sure he did. The police stations that I see fairly regularly are a credit to the force.

In the special effort awards for schools, 2 schools in the electorate won a plaque each. One was the Timber Creek Primary School. As the Minister for Education would know, that particular school was opened last year. It is a demountable school. The teacher there, Pat Atril, has done a magnificent job in getting that place together. She and her students without any assistance have transformed a bare piece of earth into a place of beauty. I think a great deal of credit should be given to Pat and her students for their efforts. I carried a flagpole for that school around half of the Territory during the year. I put it on top of my vehicle and took it via Tennant Creek to be erected at Timber Creek. I know that it has pride of place out the front. The Adelaide River Primary School is also a credit to the principal, teachers and the students there. It is a picture and their efforts have been recognised by a special effort award.

In the best business projects section, category D, Heli-muster at VRD Station received the highest award. That award is for cattle and pastoral stations. That too is a credit to the operators of Heli-muster, John Weymouth and the management, and the staff under John Armstrong. They have done a magnificent job in making that place a picture.

The special effort award for the best business project went to the Victoria River Wayside Inn. I was disappointed that neither Don nor Frances Hoare were there last night. They were last year and they received an award last year. They too have done a magnificent job. I was a little bit shy to collect the prize on their behalf because I did not know whether Don would appreciate that. Anyway, I am sure they will collect it and they will be very proud to have it.

In the best government department authority award, category A, the winner was the Department of Transport and Works' Timber Creek Depot. That depots is

comprised of very simple buildings and a very simple home on the banks of the river. Bob and Gwen Blakeney and the staff there have done a magnificent job in really putting that place on the map as probably the best Department of Transport and Works depot in the Territory. I think that they deserve a lot of credit for that.

Special effort awards for government department/authority projects was where the police stations really did well. Pine Creek Police Station won a special effort award. Charlie Ortlipp, the policeman in charge there, has done a magnificent job. He really does take a great interest in the grounds around his home and around the police station. They really are magnificent. I have enjoyed a few barbeques there. It is a thoroughly beautiful place to spend a few hours.

The Kalkaringi Police Station received an award. Kalkaringi is a community near Wave Hill and has a mixed Aboriginal and white population. The police station is a picture; it really is. It is on the banks of the Victoria River. They have a pool on the river which they regard as the police pool; I do not know that anyone else would dare touch it. Recently, I spent half an hour having some lunch at that lovely spot. Peter Budden and Bob Allen have kept that going extremely well. I do not think it is simply because of the commissioner's direction.

In the best group or community project, a special effort award went to the Elliott-Newcastle Waters Aboriginal Housing Association. I do not know whether members have been through Elliott recently. I would have to admit that, over many years, I drove through it and hardly realised I was driving through it. Recently, it has really progressed and I understand it will have community government by the end of the year. That is something that I pushed for strongly last year and I am glad to see it happening. The Minister for Community Development has been very keen to see that go ahead as well. Martin Tilney even had his crew out painting the electricity poles up to a certain height. I do not know where they got the paint from but half the town has been painted that colour. It really is a picture - they really are doing a great job at Elliott.

I come now to the winning towns. While we did not pick up first prize, Batchelor took out joint second prize and we are very proud of that. Batchelor continues to improve with less and less help from the Territory government. We hope to take out the top award again before too much longer. I give a great deal of credit to the committee in Batchelor and the committee of the newly-formed bicentennial authority which is developing the 3.5 ha park in the middle of town. It has great plans for it. I have not told the minister about it as yet, but we will be talking to him in relation to some funding.

Joint third prize winners were Timber Creek and Wallace Rock Hole. I have not been to Wallace Rock Hole but I must get down there and have a look at it. I understand the Administrator regards it as his favourite spot. Timber Creek has really improved over the years. It is a separated town but both areas are progressing.

A special effort award went to Daly River Mission. It is a place that I have had considerable dealings with. I think it is probably the best kept and prettiest Aboriginal community in the Territory. I do not think that that could be denied. It really is a picture. It does have the benefit of the river but it really is kept well.

Elliott received a special effort award. Pine Creek has suffered the trauma of a mine opening there this year. A certain amount of trauma was attached to the development of the mine because a large number of people came into the town. However, the townspeople have taken them to heart and they are really working well together.

Peppimenarti received an award. I was involved with Peppimenarti some 10 years ago. There was nothing out there at the time. We built some A-frame buildings, and a big shed for a store and a number of other buildings there. Peppimenarti is now a very nice town and is improving all the time. Harry Wilson was present last night to collect his special effort award. Victoria Valley was also awarded a special effort award. Once again, that is due to Don and Frances Hoare.

In category D, winning towns, Victoria River Downs Station won joint third. Victoria River Downs Station is very nicely established. The homestead area is also a picture and much of the credit for that must go to the former manager and his wife, Gilbert and Gwen McCanty, but the present manager and his wife are carrying on that tradition. Wave Hill Station received a special effort award. It is beautifully kept. I thought that it could even have won this year, but that was not to be. Scott Creek Station is just on the border of my electorate. It too received a special effort award. The 5-year improvement award was won by Daly River Mission.

That is the list of places in my electorate which won prizes. I give credit to all of them. I think that they all did a magnificent job. I hope they are all in there again next year. Travelling around the Territory, one can easily see what Territory Tidy Towns has done. There is little doubt that it really has improved the Territory. Towns are taking pride in what they are doing. There is a sense of togetherness and it is a commendable effort. I would like to congratulate all the winners, not only those in my electorate but all the winners of awards and particularly the Coonawarra Naval Base which took out the overall award. As the member for Sadadeen said, perhaps they do have a captive population out there and they are able to demand a big effort. They do not have to say, 'please do it'; they say, 'do it'. At the same time, it is well kept. I would also like to congratulate the committee executive staff and the sponsors of Territory Tidy Towns. I hope that they can keep this going and no doubt the Territory, because of the efforts of Territory Tidy Towns, will be the best place to live.

Mr COULTER (Berrimah): Mr Deputy Speaker, I would like to add my brief comments on the subject of Territory Tidy Towns. Of course, I am very proud that Coonawarra Naval Base happens to be in the electorate of Berrimah. I know they worked very hard under Executive Officer Weeks and Jonathon Jones, the Commanding Officer. Northern Cement, which won another award, is also in the electorate of Berrimah, as is the Palmerston service station which has set a standard that will be hard for any other service station in the Northern Territory to emulate. It really is a picturesque and magnificent place. Of course, the Department of Community Development contributes quite a lot of money towards the Keep Australia Beautiful Committee and the Territory Tidy Towns competition. It really is the one event that brings people together from all over the Northern Territory to share in the pride which is exhibited by all the communities involved.

Tonight, I rise to speak about a report which I received recently from June Tuzewski, one of the representatives from central Australia who went to the forum at Nairobi to mark the end of the Decade for Women, along with

2 other representatives. Their attendance was financed by my department. I found it interesting to read some of the highlights of her report on the end of the Decade for Women. I quote:

> 'In 1972, the United Nations General Assembly proclaimed 1975 as International Women's Year. The objective of the year was to define a society in which women could participate in a real and full sense in economic, social and political life - also to devise strategies whereby such societies could develop.
>
> The United Nations World Conference for International Women's Year was held in 1975 in Mexico as a focal point for international observance of the year. Over 100 nations participated in the official conference.
>
> Later that year, the United Nations General Assembly adopted a resolution which established 1975-1985 as the UN Decade for Women: Equality, Development and Peace. The resolution called upon government and non-government organisations to assist in carrying out the World Plan of Action.
>
> The forum held in Nairobi in July 1985 to coincide with the official UN Conference was held to mark the end of the decade.
>
> Since independence, the Kenyan government has fostered the concept of "Harrambee" meaning "self-help", which covers all facets of Kenyan life. The largest portion of the government's budget is directed towards Education'.

I see the Minister for Education is with us tonight. He may be interested to learn that. Of course, it is also a substantial part of the Northern Territory budget. In fact, I think it is our second-highest budget allocation.

> 'Even so, not all children have the opportunity to attend school. The Kenyan peoples' acknowledgement of the importance of education has led to the introduction of a number "Harrambee" schools. These schools do receive some, but not much, financial aid.
>
> This aid is also given to emphasise the government's commitment to what is called the "District Focus". Nairobi is the largest city in East Africa, and as a consequence attracts many people looking for a better life. The District Focus is a strategy for the realisation of a more equitable distribution of national resources to the regions. It is hoped that such a focus will encourage people to remain in their traditional areas, utilising their skills to their own and the country's benefit; and not add to the capital city's growing number of unemployed.
>
> There are three female politicians in Kenya - two appointed and one elected'.

June Tuzewski was fortunate enough to meet 1 of the 26 women in the Kenyan planning committee who were responsible for the local aspects of the conference and forum. In addition, they had the mammoth task of informing and promoting the aims and objectives of the event to the total Kenyan population. This was achieved by people actually going from 1 village to another all over

the country. They carried out a review and assessment of various aspects of women's lives. This was not unlike the women in isolation program which the Women's Advisory Council is commencing this coming year. They now have accurate and up-to-date information on which they can act.

'It would be extremely difficult to say how many people attended the two events. Conservative estimates were 3000 official UN delegates, 16 500 foreign journalists and 13 000 Forum participants. The Australian High Commission expected 18 official delegates for the UN Conference, and 270 non-government organisations. Forum security had obviously been increased. We heard that for the first time women had been recruited to the Kenyan Police Force.

I received an invitation to specific cultural events to be held one evening during the Forum. The event was hosted by the Indian community in Kenya. Despite pouring rain, power failures and organised chaos, we kept our sense of humour and the hospitality by way of food and entertainment was generous.

Unfortunately, there were very few facilities for physically disabled people and this became a very contentious issue.

During the Forum, a briefing session was held by the Australian High Commission and Senator Patricia Giles, leader of the official Australian delegation. Whilst the session meant missing other exciting events, it was well attended and was certainly well received.

Arrangements were formalised during this session for a regular daily meeting between the Forum and Conference attendees to swap notes on what was happening at the two events for those who wished to attend.

However, one meeting of particular interest to me was with Mr Caran Hogue - Ambassador and Deputy Permanent Representative of the Australian Mission to the United Nations in New York, and Senator Giles. Senator Giles was presented with a petition by some Australians concerning Australian aid to the Philippines. A lengthy discussion followed regarding Australian aid programs to such countries as Indonesia and the Philippines, and the fact that money was not always spent by the recipient nation in the areas in which it was intended'.

At the official opening ceremony, there was a conference centre that normally caters for 8000 people. I understand this was packed to capacity with every inch of floor space covered with people.

'Initially entertained with African dance groups and the singing of School choirs, we then moved on to the roster of speakers, who gave their greetings. These included people like Dame Nita Barrow, Convener of the Forum 85; H E Miss Margaret Kenyatta, leader of the Kenyan Delegation; Mrs Letissa Shahani, Secretary General UN Women's Decade Conference. The opening address was by the Guest of Honour, the Honourable KSN Matiba, who is Minister for Cultural and Social Services'.

Mr Deputy Speaker, I need not tell you the strain that was placed on limited resources to provide various facilities for child care, religious

observances and so on. It was truly a mammoth task for the organisers to arrange. There were also various craft exhibitions, live shows and technology and tool exhibitions. Appropriate technology advisory committees have become popular. Indeed, in the Northern Territory, we have Mr Bruce Walker in central Australia. He would have been interested, I am sure, in the technology displays that I have heard about in this report on the Kenya conference.

> 'The theme of Technology and Tools was: "If it is not appropriate for women - it is not appropriate"'.

You would be aware, Mr Deputy Speaker, that the women in some of the third world countries do a lot of the work. In fact, I have just bought my wife a lightweight wheel barrow and a new axe for Christmas, and I have promised her a new welder for her birthday. I have often seen your wife doing a fair bit of gardening as well, Mr Deputy Speaker, so we really must recognise that women do a lot of work. No doubt, the Minister for Mines and Energy's wife does quite a lot of work at the fish farm from time to time as well.

> 'At least twenty countries from around the world featured special displays and approximately forty countries provided resource personnel. Australian interest in this area was the presence of an Aboriginal lady from Ernabella by the name of Yipati who demonstrated batik work in the workshop on income-generating projects. Yipati took a great interest in the various projects, and in fact used one of the small charcoal stoves, developed in Kenya (instead of a frypan), to melt wax for her batik demonstrations.
>
> The fact there were no items similar to those developed by the Central Australian School of Appropriate Technology only served to highlight to me the individuality and potential of our appliances. It's with regret that I note this missed opportunity for furthering international trade and goodwill.
>
> Technology and tools was divided into six main workshops: food processing and storage technologies; health, including water and sanitation; communications technologies; energy technology; agricultural technology; and income-generating technologies'.

Mr Deputy Speaker, I know that you would share my interest in this area. We are talking about Aboriginal enterprise and about getting on with the job. I have spoken in this Assembly during this sittings about my belief that women are the salvation of many of these communities. I have had many discussions with you and we have discussed this matter at length. I believe that these women really have the ability to provide Aboriginal communities with the direction that they need. Some of the information that has been gleaned from the Nairobi forum will be highlighted and implemented within the Northern Territory.

On that point, I had the opportunity recently to attend a conference at Araluen in central Australia. It was run by the Central Land Council and the subject was appropriate technology. I have written to Mr Yunupingu of the Northern Land Council to suggest that he should run an appropriate technology workshop in the Top End similar to the Alice Springs one. I believe there is much to be gained by conducting such workshops, and I look forward to his reply.

Education is a cornerstore. By looking at appropriate technology and by looking at the way that some of these women are doing things, I believe we can learn a lot. I give particular credit to some of the women's resource centres which are being established in the bush. I believe they provide us with a whole new dimension of self-determination and equal opportunity on Aboriginal communities.

Forum 85 produced a daily newspaper which was put together by a team of international journalists who were visiting East Africa. Participants undertook field trips to various handicraft shops, schools and a partly-completed women's centre. I quote:

> 'This Centre is physically being built by women themselves. The nearest water supply for this village is 20 km away. Wood also has to be carried great distances.
>
> At each village, we were greeted with much handshaking and clapping, given refreshments and entertained - again - with lots of singing and dancing'.

There was a Peace Centre in Nairobi for the various organisations concerned with that aspect. Many workshops were held, covering a whole range of issues, including women in politics, and they were enthusiastically received and well-attended. Many of the topics overlapped but I understand it was an extremely successful forum.

Since returning to the Northern Territory, Mrs Tuzewski has given many talks and I have been present when Norriwu, the Aboriginal lady who went to Nairobi at the expense of the Northern Territory government, has also spoken. I would advise all members to take the opportunity to speak to any of the 3 ladies who went to the Nairobi forum.

Mr SETTER (Jingili): Mr Deputy Speaker, I too have concerns for Aboriginal communities for a number of reasons. My speech this evening will allude to some of those concerns.

I will begin by drawing your attention to my concern about drug abuse and, in particular, the dangers I see looming on the horizon. These are dangers we have possibly not yet recognised because they fall outside normally-accepted guidelines. I was particularly pleased to hear the Chief Minister pay tribute earlier today to Operation NOAH which was conducted yesterday throughout the nation. Operation NOAH was designed to encourage people to pass on to the police any information they might have about the selling, growing, importing and manufacturing of illegal drugs. We all know the dreadful results of addiction to such drugs. For example, our youth are destroyed, our family and community life are destroyed and there is the inevitable link with organised crime. The latter should not be dismissed lightly.

We have seen and heard recently of drug hauls and persons being apprehended by the police. For example, some tonnes of drugs were brought into the Northern Territory by an overseas vessel which was subsequently scuttled off our coast. We have heard of cannabis being grown on Melville Island and in other places, even quite close to Darwin. We learned of several major raids made in rural areas of Queensland during the past couple of weeks. One raid was almost like something out of a James Bond novel. RAAF helicopters were used as police and other personnel raided a property north-east of Charleville. They seized many tonnes of cannabis and thousands of plants.

These are the successful apprehensions. Just imagine the damage that the vile substance would have done to our youth had it not been detected. However, what continues to concern me is that we do not know how much slips past our detection forces to find its way into the hands of our young people. I hear stories around this town of how one can go to certain places in this community and quite readily obtain certain drugs.

I must take this opportunity to commend the police, the Lions Clubs and those people who responded by phoning in information and whose participation was absolutely essential to the success of the operation. I understand that 47 000 pamphlets were distributed throughout the Northern Territory. I would like especially to thank those people from within my electorate who assisted me to distribute 1500 of those pamphlets over the last week or so. It was pleasing to note that 129 calls were received by the police in the Northern Territory which I understand is a better per capita response than in most states.

There are other drugs in our community which are having a detrimental effect on us. I am sure that we would all be acquainted with alcohol, some better than others perhaps. There are 2 drugs to which I would like to draw attention tonight. These are drugs which go almost unnoticed in our community, but I would certainly suggest that we should start to pay attention to them. I draw attention in particular to kava and betel nut. Let me deal with kava first of all.

As members have no doubt heard, this substance has recently become popular with people living in Arnhem Land and adjacent areas. Kava is a drink prepared from a tropical plant, methy sticum. It is a member of the pepper family and grows naturally throughout Melanesia, Polynesia and Micronesia. It is cultivated widely for domestic use by the people living in the many islands which abound in that region.

The kava currently being consumed in the Top End is imported from the region I mentioned. It comes in powder form and it is widely available in that region on supermarket shelves. In fact, I saw it quite recently in Vanuatu. You can buy it as a little packet of white powder and it is quite legal to import it into Australia. In the Pacific region, kava is consumed in a traditional manner and it has some spiritual and cultural meaning to those people. It is in fact integrated into the lives of the native people. For example, in Vanuatu, it is consumed daily at sunset by almost all adult men. Strict rules govern the places where it can be consumed and, in fact, they use a beautifully carved bowl in which they mix the substance. The exclusion of women and children is a very important factor when the men are consuming kava. In fact, that time of the evening, around 5 pm, they affectionately refer to as kava time.

Kava is simple to produce as it only requires the powder to be contained in a porous cloth and to be soaked in a bowl of water, mixed around and then strained. It is then ready for consumption. Kava has a local anaesthetic property which results in a numbing of the mouth and tongue when drunk. It also relaxes the muscles and, in time, induces a deep and natural sleep. In Vanuatu, both the member for Arnhem and myself had the opportunity recently to sample kava and I can report that, within seconds, I could sense my mouth and tongue becoming numb. It works very quickly. I cannot say that I can recommend it to honourable members. Speaking for myself, I would much prefer to consume an NT draught rather than a bowl of kava. However, it is very popular in those areas and the local people really think it is a great part of their life.

I am also told that, because of its relaxant qualities, it is a very effective means of birth control. Even though the women do not attend the ceremonies, they think it is a great idea for their men to do so. The fellows go along, have quite a few cups of kava, fall asleep and hence the control of the population.

Mr Deputy Speaker, the other drug which I mentioned earlier is betel nut. you might well ask why betel nut is of concern to me. As we all know, betel nut is produced from the betel palm which grows widely throughout Asia and Melanesia. It is not a native plant of Australia. However, I would draw to your attention that it is being widely grown in gardens in the Top End, particularly in Darwin. This has only occurred in the last 3 to 5 years or so. I even have about 3 palms growing in my own garden which are starting to produce nuts.

Mr Ede: Show us your teeth?

Mr SETTER: I can assure you they are not red.

However, my concern is that, as this plant becomes more widely grown in the Top End, it will be grown in Aboriginal communities. I do not have a problem with that at all but my concern is that local people will perhaps start to pick up the habits of Melanesians and Asians and start to consume betel nut. Melanesians and Asians combine the betel nut with lime. I can assure honourable members that I have seen people in Melanesia walking along with a long pointed stick and a tin or gourd filled with lime. They wet the stick and dip it into the lime while they have a mouth full of betel nut which they are chewing. They lick the lime and, combined with the betel nut, it has an effect of giving them a high. It is quite a severe drug and you see people with glazed eyes wandering around the streets. In fact, if you look at the pavement, you will see great red splotches where they have been spitting on the pavement. As the honourable member said earlier, their teeth are all red and corroded as a result of chewing betel nut.

I am concerned that this particular nut may in time become widely used throughout certain communities in the Top End. If we allow that to happen - and I am blessed if I know how we can control it - it will be to the great detriment of many people. Unlike kava, it does not put people to sleep but gives them a high similar to that induced by prohibited drugs. I draw that to the attention of members because I have great concern for Aboriginal communities which, at their own request, are dry communities. No alcohol is allowed onto those communities but perhaps these other drugs may become a substitute for alcohol. I urge the minister responsible to take this into consideration. Perhaps it is time that we acted in some way before it is too late.

Mr EDE (Stuart): Mr Deputy Speaker, I wish to mention a couple of problems relating to water in my electorate. I am very glad to see that 2 of my problem areas have been addressed today in a letter given to me by the Minister for Community Development. One was the problem at Bonya where, after a long and finally fruitful search, we found some water. I understand the water will be connected in April 1986.

Soapy Bore is an extremely active community. The Minister for Education may know the people there because they built themselves a school in the hope that they would have an outstation school. A year or so ago, that hope was fulfilled for a period of 6 months, but they no longer have a school.

However, that particular community is built on a long, rising slope. Unfortunately, the water tanks were all placed at the bottom of the slope and, as the community has grown, it has suffered from a very poor delivery of water. The minister assures me that he will install a 22.5 kL storage tank and a solar pumping facility. I will be very interested to see that installed.

There is one community which has yet to be tackled: Ampalatwatja which is quite a large community on Ammaroo. The particular problem there is one that I have taken up before in this Assembly: the facilities at the school are not shared by the community. In this context, I spoke about Nyirripi where the school is in the process of being supplied with electricity and yet the commmunity itself remains without it. I would have thought that, quite apart from the departmental divisions, economically it would have been sensible to put in a slightly larger generating set and provide at least spaced lighting to the community, with possibly full delivery of an electricity service. I am talking about providing part of the capacity to the community so that the community does not see the school as being a resource grabber. It would feel that it shared in the benefits of that school if it were able to gain access to some of the facilities, particularly electricity.

At Ampalatwatja, the situation is quite different. Again, however,it has no access to the electricity which is supplied to the school. However, water is one of the major problems in that area. There is a very large tank set on a 60-foot tower. An electric pump and a diesel pump have been installed to supply the school. The community's supply - and this is a community of some hundreds of people - comes from a tank which is on a 20-foot tower and is approximately a quarter of the size of the tank from which the school draws its supply.

In essence, when the school's water supply is full, there is an overflow into a far lower tank and that very low tank is then available for distribution throughout the community. Fair enough, during the day there are some 70 or 80 schoolchildren there and they and the teachers have access to the large tank. But we have a couple of hundred people in the community who have access only to the far lower tank with its very poor head of water. In fact, I would have to describe the design of the delivery of that service as being fairly poor. I was out there the other week and I found that the water was only trickling from the taps around the community. When I followed the pipeline, I found that there was a stop-cock with no top on it. Somebody had turned it off and, unbeknownst to the community, that was actually cutting off its supply. I opened the stop-cock. People now know that that particular stop-cock is there; they now have a dribbling rather than a dripping water supply.

However, the point that I would like to make is that, when the government installs services in communities - which are extremely welcome - it would go a long way towards establishing good relationships between the community and the school if more thought were given to sharing the services. Problems may be created when a new group of schoolteachers or whatever receive an excellent service compared with the very poor service which is given to the rest of the community. I think that is something that the minister responsible for installing the very welcome services should take into account. He should think not so much in terms of his own particular department but in terms of its being tied into the community.

One of the matters that is of significance in this discussion is the changes that have occurred over the last couple of years in the responsibility for various areas of what we might broadly call Aboriginal affairs or Aboriginal services. It is a point that I have made on a number of occasions. It is essential that people in communities are able to develop a stable relationship with the service deliverer. For example, if the people become used to dealing with a particular department and other departments take over the responsibility, people find that very difficult. Mr Deputy Speaker, you know from experience in your own electorate how little funding or few resources are available for the training of community government staff. Community government staff tend to learn by experience. If the government starts shifting the responsibility for various functions around, it becomes extremely confusing for the people concerned. In that context, I would refer to some of the changes that have occurred recently. I am not being critical; I am simply noting the changes and I am hoping that the right mix has been achieved.

We have had transfers along the following lines. For example, on 1 October 1984, the programming function for Aboriginal communities was transferred from the Department of Community Development to the Department of Transport and Works. Responsibility for power generation to Aboriginal communities was transferred from the Department of Transport and Works to NTEC on 14 January 1985. Aboriginal Essential Services was transferred from the Department of Transport and Works to the Department of Community Development for this financial year. That is a double shuffle. The Commonwealth-funded Public Health Improvement Program was transferred from the Department of Transport and Works to the Department of Community Development for this financial year. We are involved in a shuffle. I think it is essential that the Northern Territory government works out just where it really wants these particular functions to be. As long as it continues to swap these functions from department to department, it will create confusion which will lessen the effectiveness of community government.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

## PETITION
### Medium and High Density Housing in Palmerston

Mr COULTER (Community Development): Mr Speaker, I present a petition from 190 citizens of Palmerston relating to medium and high density housing. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders.

Petition received.

## TABLED PAPERS
### Health Reports

Mr HANRAHAN (Health): Mr Speaker, I lay on the table the following reports: Northern Territory Department of Health Annual Report 1984-85; Alice Springs Hospital Management Board Annual Report 1984-85; Mental Health Act Annual Report 1984-85; and a report on the Psychiatric Services of the Northern Territory, September 1984 by Dr G.S. Spragg.

### Local Government Grants Committee Report 1985

Mr COULTER (Community Development): Mr Speaker, I lay on the table the report of the Northern Territory Local Government Grants Committee 1985.

### Report of the Task Force on Juvenile Crime in Alice Springs 1985

Mr COULTER (Community Development): Mr Speaker, for the information of honourable members, I lay on the table the Report of the Task Force on Juvenile Crime in Alice Springs and I move that the report be printed.

Motion agreed to.

Mr COULTER (Community Development): Mr Speaker, I move that the Assembly take note of the report.

Debate adjourned.

## MINISTERIAL STATEMENT
### Aboriginal Education in Homeland Centres

Mr HARRIS (Education): Mr Speaker, whilst it is a matter of record that education services in the Territory have been improved enormously since self-government and higher standards have been obtained, there are still major problems to be overcome in Aboriginal education, especially in relation to the outstation movement. Providing an effective education for the rapidly growing number of children moving to Aboriginal homelands is both highly challenging and extremely costly. It is a matter of great concern for the government that many children in this situation are not receiving an adequate education and there are many others who are not receiving an education at all.

Along with other aspects of Aboriginal education, the government will address this problem very closely during the coming year. For the benefit of members, I would like to outline some of the steps we shall take and, at the same time, I want to focus attention on the need for much greater Commonwealth

support. The Territory is not alone in facing the outstation education problem. Some of the states are starting to be confronted with a similar situation and the matter is being investigated by a House of Representatives standing committee and, in the Territory, by a joint committee of the Commonwealth Departments of Education and Aboriginal Affairs and the Territory Department of Education. A joint Commonwealth Schools Commission and National Aboriginal Education Committee working party has also been proposed to look at the matter from a national perspective.

Comparatively speaking, the outstation movement poses much greater problems for the Territory than any of the states because proportionately, our Aboriginal population is much larger and the movement here is far more extensive. The latest information I have to hand indicates that there are 53 outstations in Western Australia, 13 in Queensland and 1 in South Australia. In 1978, there were around 186 outstations or homeland groups in the Northern Territory. Today there are approximately 360 - I say 'approximately' because the number fluctuates according to the season and other factors. We have many more such groups than all of the states combined, and there are no signs that the movement is slowing down. On the contrary, all indications are that it will continue to expand.

The government supports the outstation movement. We sympathise with the desire of parents to return to their traditional areas and to raise their children according to traditional values and to avoid alcohol, petrol sniffing and other social problems which so often afflict central communities. However, the difficulties in providing effective schooling for the children concerned are enormous. The basic approach is for homeland centres to find a suitable member who has had enough education to conduct an outstation class with the aid of school-of-the-bush workbooks, developed by the Department of Education, and with help from a visiting teacher from the nearest community school.

On my visits to outstations, I have been impressed by the commitment of the Aboriginal assistant teachers conducting the outstation classes and by the work being carried out by central schools and the visiting teachers. However, the great majority of assistant teachers are not trained, and only have a very basic level of education themselves. The visiting teachers often have great difficulty getting to the outstation classes on a regular basis because of poor communications, the isolation and the distance involved. Sometimes they have to travel by boat or plane, as well as by 4-wheel-drive vehicle and, during the wet season, contact is often impossible.

Then there are the problems posed by the different demands by different homeland groups and the lack of facilities. Understandably, these groups want to avoid outside influences. In the Top End, visiting teachers are usually not allowed to stay overnight. This situation is changing as people come to realise the need for increased contact with the visiting teachers. But there is still the difficulty of providing suitable overnight accommodation. In the Centre, some groups want trained teachers to visit on a daily basis and teach English and maths.

The differences between the various groups are so great that it is totally impractical to have a national Aboriginal education policy, as some people are advocating, with a standard approach to all situations. A national policy may please those who want to impose their own ideas but it will not work if we are to allow these groups to determine their own direction. There are no instant answers or easy solutions and we simply cannot afford to adopt approaches for

which the cost would be out of all proportion to the educational returns. At present, it costs nearly $3000 on average to teach a student at an Aboriginal community school. It costs an estimated additional $2000 to educate a student attending an outstation class. Given the rapid proliferation of the outstation movement and the disintegration of some outstation groups into splinter groups, the government must have some assurance of the stability of a group before committing resources. This is especially true where groups are requesting permanent school buildings, with all of the costly backup services which this implies, including teacher housing. The Territory government has been grappling with the problem since self-government, but its efforts have been frustrated in an uphill battle to obtain a realistic level of financial assistance from the Commonwealth.

One major problem we are facing with the Commonwealth at this time concerns the provision of teacher housing. While some homeland communities have maintained a sufficiently stable population to warrant the provision of educational facilities, and while the Commonwealth is willing to provide funding for the construction of classrooms, the Commonwealth is not prepared to provide funds for the construction of teacher housing. However, despite the difficulties, the Territory has made some progress in outstation education and I am pleased to say that we are taking steps now which could bring about significant improvements.

As a first step, we are providing funds to employ 43 additional Aboriginal assistant teachers for outstation classes throughout the Territory. Also, we have approached the Commonwealth for capital grants for the construction of basic school facilities for outstation classes in 43 homeland communities, identified by FEPPI - that is, the Aboriginal consultative group on education - and the Department of Education. In fact, some of these facilities have been built already. Instead of having them built by contractors, however, we are distributing the money directly to the homeland communities concerned so that they can build them themselves. This approach is providing local training and employment and, as the communities are directly involved, there is reason to hope that the facilities will be better maintained.

In future, the government intends to adopt a new and more realistic approach to helping those who demonstrate that they are prepared to help themselves. We will meet our obligation to provide education services where they are required, but homeland groups will have to ensure regular attendance and be willing to help themselves before the government will commit additional resources. If they fail to keep attendance to reasonable levels or fail to send their children to the central school during extended visits to the central community, then the government will have to review its support.

Poor attendance continues to be a major problem at many Aboriginal schools, but I am hopeful that positive measures for improving attendance will result from the anti-truancy pilot programs which have been set up in 4 communities by FEPPI, the Aboriginal education consultative group. FEPPI has assumed a very active role during the past year in bringing the views of Aboriginal parents to the attention of the government, the Department of Education, the Territory and national education advisory bodies. As well as providing programs and facilities for more homeland centres, we must also raise the standard of education being offered by improving the qualifications of the Aboriginal assistant teachers. In order to do this, the department is considering a number of changes to the outstation program, the main one being regular in-service training sessions at the central school. Even in

situations where no one else can be found to conduct the outstation class while the assistant teacher attends a training session, the loss of class time will be more than compensated for by the eventual improvement in the quality of teaching.

We also intend to increase the number, and the qualifications of, trained Aboriginal assistant teachers by extending Batchelor College's Remote Area Teachers Education Program into more communities, especially in the Centre. As members will be aware, Batchelor College makes a tremendous contribution to Aboriginal education. The support services provided at Batchelor are second to none. However, one problem being faced is the replacement in schools of the teaching assistants who leave to attend Batchelor with the intention of upgrading their qualifications. In the past, those teaching assistants who have been permanent members of the public service have attended Batchelor College on full pay. While this is good in the sense that there is no financial disincentive to upgrading qualifications, the problem has arisen that they cannot be replaced at their schools for the duration of their study at Batchelor. Temporary members of the service have attended Batchelor to formalise their qualifications, but they have been in receipt of AB study benefits.

The time has come where we may have to consider the possibility of ensuring that all students studying for teaching qualifications at Batchelor are in receipt of either AB study benefits or special teacher education scholarships. This move would enable these students to be replaced at their schools for the duration of their study and give NT Aboriginal teacher trainees the same basis of support as their counterparts elsewhere in Australia.

Another problem that is more difficult to overcome, at least in the short term, is that many of the Batchelor College students who qualify to teach in Aboriginal schools find their way eventually into other occupations. This is not undesirable in itself, and it is a tribute to the education and training program the college provides. However, it is frustrating our efforts to build up rapidly a large pool of qualified Aboriginal teachers. One fact that everyone concerned about outstation education must bear in mind is that the success of the outstation education program depends to a great extent on the central school. It not only trains the outstation assistant teachers but provides the backup resources and the overall quality control. For that reason, central schools must continue to have the first call on resources for the outstation programs.

Parents living in outstation situations must realise also that, if their children are to attain even the most basic education standards, they must be prepared to send their children to a central community school for part of their education. With the best will in the world, it is impossible for outstation classes to provide an education program comparable with that which can be offered in a central school. Very worthwhile programs and activities take place in many central schools. The professionalism, dedication and enthusiasm of the teacher is directly reflected in the attitudes of the students. There is a high attendance rate and there is an obvious desire to learn. Parents are interested in the education that their children receive at these schools, and they provide a high level of support both for the schools and the teachers. However, in communities where the major interests of the teachers lie outside the classroom, there is a decline in community support and student enthusiasm.

Very encouraging developments are taking place at some community schools. At Shepherdson College on Elcho Island, where many outstation families return for the wet season, a special homeland unit is being set up as a school within the school. During the dry season, teachers from the unit visit the outstation classes and, during the wet season, they teach these same children at Shepherdson College. It is one of the more innovative approaches being adopted to provide a better education for children in outstations.

Finally, I ask for the support of all members in our efforts to obtain a much more realistic level of funding from the Commonwealth for the outstation program. I accept that education is basically a state-territory responsibility. There can be no question about that. But the Territory would be in dire financial straits if it alone were to pick up the tab for education programs and all the supporting services and facilities for the growing number of outstation groups scattered throughout the length and breadth of the Northern Territory's 1 300 000 km$^2$.

The Commonwealth has been assisting us by paying the salaries of outstation assistant teachers. It is also encouraging to see that Commonwealth assistance is now being provided through the education portfolio rather than through the Department of Aboriginal Affairs. However, obtaining this assistance has been like getting blood out of a stone. We have now arrived at the situation where it appears that the Commonwealth funding for salaries of outstation assistant teachers will not be available beyond the end of the financial year. Moreover, the Commonwealth Schools Commission has made recommendations which would result in a 10% reduction in capital grants for school facilities in the Northern Territory by 1988. Unless we can come to some arrangement with the Commonwealth, education programs for outstation classes will face a very bleak future. However, if we can obtain a continuing and realistic level of Commonwealth assistance, I believe that this, in combination with the new steps I have outlined, will at least enable us to see the light at the end of the tunnel.

Mr EDE (Stuart): Mr Speaker, let me first say that I am glad to hear that this government supports outstations. The minister said:

> 'The government supports the outstation movement. We sympathise with the desire of parents to return to their traditional areas to raise their children according to traditional values'.

I am very glad to hear that. I must admit that, in the past, when I have been listening to some of the remarks made by members opposite, I have had my doubts about that. I appreciate his assurances.

The minister referred to various bodies which are looking into the situation of outstations. I am aware that the House of Representatives Standing Committee on Aboriginal Affairs is one of these. I myself have made a submission regarding matters relating to outstations. Part of my submission concerned education. I was rather sorry to see that the Northern Territory government had not made a submission. The minister talks about the problems of coordination with the federal government, yet he did not take the trouble to make a submission to that committee.

I did not know about the 2 joint working parties referred to by the minister, which are apparently investigating education on outstations. He stated that there was one comprising members of the Commonwealth Departments of Education and Aboriginal Affairs, and the Territory Department of

Education. Another one he referred to was the Commonwealth Schools Commission and National Aboriginal Education Committee working party. I have not seen terms of reference for these joint working parties. However, I am sure that the minister, knowing the interest of members on this side of the Assembly, will undertake to provide us with copies of those terms of reference so that we can make submissions on the matter of education on outstations.

As the minister says, the numbers of outstations have doubled in the last 7 years. I recall talking to public servants and members of the Northern Territory and federal governments in 1978. I asked about their policies in relation to water supply and health and was told that the outstation movement was a short-term phenomenon. Now, 7 years later, we still have no clearly-defined policies. We still appear to be groping in the dark. This is a most unfortunate situation.

I would like to ask what the minister refers to when he talks about outstations. Does he, for example, include cattle station communities? Is he referring also to excisions on pastoral properties? Or is he simply referring to small communities or, indeed, any community which has no school? Have they now been defined as outstations and are they therefore only to get an outstation school of the low standard he describes? I would certainly like a clearer examination of the particular problems. For example, there are outstations - which the minister has referred to - where, during the wet season, the people return to the central community. This is not the situation in central Australia and it is certainly not general right throughout the Top End. There are many places where there are more than 15 students. I believe that these places should be able to apply for a normal 1-teacher school.

At the moment, there are many communities with more than 15 students which just do not have a school of their own at all. There are some outstations with less than 15 school-age children who are close enough together for it to be possible to develop a one-teacher school. However, I would like the department to resist the temptation to pull in school-age children from 50 to 60 km away for a joint school simply because the department feels more comfortable with area schools rather than the smaller single-teacher schools closer to the outstations. There are genuine outstation schools. I simply put it to him that I do not believe that he has clarified in his statement just what it is he is referring to.

I would like to talk a little about Aboriginal teachers and teacher aides. The minister said that there will be a further 43 Aboriginal assistant teachers for outstations. I would like it to be made very clear that the increase in numbers for the Aboriginal assistant teachers for outstations will not be effected by a similar reduction in the number of assistant teachers in central schools. As the minister knows, in a previous debate in this Assembly, I put it to him that, since his government took over education in the Territory, the numbers of Aboriginal assistant teachers have declined by two-thirds. That in itself is an appalling situation and an indictment of this government's commitment towards Aboriginal education. However, it does give me reason to question his genuineness. He has stated that there will be a further 43 Aboriginal assistant teachers. I am sure that he will tell me that there will be no more offsetting. However, if it is to improve, there must be changes. For example, there must be a commitment to provide an Aboriginal assistant teacher in every Aboriginal class. At the moment, there is not even an Aboriginal assistant teacher in each of the classes in the bilingual schools, as the minister knows. There must be far greater emphasis on the RATE program. We need teachers in the schools to oversee the program

and to ensure that it is effective on the ground. We require travelling lecturers to move around between the various schools that are running the program so that they can ensure that the necessary training on the ground is given. We require short courses in the students' own region to develop the RATE program further.

I have criticised before in this Assembly the policy of this government of simply believing that, by telling people that they must go to Batchelor, it will enable students from central Australia to be able to overcome the very real problems they face in coming to the Top End and staying here for long periods. It may not seem a very big thing to a person living in Darwin. However, I can assure members that, for an assistant teacher in many of the areas in my electorate, it is an enormously difficult problem either to leave his family and come up to Batchelor, sometimes for quite long periods, or to try to make some sort of arrangements so that his family can stay locally or whatever. It is an extremely difficult problem. Once again, I ask the minister to look at the possibility of developing teacher training facilities in central Australia.

Mr Harris: That is what we have said we will do.

Mr EDE: In response to that remark, I would refer the minister to the statements that he made in this speech. No mention whatsoever was made of Yirrara. He talked at length about upgrading Batchelor College and, given the way that the minister has duck-shoved on various other issues, naturally I am nervous. When I do not see a reference to it, I start to think that maybe he has moved away from it again.

Mr Harris: I am not duck-shoving anything.

Mr EDE: Mr Speaker, I would like the minister to explain why there has not been more use of some very basic technology, such as radios, which are present in outstations, so that the central schools could have a contact on a day-to-day basis with outstation schools. In that way, contact and teaching could be maintained during periods when it is very difficult to get out there physically. As we found through the School of the Air program, actual contact time can be raised some 4000% by the utilisation of a simple radio network.

The minister has referred to the differences between the Northern Territory and the states and the need for a non-uniform approach. Certainly, I agree with that. I do not think that a uniform approach, even within the Northern Territory, is appropriate. I think that it is necessary to define what you are talking about in relation to outstations, to define the different situations that you are involved in and then to work out policies within overall areas.

On page 4 of this statement, we come to one of the most amazing statements that I have heard from a minister in this Assembly. I will go over it again for the interest of members. He stated: 'We simply cannot afford to adopt approaches for which the cost would be out of all proportion to the educational returns'. That sentiment has been behind many of the remarks that the minister has made over the last couple of years. That is not a statement he would dare to make with regard to education in Alice Springs or Yulara or any such areas. It is not a statement that he would dare make in relation to the School of the Air. It is simply one that is thrown out in relation to Aboriginal education. What happened to free and compulsory education? That battle was fought for in this country in the last century. I thought that it was won but now we find that it is not won. What about equal opportunity?

Mr Harris: You tell your mates.

Mr EDE: The minister refers to 'our mates' and the money but what about the priorities of this government which can afford to spend $20m to start purchasing assets which are already existing at Yulara yet cannot afford to educate the children of this Territory. This is exactly the same attitude which this government has criticised Senator Walsh for. It is saying that, because people are living in the bush, they must accept less. We have stated that we are not happy with what Senator Walsh has said but the minister offers exactly the same argument: people in the bush must accept less because they are living in remote areas where costs are higher. What if Senator Walsh were to say that the federal government cannot afford to provide services where they are non-cost effective? It is the same argument as that coming from the person they refer to as Machine-gun Walsh. We now have Machine-gun Harris - the man who wants to depopulate the bush.

The arguments raised by this minister do not stand up to examination whatsoever. He talked about an average cost of $3000 to teach a student in an Aboriginal community school and an estimated additional $2000 to educate a student attending an outstation class. For a long time, I have asked the minister to provide me with costings on the education of schoolchildren in the bush. I know where these figures came from because I have seen them. I have seen the bit of paper from which these figures were taken. In that paper, they do not purport to be actual costs. I hope that the minister will be able to demonstrate that what I am saying is not true because the paper that I saw referred to a number of outstations in the top end of the Northern Territory. It appeared to me to focus very deliberately on those outstations which had the most problems and then came up with this average figure of $2000. I would like the minister to give us figures that actually stand up under closer scrutiny.

I would ask him also to compare it, for example, with the cost per student of the School of the Air program so that we would have some basis for comparison when talking about the costs of various programs. I think that there is a tendency to forget that there are considerable costs in a number of areas of education. Certainly, remote areas are extremely expensive but there has been no desire by this government to allow children from outstations to enrol in the School of the Air. In a couple of instances where we attempted to enrol children from outstations in the School of the Air - for example, my colleague may mention the story in relation to Kintore - the effect was to provide the initial impetus for the provision of a school. Obviously, it proved to be far more cost effective to provide a school on the ground than it was to provide education through the School of the Air.

There are continual complaints about lack of Commonwealth support. They are fair enough. However, in assessing the special needs of Northern Territory education, the Grants Commission identified an amount of $3m per annum because it recognised that many services were not being provided out bush. The government is not bound to use this money for the provision of those services but, when it does not, it makes it harder for us to take its case to Canberra.

Mr Deputy Speaker, in relation to this, I request that an extract from the Commonwealth Grants Commission's third report and also an extract from its fourth report be included in Hansard.

Leave granted.

Extract From Commonwealth Grants Commission
Third Report 1982

'3.83 For 1980-81, the commission has decided to continue to modify the Northern Territory's expenditure on education and health to take account of non-performed and below-standard services in remote Aboriginal communities. For this purpose, data contained in the Community Profile Statistical Collection compiled by the Department of Aboriginal Affairs has been used to define major and minor remote communities, to assess the services already provided and to estimate the eligible populations of the remote communities which lacked these services. Expenditure per student on education and expenditure per head of population on health in the major remote communities have been derived from tables supplied by the Northern Territory Treasury. The respective modifications have been determined by applying the cost per head of population served in the major communities to the estimated eligible population in the minor communities which did not receive the service. In this way, the commission has determined that the modification to Government Primary Education expenditure should be $3 047 200 and that the modification to General Medical Services expenditure should be $1 003 296'.

Extract From Commonwealth Grants Commission
Fourth Report 1983

'3.83 The expenditure by the Northern Territory on Government Primary Education has again been modified to allow for non-performed services in that field. An allowance of $3 242 600 has been determined by using a similar method to that used in 1980-81 and described in the Third Report 1982 (paragraph 3.83). Some small variations have been necessary due to the different volume and presentation of community-based data available for the Northern Territory'.

Mr EDE: Mr Deputy Speaker, on page 7 of his statement, the minister stated that homeland communities will have to ensure regular attendance and be willing to help themselves before the government will commit additional resources. If they fail to keep attendance at reasonable levels or fail to send their children to the central school doing extended visits to the central community, the government will review its support.

I would like for a moment to paraphrase that and, instead of talking about a homeland group or an outstation, mention Alice Springs as an example. One could imagine the uproar if one were to say to the Alice Springs community that, if it did not ensure that attendances were kept up and that it actually became involved in the construction and maintenance of its schools, it would be punished. What happens when there are unfortunate attacks by vandals in a town such as Alice Springs? The community is not punished; we recognise that there is a problem within the community and we try to find some way to overcome that problem. However, if there is vandalism in an Aboriginal community, it is the community's fault. I am putting it to you, Mr Deputy Speaker, that there is a difference in the approach of this government which is quite clear and quite blatant.

While he is talking about the cost of schools and the attendance figures, I would ask him to justify why Beetaloo in the Chief Minister's electorate, where there are only 8 students, received a 1-teacher school. How was it

possible to maintain the school at Victoria River Downs which had only 4 students? Attendance there has only recently returned to 8. Obviously, these are points that the minister did not have time to make in his original statement and he will raise them in his reply because he indicated to us that our fears that there is unequal treatment are quite unfounded.

I would like to know a few other things. I would like to know, for example, the percentage of Aboriginal school-age children who do not attend schools. I would like to know also what percentage of those cannot attend schools because there is no school to attend. I would like to know how that percentage of the total number of schoolchildren has changed over the 7 years that this government has had responsibility for education. I would like some indication as to whether it is getting better or worse. While we are at it, I would also like to know how the government can justify the wastage of human resources by not focusing far more attention on ensuring that that very high percentage of our population - by far the highest in Australia - which is not receiving any education actually receives education. That wastage is implicit in the lack of commitment towards that particular group. How can that continue? I would like the minister to tell us what plans he has to ensure that this percentage is reduced to zero.

The minister spoke about student absentee rates. I will not say that absenteeism is not a problem; it is something that I continually take up throughout my electorate. However, I would like to mention a couple of things that have come up in discussions on this particular problem. For example, numbers of single-teacher schools are closed because the teachers are pulled out because of attendance at compulsory courses, sickness or attendance at meetings. This affects not just the standard of education that the children receive but also the view that the community has of the Department of Education's commitment to providing education in that area. In comparison with the provisions of the South Australian department for emergency-release teachers, the situation in the Northern Territory is absolutely atrocious. There are virtually no emergency-relief teacher provisions in the Northern Territory rural areas. I hope the minister will bloody well say that I am wrong.

Mr DEPUTY SPEAKER: Order! I ask the honourable member for Stuart to withdraw that last remark.

Mr EDE: Mr Deputy Speaker, I withdraw.

I would ask the minister to clarify those points that I have raised. I would ask him to assure me that he is looking at the problem of emergency-relief teachers in rural areas and that he is working towards a solution which he will provide to this Assembly and which will explain how he will stop the current difficulties whereby, when 1 or sometimes 2 teachers pull out of teaching for a short period of time, the class or whole school closes down. The result of that is either an enormous load being placed on the other teachers or the students having to go home for that period.

The minister mentioned the problem of trained teachers moving off to other jobs. I would like him to provide the numbers involved. I keep hearing the statement made. I can understand that it is probably a matter of regret to the minister and probably a matter of some joy to other departments and organisations which gain the services of these people. However, I would like the minister to advise us, for example, of how many 3-year and 2-year trained teachers have been through the system over the past 7 years. He might then be

able to tell us how many of these are actually teaching out bush because, unfortunately, even in my travels I rarely run into Aboriginal teachers. I would have thought that, by now, we would have the numbers not to require band 1 non-Aboriginal teachers in the bush. Given that we are not even keeping up with the requirements, I believe that he will find it very difficult to continue to provide educational services for outstations because, as he rightly said, if the system is not working at the area school level, it will not work at the outstation school level. We have constantly seen the attacks that this government has been making on various schools in rural areas. We have seen the way that it has attacked the band status. We have seen the way that it has reduced the ability of schools to run bilingual programs. There has also been a reduction in their ability to run the RATE program. If you cannot run a RATE program, you cannot have Aboriginal teachers. If you do not have Aboriginal teachers, you do not have the basis for Aboriginal assistant teachers. If you do not have Aboriginal assistant teachers, you do not have an outstation education program. It is as simple as that.

He referred to a 10% reduction in capital grants about which I would like a little more detail. Is he, for example, referring to school facilities where they now exist or to a reduction in the level of increase in capital works on Aboriginal schools? Is he talking about the total school system or what? Because of his broad-brush approach, it is very difficult for us to take up the real point that he is trying to address. I have no problems whatsoever in going to the Commonwealth government on this and doing everything within my power to get more money but only if I can say that the Northern Territory government is doing its bit and has shown its commitment towards outstation education and Aboriginal education generally. But I cannot go down there and have my legs cut from underneath me because the arguments offered in this Assembly are specious. The best that can be said for this statement...

Mr Harris: It is not specious. It is a statement of action.

Mr EDE: If it is not specious, the minister will have the opportunity to come back at me. I hope that he will be able to refute my claim.

The best that can be said for this statement is that it indicates that the minister has not forgotten completely the people who have no access to education. However, I would hope that there is continued interest in this area and that the rather broad-brush approach we see here is followed by something which treats the subject with far more depth and offers a far better indication that the minister has ceased to take the opportunity to score political points. I hope to learn that he is actually looking at what is behind the outstation movement, and what is behind the small schools and the numbers of schools that have no education. The statement has no feeling for the children who have no access to education and who will go through their lives without knowing how to read and write. They will find it extremely difficult to develop their personalities and be able to enjoy the full advantages of society.

I would hope that my questions will be answered in the minister's reply. I know that a couple of my colleagues have some further points to make so I will finish my comments here.

Debate adjourned.

## MINISTERIAL STATEMENT
## Community Psychiatric Services

Mr HANRAHAN (Health): Mr Speaker, I wish to make a statement on community psychiatric services in Tamarind House. Early next year, for the first time the Northern Territory will have community-based psychiatric services. The government has been committed for some considerable time to ensuring an integral role for psychiatric services within the general health care umbrella offered by the government to all Territorians. That goal is now within reach.

It gives me much pleasure to advise this Assembly of 2 significant achievements: firstly, the engagement from early in the new year of a community psychiatrist for the Territory and, secondly, the allocation of the former migrant resettlement training centre at Tamarind House in Darwin as the centre of community psychiatric services for the Territory.

Following examination of the Spragg report on the psychiatric services of the Northern Territory, and a survey of psychiatric patient discharges, the government identified the steps which needed to be taken to resolve the problems of mental health services. Our first community psychiatrist, Dr Joan Ridley, will begin duty as Director of Psychiatric Services early in 1986. Dr Ridley's first task on arrival will be to advise on how the community psychiatric centre at Tamarind House is to be established and how it will be involved in the extension of services to other areas of the Northern Territory, such as Alice Springs.

The government applied for allocation of Tamarind House which I believe is an adequate facility for use as the centre of the Territory's community psychiatric services. The Spragg report recommends that separate psychiatric units be built as stand-alone facilities on the Royal Darwin and Alice Springs Hospital precincts. This is a long-term solution to the problems but the immediate implementation of community psychiatric services will provide the necessary transitional care for patients discharged from hospital.

The report confirms overseas and interstate experience that the provision of such facilities contributes to lower readmission rates and shorter hospital stays. This initiative provides a more effective delivery of services and also leads to longer-term savings by freeing up costly hospital beds needed for the full range of health care. It is accepted that psychiatric services for the Northern Territory are an integral part of general health services. The sparseness of our population, spread through the 5 identifiable health service regions - Darwin, East Arnhem, Katherine, Barkly and Alice Springs - and the very limited resources in many areas, especially in professional staff, necessitates mental health services emanating from the 2 major centres, Darwin and Alice Springs. Broadly, the services are hospital or community based. Parallel organisations exist, such as the Disabled Persons Bureau, the Child Assessment Team, and the Central Australian Aboriginal Congress. Hospital mental health services include in and outpatient clinics at Royal Darwin and Alice Springs Hospitals, and both services are headed by psychiatrists.

Community support groups for the psychiatrically disabled are provided by GROW, an organisation funded through my department by a grant-in-aid. GROW operates in Darwin, Jabiru and Tennant Creek. ARAFMI, the Association of Relatives and Friends for the Mentally Ill, provides support groups for friends and relatives in Alice Springs.

Limited rehabilitation services are available for psychiatric patients at the Darwin Rehabilitation Centre, and Kokoda Industries provides sheltered employment for some people with chronic psychiatric conditions. Community services for the intellectually impaired are primarily provided by organisations receiving grants-in-aid from my department. School-age children are catered for by the Department of Education special units, and the Harry Giese Centre includes some intellectually impaired children in its early intervention unit for children aged up to 6 years. In Alice Springs, a comprehensive life skills program is provided for 24 adults by the Bindi Activity Therapy Centre and Group Home.

A growing number of behaviourally-disturbed adults is causing concern in some communities, particularly in the southern region. Psychiatric treatment or therapy programs, such as those for the intellectually impaired, are not appropriate for behaviourally-disturbed people. Respite care and occasional behaviour modification programs are the major requirements of this group. The Department of Community Development has accepted carriage of projects for the behaviourally disturbed, with service support from the Departments of Health, Education and Correctional Services and from the police.

The government engaged the services of Dr G.S. Spragg last year to report on the psychiatric services of the Northern Territory. It should be pointed out that, while Dr Spragg identified problems within the system which my department was generally aware of, he commended the Northern Territory Department of Health as being staffed by a body of well-trained and dedicated professionals. Elements of his report will continue to be used in ongoing reappraisals of psychiatric services in the Northern Territory which provides an availability of 0.2 beds per 1000 population. That means we have an inpatient bed capacity in line with that allocated to metropolitan Sydney. Of those 30 beds available, 10 are located in ground level units in Alice Springs Hospital and 20 on the fifth floor of the Royal Darwin Hospital. In addition, there is a small forensic unit in Darwin. Ideally, patients should be maintained in the community, preferably with their parents. However, there are some conditions which can only be treated in hospital. Generally, the need for community support services has been identified, and my department is addressing that need. As community services develop in line with the availability of funds and staff, there should be a reduction in the need for inpatient beds.

In Alice Springs, community services are provided from the Community Health Centre and Community House. The Community Health Centre employs the resource team and 2 community psychiatric nurses. Community House operates on day hospital lines with referrals largely from the hospital psychiatric ward. In addition, it is available to support and supplement the efforts of the resource team. Community House provides various therapeutic and rehabilitative functions, assisting in the transition from hospital to community, as well as providing continued treatment and support in some cases. Its orientation is that of a therapeutic community.

Those people most likely to require psychiatric services include clients of the Bindi Centre, Bindi House and the Central Australian Aboriginal Congress. In the Bindi Centre, the acute need is for child psychiatry. The congress requires a psychiatrist with an understanding of the needs, problems and culture of tribal and urban Aborigines. With the exception of Bindi House, there is no hostel or halfway-house accommodation.

Although the Darwin region is adequately supplied with community health centres, there has been no mental health centre. Tamarind House will fill the gap in halfway-house accommodation specifically for psychiatric patients. It is planned to provide accommodation for day-care and recuperative-care patients. It is further proposed that Tamarind House will contain training facilities for both psychiatric nurses and Aboriginal health workers. I believe that such services will provide a solution to the problems of those in our community who need ongoing psychiatric care. Tamarind House contains 37 rooms with adequate facilities for meals and meetings. Providing this vital facility away from the Royal Darwin Hospital will mean that chronic patients, or patients recovering from an acute illness, can have direct access to the level of psychiatric assistance they need.

To put all these elements in place, considerable effort has been made by my department in the recruitment of professional staff. As I have already told this Assembly, a community psychiatrist, Dr Joan Ridley, has accepted the position of Director of Psychiatric Services for the Northern Territory. I am confident that further development of my department's psychiatric services will occur under the direction of the new specialist staff.

In the longer term, the existing psychiatric units in Darwin and Alice Springs Hospitals will be relocated to separate, purpose-built units at each hospital. These facilities will incorporate forensic and long-stay wards, in addition to acute wards. Consideration will be given to the upgrading of the Alice Springs Psychiatric Unit to provide a security facility. My department is, and will continue to be, receptive to the demands of the community. It is anxious to respond to them.

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

Mr BELL (MacDonnell): Mr Speaker, I have been accused of schizophrenia but, to this day, even in the context of speaking to this particular statement, I do not think I have quite succumbed.

I would like to preface my comments on the minister's statement by drawing attention to the purpose of ministerial statements. I have some concern about the way ministerial statements have been introduced into this Assembly, including this particular one. Mr Speaker, as a man practised in the arts of the Westminster system, you will have a deep concern for the purpose of ministerial statements. It is to introduce matters of considerable importance to the Territory for consideration by Assembly members. It is my belief that, when each statement is introduced, unless the opposition wishes to adjourn it, it should be debated fully. I am deeply concerned that this statement has been introduced in haste when the previous statement, about which the opposition had constructive comments, was not allowed to be debated. It is really quite outrageous that the purpose of these ministerial statements seems to be to get a few paragraphs in the Northern Territory News rather than to debate the substantive issues. To my mind, that is tantamount to an abuse of the procedures of this Assembly.

I think I hear the Deputy Chief Minister interject. I think he said that it is their right to adjourn the debate whenever they feel like it. Perhaps he would like to read his standing orders and find out exactly what ministerial statements are for.

Mr SPEAKER: Order, order! Will the honourable member confine his remarks to the statement in front of him.

Mr BELL: I turn to the substantive issues that I wish to address. It is a dreadful shame that the Minister for Health is not actually present in the Chamber to hear some perceptive comments on his statement. I think that fact enhances my previous comments about the purpose of the statement in the first place.

I note the glowing reference in the first paragraph to the fact that, for the first time, the Northern Territory will have community-based psychiatric services from early next year. Depending on the sense in which the adjective 'community-based' is used there, I am not quite sure that that is actually true. I think that the references that I will make subsequently while I am speaking today will make it quite clear to the minister that community-based psychiatric services have been, and are, alive and well in many communities in my electorate but, unfortunately, not always successfully so. It is for that reason that I appreciate the comments that the minister introduced into the Assembly in this context.

I refer members to the comments made by the minister on page 5 of his statement. He said that the growing number of behaviourally-disturbed adults is causing concern in some communities, particularly in the southern region. Psychiatric treatment or therapy programs, such as those for the intellectually impaired, are not appropriate for behaviourally-disturbed people. He went on to say that respite care and occasional behaviour modification programs are the major requirements of this group. Of course, that statement paraphrases a litany of social tragedies.

Mr Speaker, you may be aware of reports that have appeared in newspapers. I have been aware particularly of those in the Centralian Advocate. I have not been as aware of them in the Northern Territory News. However, a series of comments has been made. I draw the attention of members to one report:

> 'A young retarded man from Yuendumu has again been remanded in custody to the Alice Springs gaol until something can be done to help him in his home community. What to do with Benjamin Jabanardi has been continuing for some time in the Alice Springs court because of the lack of suitable health facilities for him. Police Prosecutor, Sergeant Ian McKinlay, said transport to Yuendumu is being arranged but people were reluctant to take Jabanardi until some supervision was arranged for him'.

Under a rather more sensational front-page headline, an Alice Springs magistrate, Mr Dennis Barritt, had this to say about a similar case:

> 'An Alice Springs magistrate has suggested mentally-incapable prisoners be put up in the new Sheraton Hotel as a lesson to the Northern Territory government. Mr Barritt said the lack of facilities for such people was a terrible shame. "Something must be done", he said. He was hearing the case of Titus Jabaljari Jugadai who was charged with various counts of assault, damaging property and causing annoyance'.

This issue was taken up by the editorial writer in the Centralian Advocate who, under a headline saying 'NT ignoring mental health', had this to say:

> 'Just how long will it take the Northern Territory government to get its priorities right and start looking after the health needs of its constituents? This question has been bandied around Alice Springs

courts concerning the lack of mental health facilities in the Territory. Instead, government ignorance in the matter and its failure to take steps to remedy this situation have sent the problems wrongly into our courts. A high number of intellectually-disabled or mentally-retarded defendants have been circulating through the Alice Springs courts this year. It clogs up the legal system. Efforts by the court are frustrated because there is no solution without backup health care facilities'.

Another Alice Springs magistrate, well-known to the Minister for Community Development, had this to say:

'A magistrate says the lack of proper facilities for intellectually-disabled and retarded people in Alice Springs is more in line with 15th century standards. "One would think we live in the 1400s", Mr Timothy Hinchcliffe SM, told Alice Springs Court on Monday: "You can forget about health these days, just worry about how much it costs. That is what everyone is worrying about these days. I am not going to use Alice Springs gaol to provide a facility for someone who should not be there in the first place". "Gaol was the absolute resort for Danny Dinny", he said. Dinny, an intellectually-disabled young man, sat at the back of the court while the question of what to do with and for him was discussed by Mr Hinchcliffe and lawyers'.

Here is another one: 'The future of the young man described as grossly retarded is still uncertain despite 3 days of intensive legal discussion in Alice Springs court this week'.

I think I have fleshed out to some extent the sort of social circumstances and the public debate to which the minister is responding. There is a further point I would like to place on record in this regard. It has been a matter of concern to me since I was elected to this Assembly. I suppose I feel a little guilty because, although I raised the issue 2 or 3 years ago, perhaps I have not been as zealous in pursuing it as I might have been. For precisely that reason, I do not wish to make comments that might imply a political partisanship that is not relevant in the context of what is clearly a matter of deep concern.

I would like to draw attention to the resolution in respect of those people whose plight I have outlined, which was mentioned in the statement by the Minister for Health this morning. I am quoting again from page 5 of his statement: 'The Department of Community Development has accepted carriage of projects for the behaviourally disturbed with service support from the Departments of Health, Education, and Correctional Services and from the Police'. I would very much appreciate a clear statement, either from the Minister for Health or, perhaps more appropriately, from the Minister for Community Development, in the context of the debate on this statement as to precisely what has transpired. Firstly, I would like to know what steps the Minister for Community Development is taking to deal with the problem of behaviourally-disturbed people in the Alice Springs region, as the Minister for Health has implied in this statement.

My second question relates to a task force which I understand has been set up under the auspices of the minister's department and which includes various representatives. Has this task force in fact been set up and, if so, which particular organisations are involved? Thirdly, what roles does the minister

see the task force playing in formulating a policy to deal with this pressing need?

In conclusion, with those albeit mild criticisms of the use of ministerial statements with which I prefaced my comments, I sincerely hope the Leader of Government Business and his somnolent colleague, the Deputy Chief Minister, will take my comments into consideration. I sincerely hope that statements in this Assembly will not be abused in that way. However, I would like to extend to the Minister for Health my support for his statement and my support for his intended action in respect of these particular behaviourally-disturbed people who are of concern to a large number of people in central Australia.

Mr COULTER (Community Development): Mr Speaker, the member for MacDonnell has raised some good questions and there are some good answers to those questions. I would be prepared to make available officers from my department to brief the member for MacDonnell on progress so far. I use the word 'progress' because that is exactly what there has been in relation to this matter.

The problem is that we do not intend to build dumping grounds whereby society can place its children in these institutions or facilities and forget about them. The move towards community welfare has been evident throughout Australia and also in those institutions which I visited recently overseas, including some psychiatric centres where I met various directors and research personnel. I believe that psychiatric care is of vital importance in the Territory, particularly in the light of the growing problem of brain damage caused by petrol-sniffing. We must come to grips with the horrors of brain damage caused by the accumulation of lead and other chemicals.

Three particular groups of people have been identified: the mentally ill, the intellectually handicapped and the behaviourally disturbed. We should make clear distinctions between these groups because they are different, and the ways in which they are handled must be different.

As a result of the investigations by the task force, a draft information paper has been prepared for Cabinet. It addresses the 2 issues raised by the member for MacDonnell, including 2 Aboriginal people who are causing concern in their communities. The Cabinet submission will include qualitative data so that considerations can be based on facts rather than emotions. Society cannot just elect to dump these people in institutions. That is not the way to handle the problem. The problem must be dealt with by the communities themselves.

The roles of institutions vary. Correctional institutions for people classified as criminally insane are different from institutions catering for the behaviourally disturbed. The community also must be aware of the high costs involved.

There has been a good working relationship between the Northern Territory and South Australia in addressing these issues. As minister responsible for correctional services, I am grateful for the assistance of the South Australian government which has made its facilities available to handle people in need of care. We have a reciprocal arrangement which works very well. I have expressed my gratitude to the South Australian government on many occasions.

I am quite prepared for officers of my department to talk with the member for MacDonnell and also the member for Stuart if he is interested. Some of his constituents are in the categories I am discussing. I also suggest to the members for Nhulunbuy and Arnhem that these issues, particularly where related to petrol-sniffing, will become a problem in their electorates. It hurts me deeply to say as much but we need to anticipate these problems. Unfortunately, in many cases the damage has been done already.

The following briefing was given to me by the Department of Correctional Services which is also represented on this particular task force, along with the police and the Department of Health and Community Development. Quite rightly, the Department of Health has contended that those people who have been referred to the task force because of brain damage or mental retardation are not susceptible to medical or psychiatric treatment, and thus are not its responsibility. In many cases, they are not. There is nothing terribly wrong with some of them. In fact, some of them could be described simply as overactive. One young fellow is so overactive that I must provide care treatment for him by people on shifts of no more than 6 hours because they cannot keep up with him for any more than 6 hours at a time. That is a considerable cost to the community. In fact, it can run as high as $6000 per month to have this particular person cared for.

However, there are many legal questions which must be addressed. If these people do not want to go into this type of institution, how is one to persuade them? Do we go out in a bull catcher, round them up at gunpoint and take them? In some cases, they have committed no wrong. They are simply overactive and I suppose could best be described as a nuisance to the community. As the Minister for Community Development, I do not intend to stand by and see an institution developed to become a dumping ground for these people when society is fed up with them or in trouble with them and decides to lock them up for the day. But what is to be done about it?

There are many problems yet to be answered and I am trying to find the answers to some of those problems. However, we shall not introduce some sort of police state nor have social welfare workers rounding up these people. There must be medical certification under the Mental Health Act or some other way of putting these people away. Putting people away is what we are talking about, yet this is a trend that the rest of Australia has moved away from. I believe that there are other avenues that must be explored first. Unlike the member for MacDonnell, I do not simply advocate the development of such an institution...

Mr Bell: I did not say that.

Mr COULTER: ...without due care to those types of community issues which must be addressed. That is the easy answer and it is not the one that we will seize immediately.

The Minister for Education addressed the problem of schoolchildren who sometimes become a nuisance because of their activities and require special care and handling. Some of them are brilliant kids. I can only speak of some of the children who are under my care and guidance as the minister responsible and some of the kids whom we have in Giles House. Some of them have peculiar habits which get them into trouble but they are good kids. Some of them light fires, and not always in the fireplace. But they are good kids. They should not be institutionalised for life because of some of their bad habits. We hope that they will grow out of such habits. In fact, some adults pose

similar problems. We cannot build institutions simply for the sake of building insitutions to lock people up. I for one will not stand by and see that concept developed in the Northern Territory.

## PERSONAL EXPLANATION

Mr BELL (MacDonnell)(by leave): Mr Speaker, during his comments in this particular debate, the minister suggested that I am encouraging the building of facilities for the sake of merely building facilities to lock people away perhaps ad infinitum. I would like to place on the record that I made no such comment. I made no comments whatsoever about what action might flow from the task force.

Mr EDE (Stuart): Mr Speaker, we heard the Minister for Community Development tell us that progress is what we are on about. If we look at the last 7 years of this sorry saga, it is very difficult to find anything which one could call progress. Possibly, there is some progress in that it would appear that, at long last, he is differentiating between the retardation, both physical and mental, associated with petrol-sniffing - which in itself is a very painful and sad thing - and the behavioural problems associated with other forms of psychiatric illness throughout the Territory. If he has made that differentiation, that is part of the progress that he was talking about.

However, we continue to have an appalling situation. I have been afraid for some time that the psychiatric problems of some people in the Aboriginal communities would be placed in the too-hard basket. That too-hard basket is overflowing already. Some of the programs that are required include respite care, behavioural modification and community care.

Very often, there are families who wish to look after these people and to help them to grow up. However, it is a very hard job. Day in, day out and year after year, it becomes an extremely wearing process. I refer to one case that I know very well and which was referred to by the member for MacDonnell. That led to the breakup of that family and some quite substantial law and order problems arose out of the breakup of that family. I believe that they could have been very substantially avoided if there had been some respite care available in central Australia.

Despite what the Minister for Community Development tried to insinuate, behaviour modification programs and community care programs do not require the building of large facilities where people are locked away. They are, if you like, support systems for the community to continue to operate its own family programs.

I would like to place on record my extreme disappointment that, about this time last year when we were discussing this very same issue in the context of the lack of programs, we were told that the Spragg report was on its way or that Dr Spragg himself was on his way. At that stage, I was promised that a facility would be constructed on the grounds of the Alice Springs Hospital in the 1984-85 financial year. I was told not to worry about the fact that it had not been actually included in the budget but that the funds were available. I am very concerned that, to date, that has not been done. We see now that something is to be done in Darwin, and I applaud that action. I am very disappointed that the commitment that was made to me was broken. However, as the Minister for Community Development said, this is progress.

Debate adjourned.

## MINISTERIAL STATEMENT
## Development of the NT Fishing Industry

Mr HATTON (Ports and Fisheries): Mr Speaker, I would like to make a statement today in respect of the development of the Northern Territory fishing industry. I believe it appropriate at this time that I rise to give members an appraisal of the government's initiatives for the development of the fishing industry. Members will be aware that, over recent years, the fishing industry in the north of Australia has been one of mixed fortunes. High fuel costs, seasonal catch fluctuations, market access and prices, in particular, have made stabilisation and development of the industry difficult. A number of fishermen suffered losses as a result of Cyclone Sandy in the Gulf of Carpentaria in March and were granted financial assistance under the Cyclone Assistance Scheme. In February this year, we saw Northern Research, then a major Territory-based fishing company, placed in voluntary liquidation and the sale of the company's fleet has now taken place.

Notwithstanding these difficulties, the fishing industry remains a significant contributor to the economy of the Northern Territory and, in 1984, landings were valued at $16.7m. For some time, this government has been concerned that the Territory is not realising the full potential and value of the fishing industry in northern Australia. Only limited economic benefit is obtained from present catching operations in offshore waters. A significant fleet of some 240 vessels operates in the northern prawn fishery in the Gulf of Carpentaria and waters adjacent to the Territory. Darwin is the major seaport in the north of Australia and attracts vessels from this fleet in varying numbers for offloading during the prawn season. However, most of these vessels return to bases in Queensland and Western Australia at the end of the season. This fleet spends many millions of dollars each year on major services and repairs, but few of these vessels are laid up in Darwin for this work.

In 1983-84, the NT government moved to investigate ways in which the position could be changed and the potential of our marine resources could be fully realised. Mr Eric Norgaard, an internationally-recognised consultant, was engaged to report on the industry, to investigate the scope for expansion and to suggest an approach to major development. In January 1984, Mr Norgaard produced a very substantial baseline study on the industry as it stood at that time. Earlier this year, he presented to the government his phase 2 and phase 3 reports which addressed development scenarios and a fisheries development plan. These reports were studied by an interdepartmental committee and the government recently has taken a number of decisions which I believe will lead to the development in the years ahead of a major Territory fishing industry.

Unlike developing fishing industries in other parts of the world, the Territory has no major single species stock to act as a catalyst to industry growth. Norgaard has recommended a strategy for development of integrated fisheries involving the exploitation of a mix of species in a staged manner. This approach has been accepted by the government. The government is confident that the resources available are sufficient to form the basis for a major expansion of the Territory fishing industry. This confidence flows from Norgaard's findings that some 65 000 t of produce can be harvested each year from a variety of fisheries from which the Territory at present obtains little economic benefit. A substantial component of this product is presently harvested by bilateral and joint-venture fishing operations and by interstate operators. The thrust of development will be to ensure that the Territory,

particularly Darwin, is adopted as the shore base for fishing and marketing operations and that the operations of foreign fishermen are progressively displaced by Australian enterprise.

Norgaard has identified the lack of shore-based facilities in the Territory as the greatest single impediment to fisheries development. He has indicated that, if the Territory is to have a major fishing industry, it will require an act of faith on the part of this government to put facilities in place as the catalyst for development. He estimates that the value of the fishing industry to the Territory could amount to $100m per annum.

In March-April of this year, I accompanied Mr Norgaard and the Secretary of the Department of Ports and Fisheries on a visit to Denmark and Alaska to see at first hand the nature of developments that have taken place there. Denmark is the state of the art so far as fishing industries go. We were able to see types of facilities provided to the fishing industry by the Danish government and the substantial benefits that flow to the Danish people from the resultant strong fishing industry.

In Alaska, the Danish experience is being transplanted with the help of Danish experts, including Norgaard. The ports of Homer and Seward that we visited would be 3 to 5 years ahead of our development here and are proving the benefits to be obtained from good planning and the provision of infrastructure by government. Fishing basin developments were an essential part of each port with handling facilities, cold stores, ice plants, ship repair facilities and marketing facilities firmly integrated. It is by following the example of these types of development that the Territory can expect to benefit by capitalising on the northern Australian fishing industry. Expansion and development of the Territory industry must be led by the establishment of adequate and appropriate infrastructure.

Steps have been taken recently to upgrade fishing industry facilities at Frances Bay. These include the extension of the Fishermen's Wharf, which was completed last month at a cost of about $1m, the installation of careening piles and the development of a refuelling service. Improved services are being developed in the Hornibrooks Wharf area and a private developer is constructing a marine service industry complex on land leased from the Port Authority adjacent to the Fishermen's Wharf.

These improvements and associated developments are most important but they do not go far enough to achieve our objectives. The government recognises that Darwin lacks a number of essential infrastructure components for fishing industry development. These include an anchorage or vessel storage facility safe from cyclonic conditions, fish receival and handling facilities, and fish processing, cold store and sale hall facilities.

The 240-stong northern prawning fleet is at present generally laid up in Queensland and Western Australian ports during the closed season which corresponds with the cyclone season. The benefits to the Territory economy from vessel maintenance and repairs conducted at this time are lost to other ports. The benefit from the landing of the catch cannot be fully exploited until processing and marketing is also Territory-based, and so the government must act directly to ensure that this infrastructure is developed as a catalyst for the generation of a full-scale fishing industry. This view is strongly reinforced by the findings of my overseas visit.

Honourable members are no doubt aware that the government is at present seeking tenders for the design and construction of a harbour facility on the tidal area to the west of Frances Bay Drive which is anticipated to cost in the order of $6.5m. The project involves the establishment of a mooring basin safe from cyclonic conditions, controlled by a tidal lock and capable of accommodating 100 vessels such as prawn trawlers and others of similar size operating in northern waters. This facility will incorporate secure moorings, a vertical face service wharf and an adjacent hardstand area. The goal is to develop Frances Bay as the focus of the vessel service and maintenance component of the industry. It is planned that the basin will be completed for use by the fishing industry by this time next year. The proximity of the basin to existing ship maintenance can be undertaken during the closed season as well as routine servicing on a year-round basis. The government has also taken steps to set aside additional land at Frances Bay for further fishing industry related development. This could include vessel storage space as required, and could extend to other infrastructure and marine service industries. Encouragement will be given to industry investment in this development to stand beside that made by the government.

The coordinated development is essential for the industry to achieve its full potential. Norgaard Consultants have been commissioned to investigate further the most appropriate site for the development of a future dedicated fishing port in Darwin Harbour and I am pleased to announce that Cabinet approved recently the siting of this facility at East Arm. The consultants will now begin the task of detailed planning for the dedicated fishing port and support facilities which will be needed to service it. Consideration will be given to a broad range of infrastructure such as fish receival, handling, processing, cold storage and sales facilities, with provision also for associated development which could extend to canning or fishmeal production. There are aspects of a full-scale fishing port which will require consideration of government investment although the considerable public expenditure involved in services, such as water, power and sewerage, must not be overlooked. Our approach will be to encourage private enterprise participation and development of facilities through a range of incentives and support measures rather than through subsidy.

Satellite ports are also most important for fishing industry expansion, and to accommodate the most effective fishing strategies. Construction of the wharf at Nhulunbuy has been completed recently at a cost of more than $500 000 to cater for fishing and marine transport industry needs. Previous advice received from Norgaard indicated that this would be an appropriate satellite port for development. I am sure that the member for Nhulunbuy will appreciate that. A proposal is also being developed for a private investor to establish a refuelling supply and product receival facility in the southern area of the Gulf of Carpentaria near Borroloola.

Mr Speaker, the process and marketing sector is a full partner with the catching sector in obtaining the greatest value from the resources available in northern waters. Members of this sector recently established the Northern Territory Fish Processors and Marketers Association, and I look forward to fruitful consultation on its aspirations and any problems that may arise.

I was most interested in the comments made by the New Zealand minister responsible for fisheries at the last meeting in Darwin of the Australian Fisheries Council which he attended as a guest. In the past year, New Zealand had increased the value of its fishing industry from $400m to $600m without increasing the quantity of fish caught. These gains had been made through

exploitation of all processing and new product development possibilities in an aggressive world-wide marketing strategy. As I indicated to members earlier, the development of fish receival, processing, cold storage and marketing facilities for the fishing industry will be considered in the context of planning studies in progress by Norgaard Consultants for the future dedicated fishing port. However, interim facilities will be required as industry throughout increases. The land at Frances Bay may be suitable for this purpose. Further investigations are in progress to look at alternatives if the Northern Research facility, when it is sold, is not available to the industry.

In the meantime, a significant interstate company has transferred its interests to the Territory and has recently received the Department of Primary Industry's export registration for a fish handling and processing plant of modest size in Darwin. The company is cooperating with fishermen in the marketing and sale overseas of Territory seafood, including shark, and has established an agreement with the SeaNorth joint venture for marketing purposes. This venture, together with the recent upgrading of a number of gill netting vessels to DPI export registration standards, will assist the developing Territory shark industry to enter potentially quite profitable overseas markets.

At the same time, the Territory government is continuing negotiations aimed at overcoming Victorian fisheries legislation which has resulted in significant limits on the type and quantity of Territory shark that can be sold on that market. Our wish is simply to see Territory shark products given access to Victorian markets on the same basis as shark caught by Victorians. Shark is only one part of the gill net fishery and worthwhile catches of mackerel and some tuna have recently been achieved. Market development of these species is in progress. The goal is to establish a year-round, profitable fishery if seasonality proves to be a factor.

Another facet of industry development which must not be ignored is the progressive replacement of foreign fishing arrangements with Australian operations. I recently gave notice to the Australian Fisheries Council that the Northern Territory can see no justification for extending beyond its present term the Taiwanese bilateral arrangement for gill netting for pelagic fish in northern waters. The Australian participation in this fishery is steadily expanding. Futhermore, I am determined to see that arrangements involving foreign fishing interests, including joint ventures in northern waters, are honoured and the parties concerned give effect to the terms and fishing industry development intentions of the agreements they have entered into.

The KKFC gill netting joint venture is to be relicensed by the Commonwealth for the coming year which is the last under the current agreement. Whilst the company has indicated that it has plans for onshore investment, the details of these have not yet been submitted. In the light of increasing participation of Australians in the fishery, whether a further agreement will be considered is dependent on a full assessment of the extent to which the intent and the development objectives of the venture have been achieved.

The SeaNorth joint venture between Australian and Thai interests was initiated in October following the arrival of 3 of the 6 Thai stern trawlers to fish in offshore waters. SeaNorth will utilise the old East Arm Hospital buildings as a company office and for accommodation of essential staff. The

remaining 3 Thai trawlers, 6 gill net fishing vessels and 2 mother ships are being upgraded to meet DPI export inspection standards and will commence operation shortly. Darwin is the base for these catching operations and the gill netting agreement provides for the progressive replacement, on a yearly basis, of Thai vessels with Australian vessels and crews.

This venture has the potential to further open the world market to northern Australian fish products and to contribute significantly to the development of an indigenous mixed species fishing industry from which the Territory can expect to derive extensive economic benefits. SeaNorth has commenced the assessment of the further investment it may make, including an integrated approach to the handling of all catch which may extend to canning and fishmeal production.

I suggest that we are now only on the threshold of an era of growth in the Territory's fishing industry. Aquaculture is an emerging industry with the potential to make a substantial contribution to the Territory economy. The culture of pearls has been a significant and valued industry for many years, and the Paspalis Pearling Company was the recipient this year of the Territory Enterprise Award. Honourable members will be aware that Taiwanese Australian Prawns Pty Ltd has successfully spawned salt water prawns in its hatchery at Middle Arm and has a number of batches of prawns in grow-out ponds maturing to marketable size. The first crop was harvested in October, and the company has already invested more than $2m on development to date.

The controlled culture and harvest of prawns provides the opportunity to develop new and profitable exports for live and chilled products in addition to frozen product. I have recently offered the company freehold title and perpetual leasehold tenure over its existing hatchery and grow-out ponds sites together with a development lease over adjacent land at Middle Arm to permit grow-out pond operations to be expanded to match hatchery capacity and for the construction of other related facilities. Combined hatchery and grow-out aquaculture ventures have been initiated at Bynoe Harbour and at the mouth of the Howard River. Several other parties propose to develop grow-out facilities in the Darwin area. Besides salt water prawn farming, there is interest in the culture of freshwater prawns and fish, particularly barramundi and aquarium species, but these proposals are in their infancy.

Technology is the key to aquaculture development and emphasis is being given to development of a commercially-viable industry in an orderly fashion. The operations in place have been effective in transferring overseas technology for prawns to the Territory and we must continue to build on this success with other species to realise the full potential of the industry. The government is evaluating aquaculture proposals as they arise and assisting prospective investors with information. Consideration is being given to the reservation of land suitable for fresh and salt water aquaculture purposes for release as required to provide for the diversification and continuing expansion of this promising new Territory industry. There is no reason to believe that aquaculture is a competitor for the industry based on exploitation of our natural fisheries resource. I believe there is ample scope for fish catching, aquaculture, processing and marketing sectors as well as other stakeholders such as grain producers who may provide feed for aquaculture to expand in an integrated and mutually-beneficial manner.

In line with these developments, my Department of Ports and Fisheries is being tailored to meet the requirements of the industry. Recently, the secretary of the department implemented a restructuring to make the best use

of resources available. The department is now made up of 4 divisions: Marine Division, Fisheries Operations Division, Development Division and Administration Division. Enforcement action in relation to the Fish and Fisheries Act is the responsibility of the Northern Territory Police although oversight of statistical returns from the industry remains with the department. The new Development Division will enable the department to focus attention on its program for infrastructure development, market and new fisheries development and aquaculture.

Through the Fisheries Operations Division, full attention can be given to the management of fish resources. A Barramundi Task Force has undertaken a complete review of that fishery as the basis for the establishment of a long-term management plan. Consultation has been undertaken with the industry and with amateur fishermen, and it is intended to have the new plan in place before the end of this year. Features of the barramundi plan include a revised buy-back scheme and measures to take into account the pressure on resources, particularly in respect of the Mary River, by both professional and recreational fishermen. A full-scale study of the recreational fishery for barramundi and other species has recently been initiated. This study will encompass all other aspects and is being funded partly by a grant of 60 000 from the Fishing Industry Research and Development Trust Fund.

In view of industry concerns, I have also placed a moratorium on the issue of new commercial crab licences whilst the full review is undertaken and a management plan is developed for the crab fishery. A position paper on the fishery has been presented to crab fishermen and discussed with them. The essential issues which should be addressed by a management plan have been identified and broad agreement has been reached on the approach to be adopted.

The Research Branch within the Fisheries Operations Division is the major contributor to the extensive data on biological and related aspects required for the establishment of effective fisheries management plans and for the identification and description of fishery stocks with potential for development. The emphasis has been on prawns and barramundi together with more recent work on aspects such as mercury and shark. A review of the program of the branch is in progress to establish whether any changes are necessary to ensure that it matches fully the objectives of government for the fishing industry.

At the Australian Fisheries Council meeting held in Darwin in July, the Commonwealth government announced its decision to proceed with the fisheries segment of the offshore constitutional settlement. Legislation was passed in the Territory in 1981 to proceed with fisheries offshore settlement. Arrangements and discussions are now proceeding to develop agreements with the Commonwealth on the management of all fisheries off the north of Australia to the boundaries of the Australian fishing zone. It is timely that this should correspond with the initiation of a major thrust for the development of our fisheries to ensure an integrated, well-managed fishery is the result.

Broad agreement has been reached for Territory management of several fisheries which extend into Commonwealth waters and emphasis is now being given to resolution on others where present activities extend beyond Territory borders and involve the interests of other states.

A review of the Fish and Fisheries Act is also in progress with emphasis on management arrangements consistent with the government's thrust for expansion of the industry. Industry groups were recently given an outline of proposed areas of amendment, and I am currently awaiting their response.

I have attempted today to outline some of the more important considerations and recent initiatives in the development of our fishing industry. The thrust will be to attract the industry to base its operations from the Territory, and the catalyst for this will be infrastructure development. I am confident that members will share my view that, despite the difficulties which may have arisen in the past in certain areas of the Territory, we can look forward to a bright future for the fishing industry.

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

Debate adjourned.

MINISTERIAL STATEMENT
Treasurer's Annual Financial Statements 1984-85 - Statement 6

Mr TUXWORTH (Chief inister): Mr Speaker, this statement covers all guarantees issued by the Northern Territory and those given by its prescribed statutory authorities. In addition to guarantees as such, indemnities with similar force and effective guarantees are included in the statement. For each guarantee, the associated contingent liability has been reported, together with an estimate, wherever quantifiable, of its amount as at 30 June. For the sake of brevity, the statement has not reported in detail on guarantees which were included in the 1983-84 annual financial statements. Instead, the statement concentrates on all new guarantees while summarising previous years' guarantees which remained operative as at 30 June 1985.

The reason for speaking specifically about statement 6 is so that members and the general public will understand its nature and its intent. Statement 6 is, to my understanding, a model of its kind among Australian governments. It is a complete disclosure of all guarantees issued by the Territory and its authorities, plus any associated contingent liabilities, together with an explanation of the agreements giving rise to the guarantees. It gives a virtual snapshot of the government's exposure on 30 June each year. The statement was produced on the basis of practices and procedures established within the government and accepted by the Auditor-General. Nevertheless, there may be minor differences between the government's own accounts and those of statutory corporations due to differences based on commercial accounting practices, even though such alternative practices conformed to accepted reporting standards.

No other Australian government provides such a full, comprehensive, timely and meaningful statement as the Territory's. Common poor reporting practices of other Australian governments are: not reporting on the amount of any contingent liability as such, but merely the debt outstanding; only reporting on some guarantees and giving no information or very limited information on others; not explaining the nature of guarantees; not giving a once-a-year snapshot of the government's overall exposure; not saying when guarantees were issued nor when changes were made in the amounts still covered by the guarantee since issue; and, lastly, presenting information in such a way that many different reports must be examined before any overall picture of government exposure can emerge.

I note the Auditor-General's comments on statement 6. In 1984, he suggested that a central register be established to record contingent liabilities arising from guarantees by government and its authorities. This has now been set up and was used to help prepare statement 6. This year, the Auditor-General has agreed that he knows of no omissions from the register.

The Deputy Leader of the Opposition, in a question without notice on 13 November, referred to the Auditor-General's comments on delays in finalising the accounts of statutory corporations. In light of these comments, I shall be acting immediately to direct authorities to finalise future annual financial statements within a tighter time frame than the 6 months currently permitted under the Financial Administration and Audit Act. This will help significantly in the tasks of preparation and audit of statement 6.

I now turn to the question of why guarantees are an appropriate mechanism for government use. As members would be aware, guarantees are very widely used by private enterprise as well as governments. They are used by governments to support developments which cannot obtain finance on reasonable terms from internal sources or financial markets. Governments do not issue guarantees lightly and, when they do, it is to secure the benefits that will flow from that development. It is extremely shortsighted to consider only the immediate financial implications. Governments must also give due weight to more general economic and social benefits, both immediate and future.

In relation to the Territory's particular circumstances, I have advised the Assembly on earlier occasions of the government's measures to support certain tourism infrastructure projects. Further, together with the Minister for Mines and Energy, I have put to the Assembly the compelling reasons for the government's involvement in the gas pipeline project and the associated gas-fuel power-stations at Channel Island and in other centres. These 2 areas of activity give rise to most of this government's guarantees to outside parties. The government is proud to stand behind the development of major accommodation developments to stimulate the tourist industry, and the introduction of an economic source of energy to major Territory centres. Our support is vital to the development and diversification of the Northern Territory's economy.

Some members of the Commonwealth government are quick to point out to all who will listen the heavy reliance we presently have on funding from Canberra. Those same ministers resile from firm undertakings that would be of lasting benefit to the Territory and all of Australia. Darwin Airport and Kakadu are just 2 instances. At the same time, they decry our every effort to broaden the Territory's economic base and thereby reduce our future dependence on handouts from Canberra. They cannot have it both ways. If they refuse to help us, we have absolutely no alternative but to take the sorts of initiatives which we have taken.

I would like now to put the Territory's guarantees into perspective. Members may be aware that, in other parts of Australia, governments have become involved in major projects which have encountered severe difficulties. Two examples which come to mind are the Portland smelter in Victoria and the Western Australian government's gas purchase obligations. The Victorian government has issued guarantees totalling $394.5m to Perpetual Executors Nominees Limited in relation to the Alcoa Portland smelter project. In addition to these specific guarantees, it has also provided guarantees supporting the establishment and operations of the project. No information on the amount of these guarantees, nor the exposure arising under them, is revealed in the Victorian Treasurer's financial statement.

The State Electricity Commission in Western Australia is now committed to buy 30% more gas than its projected known requirements over the next 20 years to support the North-West Shelf development. In the circumstances, the

federal government has decided to forgo royalty income from the shelf amounting to over $100m per annum to help bail the Western Australian government out of its difficulties arising from this project.

Numerous other specific projects are guaranteed by Australian governments. I just want to mention 2 other classes of major liability facing other Australian governments. The first is foreign exchange exposure. The Territory has guaranteed only one foreign currency financing directly - a Darwin port authority lease. The exposure is in relation to US dollar lease payments which total under $US400 000 per annum until 1991 when a final residual payment of less than $US830 000 will be made. In addition, the Yulara Development Company has a yen borrowing, a 4 billion yen loan, details of which I announced in March this year. The Territory itself has never borrowed any foreign currency nor has any statutory authority.

Other governments have relied heavily on the attractions of relatively cheap overseas borrowings. The Victorian Auditor-General has reported overseas borrowings by statutory authorities totalling nearly $1500m at 30 June 1985. Foreign exchange losses totalled a massive $373m in 1984-85 of which only $63m has been written off. According to newspaper reports, both New South Wales and Queensland also incurred massive foreign exchange losses in the last year or so. However, while there have been some discussions on the matter in state parliaments, it is difficult to find detailed information since these matters are not well covered in the governments' financial statements.

The second liability faced by all other Australian governments, and one that is not common to us, is their unfunded superannuation liabilities. All state governments, except the Northern Territory, have very large unfunded liabilities to cover their public servants' superannuation entitlements. In particular, the Commonwealth has a massive unfunded liability in the order of $10 000m. In contrast, the Territory's liability for superannuation is very small and would have been nil but for Senator Walsh's cancelling of the earlier agreement with his predecessor.

I have mentioned these matters so that members and the general public can put our admitted problems with some of our hotel developments into perspective. The Territory's total exposure is not large relative to that of other Australian governments. This government has been conservative in its financial dealings and will continue to be so, but we shall not be afraid to support the development of sound projects of long-term economic benefit to the Territory.

Finally, I would like to inform members of major developments which have occurred in relation to the major tourist projects since my statement of 28 August 1985. In that statement, I announced the formation of a special group to review the Territory's involvement in tourist infrastructure projects. This group is comprised of officers from Treasury and the NTDC. It has implemented a number of actions to reduce the level of exposure of the Territory in these projects. A major action resulting from the work of the advisory group was the transfer of ownership of the Sheraton Alice Hotel from the Australian Industries Development Corporation to Investnorth Limited, a company jointly owned by the TIO and the investment bank Capel Court Limited. Investnorth Limited paid $35m for the hotel, such funds being provided on a short-term basis by CIBC Australia Limited. The future ownership and financing of this hotel is currently under review. I will keep members informed of developments in this regard as they occur.

In addition, I announced in August that I had appointed a panel of leading financiers and businessmen to advise directly on the future direction of the Territory's involvement in tourism and tourist infrastructure development. The panel has held a number of meetings, been briefed by officers of Treasury and NTDC and provided some significant advice to the government. In particular, it has stressed the need for a coordinated approach in managing the government's involvement in various major tourism projects in the Territory, and I am implementing that advice as a matter of priority. Further advice and guidance from the panel will greatly assist the government in the task before it.

Mr Speaker, in concluding my statement, I would like to read into Hansard an article which is very important in terms of the Northern Territory's perspective. I think it would help members considerably in their understanding of the issues that are before us. This article was written by a Mr Paul Austin of The Australian on 26 September 1985. It is headed: 'The States Should Give Account on Smelter'. I assume that the contents of this article are correct and that there are no incorrect figures in it:

> 'The Victorian Auditor-General, Mr Brian Waldren, criticised the state government yesterday for not allowing parliamentary scrutiny of its financial involvement in the $1000m joint government Alcoa aluminium smelter at Portland. In his annual report tabled in parliament, the Auditor-General, Mr Waldren, said he noted with regret that the government's financial participation in the venture had not been subject to the scrutiny of the parliament. He said the government had a commitment to greater accountability but, in the case of the Portland smelter, accountability processes had been circumvented.
>
> The state government has a 35% equity share in the project, Alcoa Australia Limited has a 55% share and a newly-formed public trust, the First National Limited, has a 10% share. Mr Waldren called on the government to take legislative action to ensure parliament was provided with regular financial information on the state's participation in the project. Such information should be subject to the audit of the Auditor-General. He said he accepted that, because of the commercial and competitive nature of the smelter, certain information which would usually be expected from a government activity would, in this case, be restricted, but Alcoa and First National would both provide financial information to the public.
>
> The state Treasurer, Mr Jolly, said that the government would give full accounts on the Portland smelter in an annual report to be tabled in parliament next week. Mr Waldren also criticised the government over the establishment of a controversial capital works authority, a borrowing agency whose existence was revealed last month by the opposition'.

The last bit of the paragraph goes on to the Nunawading by-election, which is not terribly relevant. I think that puts into perspective for members some of the contingent liabilities that are in existence around the country.

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

Mr SMITH (Millner): Mr Speaker, once again, we have a situation where the Chief Minister is taking credit for a situation forced on him by the

opposition over a period of years. The Chief Minister claims that, in this section of its financial reports, the Northern Territory government has made 'a full, comprehensive, timely and meaningful statement' which is more full, comprehensive, timely and meaningful than those of the states. If that is true, it has come about only as a direct result of opposition pressure over a number of years to reveal more financial information. If it is true, it is certainly the only area where this government can boast of full disclosure because, in other areas, as we have said so often, it is woefully inadequate when it comes to revealing information to the taxpayers of the Northern Territory.

I will be positive to start with and recognise that the Chief Minister has accepted past criticisms of the Auditor-General. I welcome his assurances that a central register will be established, and authorities will be given tighter directions on the time frame within which returns for section 6 must be submitted.

We come now to a really incredible statement. It appears on page 7, and it is the nub of the whole speech:

> 'I have mentioned these matters so that members and the general public can put our admitted problems with some of our hotel developments in perspective. The Territory's total exposure is not large relative to other Australian governments. This government has been conservative in its financial dealings and will continue to be so. But we shall not be afraid to support the development of sound projects of long-term economic benefit to the Territory'.

Let us take the second sentence: 'The Territory's total exposure is not large relative to other Australian governments'. That is nonsense and we all know it. We all know that, conservatively speaking, the present total exposure of this government is at least $200m. Taking all projects into account, it is probably much more. If you believe the Sunday Territorian, and not many of us do, it is up to $750m. Even if we take the conservative figure of $200m, that represents one-fifth of our total budget. I defy any member opposite to tell me of any state government or the Commonwealth government which has contingent liabilities amounting to one-fifth of its total budget. That statement is just a nonsense and the Chief Minister knows it. He mentioned a couple of major liabilities of the Victorian government and the State Electricity Commission of Western Australia. Certainly, they are major contingent liabilities, but they certainly do not amount to anywhere near 20% of the total state budgets. It is interesting that, in the case of Western Australia, the State Electricity Commission and the state Labor government inherited an extremely poor situation from Sir Charles Court. After the next election, the incoming Northern Territory Labor government will inherit similar bad deals. They are very bad deals indeed, as we heard from the Chief Minister himself in the last sittings when he was attempting to escape from under.

We come now to the last sentence: 'But we shall not be afraid to support the development of sound projects of long-term economic benefit to the Territory'. Of course he should not be afraid to do that. We certainly are not.

I would like here to pick up a point made by the Chief Minister this morning. At no stage did the opposition oppose the gas pipeline. We have always exercised the rights of an opposition to question the government's

assumptions but I would again defy the government to provide any evidence of our opposition to the gas pipeline project. We have always supported it, despite the fact that the Northern Territory government has always been very slow in providing the financial information that was necessary for us to make informed judgments.

I return now to the words: 'to support the development of sound projects of long-term economic benefit to the Territory'. This brings us to the nub of the government's problems with hotel deals. I would like to spend some time reminding people in this Assembly and in the Northern Territory of the deals that the government has entered into. At the last Assembly sittings, the Chief Minister informed us that room-occupancy projections for the Yulara Sheraton in 1985, 1986 and 1987, originally estimated at 65%, 70% and 74% respectively, were revised in August this year to produce figures as low as 36%, 48% and 63%. Similarly, the Four Seasons Yulara, which had originally projected room occupancies of 70%, 74% and 77% for those same years, was suddenly predicted to have occupancies at the lower rates of 65%, 70% and 75%. In the case of Alice Springs Sheraton, we had the even more serious situation where the original occupancy predictions for the calendar years 1985 through to 1989, which had originally been predicted as 65%, 67.5%, 70%, 75% and 80% respectively, were significantly downgraded to rates of 19.5%, 49.2%, 61.9%, 63% and 68%.

That brings us to one of the basic problems that the opposition has had with this government. It has entered into these deals using what it calls 'good advice' but, too often, this good advice has not been good enough and we, the taxpayers of the Northern Territory, have paid a remarkable price indeed for the false projections that the government relied on in the first instance in relation to these projects. It could quite possibly be that the government is receiving the advice that it wants rather than properly objective advice.

The consequences of these significant shortfalls in tourists using these facilities was to require significant payments of funds from the Territory government to the operators and investors in these facilities. In the case of Yulara, because of the variable lease arrangement and the contribution agreement, the Territory government was in a position where it would have to pay continually increasing contributions to ensure that the equity partners received guaranteed incomes.

Let me make that clear. That is an arrangement by which the Territory government leases certain space at Yulara for normal government services such as the health clinic, school facilities, Conservation Commission office and so on. This lease is structured in such a way that the rents we pay will continue to rise to such a level as is necessary to guarantee the profits of the lenders to the complex.

We were warned about this arrangement by the Auditor-General in his report for 1983-84 when he stated that this variable lease arrangement could involve the Territory paying out all the debts of the Yulara Development Company where these obligations could not be met from the predetermined lease payment and commercial revenue. Despite some derisive comments by the then Treasurer, the Auditor-General has proved to be absolutely correct and in a time period much shorter than any of us expected.

In August, this year, we were told by the Chief Minister that the expected payout under the variable lease arrangements and the contribution agreement

could be expected to be $14m this year. That is a dramatic increase indeed on the expected amount of about $6m! That was a consequence of the lower occupancy figures and a net increase of some $8m in payments to Yulara in this financial year. There is a real prospect that this level of payment will go on year after year.

The solution to this Yulara problem was put by the Chief Minister in 2 parts. Firstly, the Territory would pay $20m to the Yulara Development Corporation to purchase staff housing and water and sewerage facilities at Yulara. It was expected that this would reduce the likely contribution of the Territory government by $14m to about $10m. Secondly, certain cost cutting and internal financial arrangements were to reduce demands on Territory funds by the Yulara Development Corporation by a further $3m.

One can only view that as a solution if one is prepared to write off the $20m payment, which we were under no obligation to make, and if one is prepared to ignore just what the euphemism 'internal cost cutting' means. Of course, it means job cutting. I say again that, this year, we have lost $20m that could well have been used elsewhere. It could well have been used to create more jobs in the Northern Territory at a time when our unemployment rate is very similar to the rate in the rest of this country which, on its own, is an indictment of this government because, 2 or 3 years ago, we had a significantly lower rate of unemployment than anywhere else in the country.

In respect of the Alice Springs Sheraton, the situation is even more amazing. The Territory government had underwritten the whole of the purchase of the Alice Springs Sheraton, some $35m, in a manner which not only guaranteed profits to the operator and profits to the owner but, as has been pointed out by the Leader of the Opposition before, it entered into an arrangement by which it guaranteed to pay the company tax on the profits of the firms for which it was paying the profits. That may sound a little strange. It means simply that not only had the Territory government guaranteed to pay sufficient moneys to secure the profits of the owners but the guarantee was so carelessly worded that we had to pay the tax on those profits. The solution to this was a new company. The opposition will need far more information than it has been supplied with so far before it treats the operations of this company any more seriously.

The other interesting thing about the new arrangements for the Alice Springs Sheraton is that we have only $6000 equity in a $35m property. If this government finds any joy in the new arrangements, which still involve huge loans in the order of $6.5m this year, then surely it must be ashamed of the pathetic agreement that existed previously.

I want now to refer to comments made in passing by the Deputy Chief Minister in the first week of this sittings. He stated at that time that, later in this sittings, he would provide new figures on the occupancy rates of the hotels in question. We have waited very patiently and we have not seen those figures. It seems that the original projections that the Chief Minister gave us in August have been superseded somewhat by a new set of predictions and, of course, the reason why that has happened is that now, in the centre of Australia, we have 5-star hotels offering 3-star prices. The real question that needs to be answered at this stage is: what profits are those hotels making with those 3-star prices? It is a very relevant question to this Assembly because we, the Northern Territory taxpayers, are underwriting the operations of those hotels. We are guaranteeing the profits for those hotels.

It is a very easy position to take in that situation where those profits are guaranteed to offer rock-bottom prices. A question that has been carefully avoided by the Deputy Chief Minister is whether those hotels are offering prices to the public that will return a profit to those hotels. If he contributes to this debate, he may also want to answer the question of what is happening to other hotels, particularly in Alice Springs, which are being hurt at present by the extremely low rates offered by the Alice Springs Sheraton with its guaranteed financial support by the Northern Territory government. He may want to take up whether there are any hotels in the Alice Springs area which, because of the operations of the Sheraton and its cut-price tactics at present, will have difficulty meeting their Northern Territory Development Corporation repayments. If that is true, he may wish to indicate why he is closing one hotel with that decision whilst financially underpinning another hotel.

Mr Coulter: You would ask for a bacterial count on the milk of human kindness, Terry.

Mr SMITH: Why don't you have a go if you want?

While we are at it, we might as well talk about the casino because that is another good example of the government entering into a contingent liability, not allowing private enterprise to develop and interfering with a perfectly successful private enterprise company. We might ask what is happening to our taxes from the casino. I submit it is no accident that, not only did the Chief Minister not understand what quarterly public accounts are when I asked him last week but he made sure that we will not get access to the quarterly public accounts until the last day of the sittings. He knows, as we all know, that there will be another disastrous taxation return for the quarter from the casino because it is performing in an abysmal fashion.

We might also ask what is happening to the much-vaunted rehabilitation of the casino. What has happened to the work that has been stopped there for the last 6 or 7 weeks? The story given at the time was that there was no labour around to do the work. Well, that is running a bit thin. We all know that, unfortunately, things have slowed down in the Darwin economy. Hopefully, it is temporary. If members do not believe that, they should read the ABS statistics. It would be very useful to know why the casino is not carrying out the $3m renovations that it promised. It would be very useful indeed to know why the gaming staff are leaving the casino in their droves, to the extent that we now have only a couple of people in the whole of the gaming area who have been there for more than 1 year. It would be very interesting to know why that has resulted in a situation where the inspectors in the gaming area are very inexperienced indeed. It would be very interesting to know why the casino does not draw many functions any more. There are many questions about this casino...

Mr Finch: You were there last week.

Mr SMITH: Yes, I was there last week and I have been to lots of other functions in the last 2 or 3 weeks which, in previous years, were held in the casino. For some reason, they are not being held in the casino any more.

Mr Finch: There are other options available. That is the reason.

Mr SMITH: There are other options now. They are more attractive options.

Mr Finch: All to do with promotion; all to do with development.

Mr SMITH: Well, thank you. All to do with promotion! We are getting right to the point of it. One of the major reasons for the casino was that it would undertake promotional activities both overseas and here. We have an admission from one member on the backbench that it is not doing that terribly effectively within the Territory, and I could not agree more.

Mr Hatton: He did not say that at all.

Mr SMITH: What about the promotion overseas?

Mr Finch: It is all going...

Mr SMITH: Yes. Where are these aeroplane loads of overseas tourists, high-rollers, who are to come to the Northern Territory because of our new-beaut, overseas-owned casino? They are nowhere to be found. They will not come here and that is for sure. If one sees what Perth can offer and what the Gold Coast can offer, one will realise that they will not come here.

If this is the comprehensive financial statement promised to us before these sittings started by the Leader of Government Business in his now infamous press conference, it is indeed a damp squib. It tells us nothing that we did not know. It is a further indictment of the financial acumen of the Chief Minister and Treasurer. It does not tell us anything more about the quite severe financial problems that we may face with contingent liabilities. It is a disgrace.

Mr TUXWORTH (Chief Minister): Mr Speaker, rarely is the Deputy Leader of the Opposition worth replying to but I cannot let him get away with some of the assumptions and assertions that he has just made because they are outrageous. He should not be allowed to get away with them. He was very quick to jump in and assume that the Northern Territory had contingent liabilities of $200m and that they were equivalent to 20% of our budget. The 2 cases that were listed in the paper were not equivalent to 20% of the Western Australian and Victorian budgets. That would be true. The reality is that you would never know what the contingent liabilities in Western Australia and Victoria are because, in the history of those states, no one has ever declared what they are. They have a deliberate policy of not declaring what they are. In the case of Victoria, the Auditor-General was putting the stick on the government because it was going out of its way to hide its contingent liability on the Alcoa smelter.

I have already mentioned that one of the big problems that the states have is their unfunded superannuation schemes. If their unfunded superannuation schemes are not close to 20% of the budget, I will go 'he'. We know that the unfunded Commonwealth scheme has a contingent liability now of $10 000m which is at least 20% of the national budget. For the member to say that it does not show is just nonsense because the Commonwealth has so many contingent liabilities that it has never declared since Federation that no one would know where they are. If you want an indication of what other people think they might be, just have a good look at the state of Australia's dollar as it plunges down to US50¢.

Let us get it straight. The object of the exercise - and I said it when I started - was to declare what the Territory's position is: no holds barred; this is the story. It is important that we do that and we do it always. Then

the Deputy Leader of the Opposition castigated the Northern Territory government for the jobs that have been lost in the Northern Territory because of our policies. Well, God damn it, if there is not a government in this country that has done more to close down jobs in the Northern Territory than the federal Labor government, I want to know which one it is.

Mr Smith: That is no excuse.

Mr TUXWORTH: That is no excuse! His party is committed to the destruction of industries in the Northern Territory. It has ensured in its own way that mines and opportunities in industry in the Northern Territory never eventuate. Yet, he has the hide to sit there and say that the Northern Territory government is responsible for unemployment. Our whole thrust, everything we have done since self-government, has been with the objective of trying to create jobs and to see that young Territorians, when they leave school, do not spend the first 5 years of their post-school lives on a dole queue. We work very hard to try to achieve that and we have taken some risks to try to ensure that we are successful. We have done very well. What do we get from the opposition? We get castigation because we have created unemployment. If the Deputy Leader of the Opposition is so upset about the state of unemployment, he might like to take up with his colleagues the commencement of our 2 uranium mines, the development of Darwin Airport, the establishment of infrastructure in Kakadu National Park, the establishment of our railway and a whole range of other things on which I could go into in detail.

Mr Smith: You don't need any Commonwealth help for the railway.

Mr TUXWORTH: Mr Speaker, there is no need for the Deputy Leader of the Opposition to defend the broken promises of the Commonwealth. But the fact is that the railway will create jobs, and his party turned its back on it and condemned it. Don't talk to us about how we are creating unemployment. No one in the Territory has done more to create jobs and to provide work for young Territorians than the Country Liberal Party.

The Deputy Leader of the Opposition gave a great diatribe about the Sheraton, the casinos and Yulara. If he has so much to offer and his advice is so good, he should extend some of it to his federal colleagues in relation to the Darwin Airport upgrading. If there is any one thing that has done more to condemn and frustrate the development of the Northern Territory, it is the way the Commonwealth government closed down the construction of the new Darwin international airport. No other factor has had more impact. How are we to fill hotel beds if we cannot bring in planes? Why can't we bring them in? It is because the Commonwealth has walked off the job! It spent $20m and walked off the job. He has the hide to talk to us about developing the north and creating unemployment! If the member's gratuitous advice had any meaning at all, he would start to direct some of it at his colleagues in Canberra so that they can play the responsible role that they are supposed to be playing; that is, to complement the development strategies that we have put in place.

Motion agreed to.

## MINISTERIAL STATEMENT
### Nursing Issues

Mr HANRAHAN (Health): Mr Speaker, I wish to advise all members on current issues in regard to the nursing profession in the Northern Territory and to

announce the establishment of a task force to examine and make recommendations in regard to nursing career structure. I also wish to provide information on additional funding for refresher courses for nurses.

Nursing concerns have recently become dominant in the industrial arena in most states of Australia. Underlying this unrest has been the national shortfall of nurses which has led to increased stress in the workplace as well as a number of nurses leaving the industry and choosing not to work in their profession.

In 1984, the Territory government agreed to the implementation of a 38-hour week to provide more leisure time for nurses. An additional 50 nurses were required to implement this throughout the health services and the necessary steps were taken to recruit the required staff. Currently, the Department of Health and the Royal Australian Nursing Federation are undertaking a review at the Royal Darwin and Alice Springs Hospitals to look at rest-relief provisions between shifts and the possibility of implementing a 10-hour night-duty. This will be completed by the end of February 1986.

In addition to these problems, there has been the lack of career structure for nurses. Nurses who choose to stay in a hands-on situation do not progress beyond a certain level, despite their expert clinical skills. Their only choice in career opportunity has been to move into the limited number of positions available in nursing education or administration or to go outside the profession. The government recognises that the nature of health care and the technology and skills in its delivery have been changing rapidly. Tangible changes in the industry which directly impinge on the value and worth of nurses should therefore be reflected in a nursing career structure. The dual demands for career structure and wage justice will need to be met by my department and the proper processes of the Conciliation and Arbitration Commission.

In addressing the present and future needs of the industry, the government has established a task force specifically to review the career structure for nurses in the Northern Territory. Representatives on the task force will include: 2 from the Royal Australian Nursing Federation; 1 from hospital administration; 1 specialist nurse from the intensive care or neo-natal care unit; 2 from Department of Health administration; 1 from the Darwin Institute of Technology; 1 nurse educator; and 1 from the Department of Industry and Small Business. The agreed terms of reference for the task force are: the development of an appropriate nursing career structure in the public sector in consultation with nurses in the Northern Territory. The nursing career structure which is developed will be based on knowledge, experience, qualifications and skills, the breadth of functions and roles and responsibilities of nursing staff, the task complexities of nursing practice with particular reference to the impact of technological advancement in nursing and the education and training aspects of nursing with particular reference to future requirements, particularly in specialist areas.

The task force will report back to me by 31 January with a conceptual framework for the development of a nursing career structure. A final report is expected by 30 April 1986, which will identify the appropriate positions for reclassifications in the training aspects of nursing with reference to future requirements, particularly in specialist areas. The task force will have the ability to co-opt any person with specialist expertise in regard to particular areas which may be under consideration. Obviously, the first step is for the profession to agree on what it wants in terms of career structure.

My department will participate in defining the wishes of the profession and an appropriate career structure for nurses in the Northern Territory.

While the nursing shortfall remains critical at a national level, the Territory government has agreed to provide additional funding for refresher courses for nurses. In future, all nurses attending refresher courses will be paid normal award rates of salary while attending these programs. There will be no onus on the attending nurses to commit themselves to employment with the Department of Health. The refresher courses are designed to cover a wide range of skills needed by registered and enrolled nurses who have not worked in their profession for some time and who want to return to nursing. Two refresher courses will be held at each of the Royal Darwin and Alice Springs Hospitals in 1986. Nurses wishing to renew their general and midwifery skills will be able to do so at either centre. A separate course will also be offered for enrolled nurses at Alice Springs Hospital. It is planned to hold the first courses in Darwin and Alice Springs in February and April 1986 respectively. Both hospitals will advertise their programs well in advance of the commencement.

I trust that these initiatives will ensure the nursing profession of the government's recognition of the vital contribution nurses make to the health services and our intention to work with them in resolving the difficulties which affect the work force. I move that the Assembly take note of the statement.

Mr LANHUPUY (Arnhem): Mr Speaker, in rising to speak to the statement, it is pleasing to note that the minister has been able to take steps in relation to a matter of concern to the people of the Northern Territory, especially those involved with the Department of Health. The situation in relation to nurses, especially their attendance of courses and the career structure in the Northern Territory, has been a worry for many people involved. It is very pleasing to note that the minister has set up a task force to examine the problem. It is also pleasing to note that the department is willing to pay former nurses who are willing to take up refresher courses to extend their professional careers with the Department of Health. The opposition looks forward to seeing this initiative come to fruition. I believe that we will benefit from it.

Mr LEO (Nhulunbuy): Mr Speaker, my contribution will be very short. My wife is a nursing sister and she has discussed with me many of the matters referred to by the minister in relation to the terms of reference for the task force. The only thing that I have to say is that, hopefully, the task force will report on the date set by the minister and that he will act on its recommendations. I am sure they will be worth while and to the benefit of the Territory generally.

Over a very long period in Australia's history, nursing has been a much underrated profession. It is a profession. Nurses are very qualified people. With recent changes in structure and training procedures, nursing is becoming a far more sophisticated and technical profession and needs to be recognised as such. I hope that the recommendations of the task force will be implemented in the shortest possible time.

Motion agreed to.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL
(Serial 131)
BUSHFIRES AMENDMENT BILL
(Serial 130)

Continued from 21 August 1985.

Mr LANHUPUY (Arnhem): Mr Speaker, this legislation makes it a criminal offence for a member of the Bushfires Council, regional bushfires committees or the Territory Parks and Wildlife Advisory Council to disclose information obtained in the course of his duties unless it is disclosed in the course of his duties. The penalty is $3000 or 3 months imprisonment. The minister described these bills as being minor and merely correcting an anomaly. He went on the say that the workings of government at this level can be a long way from implementation or policy adoption and that it would be inappropriate that such information be widely broadcast or subject to misinterpretation.

He pointed out the amendments aligned these 2 acts with those governing a large proportion of like bodies. The question is whether these bodies are of such a nature as to warrant the provision of such a penalty for breaches of confidentiality. The minister's explanation for this is that these committees are advisory bodies to the government and that it would be inappropriate for material that is still in the formulation or advice stage to be subject to public consumption. Whilst I would agree that one can find similar provisions elsewhere, the question is whether these committees should be considered the types of bodies which require this sort of ban. The opposition does not oppose these bills in principle but we are not convinced of the necessity for such confidentiality provisions in relation to these councils.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I will voice at the outset my concerns previously expressed about certain confidentiality provisions in legislation. I have spoken of my concern several times. My concern relates to the relaying of information and decisions taken by committees similar to those mentioned in this legislation. I refer to decisions taken by the Rural Planning Authority with which I have had some experience. I have no philosophical objection to this or any other committee making its decisions in camera after consideration of information available to it. However, I have had difficulty in the past in finding out what decisions have been taken by the Rural Planning Authority. I believe that a committee of this nature must deal in private with certain matters but, after a decision has been taken, the information should be relayed to the persons concerned. Each committee has different methods of reporting information.

With respect to this legislation, if the committee acts as an advisory group to a minister, I believe it is imperative that there be strict confidentiality until the minister makes a decision and there must be no preempting of the minister's decision in order to try to force his hand. This may have happened previously with other committees. In fact, government by media may have occurred in a case where some information was supposed to have fallen off the back of a truck. The Minister for Conservation was the recipient of some advice from one of his officers. He had the option either of taking that advice or rejecting it. Before the minister made his decision, the case was bandied about in the press. I believe that was improper at the time. We are an elected government. The members sitting in this Assembly form part of the parliament. The ministers are also elected members and the minister is answerable to the people who elect him. These 2 advisory councils of which we are speaking come under the aegis of the Territory Parks and

Wildlife Conservation Act and the Bushfires Act and have been appointed by the minister. Therefore, it is only right and proper that they report back any decisions they make on certain matters to the minister.

Some members think that the rights of these councils should be divorced from their responsibilities and that they have a responsibility to report to the public or the media first. I believe that that is incorrect and this legislation states very definitely that the rules of confidentiality shall apply to any decisions taken by these councils until the matters that have been discussed by them have been reported to the minister. This is as it should be. I support the legislation.

Mr EDE (Stuart): Mr Speaker, I wish simply to say that I find it very hard to accept that the Bushfires Council and the Territory Parks and Wildlife Advisory Council have such a heavy and onerous duty that it is necessary to provide a 3-month gaol sentence or an enormous fine if a member decides to talk about the deliberations. To my mind, it is the last refuge of a government in crisis when it tries to retreat behind a wall of silence and confidentiality and say: 'We are so frightened about the decisions that we wish to make in this area that we will treat an organisation such as the Bushfires Council as if the leaking of its deliberations could constitute some sort of national security threat'. That is totally out of order. It is just not necessary. It is a tactic to try to hide the minister and to allow him to continue to make decisions which have not had sufficient public scrutiny by preventing the people on his committees from talking publicly about issues that are being canvassed. It is the height of stupidity and I feel that it will become an object of ridicule.

Mr McCARTHY (Victoria River): Mr Speaker, it is easy to understand the concerns of the minister in this regard. It is his responsibility to ensure that the government has control over the advice given to it by these advisory councils. As the minister stated in his second-reading speech:

> 'The discussion and recommendations of advisory bodies are a long way from the final decision which must ultimately be taken by him on behalf of the government of the day. Advisory bodies are selected to represent as wide a body of community opinion as possible. Because of this, it is likely that some members will have opinions and even ideals widely separated from the government of the day and even of the majority of council or committee members or, indeed, the majority of the people of the Northern Territory. The past has shown that some members of committees are prepared to leak information to outside interested bodies prior to consideration or decision from the government. I am sure that all members will agree that this does not make for good government decision-making when special interest groups can obtain information even before the minister has it in his possession.
>
> The members of advisory committees are entrusted with information on which to base their discussions which would not normally be made available until the government of the day had formed its own opinion. The job these committees are entrusted with is the task of advising the minister and enabling him to make the best decision possible, after viewing all the facts and opinions'.

I note that the member for Stuart is terribly concerned about the penalties imposed here. But the actions of people in handing out information

that is the responsibility of the minister, prior to his having it, can do much damage to the workings of government and to the ideals of good decision-making. I think that the proposed changes to this act will go a long way to ensuring that members of advisory councils and committees respect the position of trust that they hold. I support the bills.

Mr BELL (MacDonnell): Mr Speaker, I would like to make a few comments on these bills to corroborate the opinion expressed by my colleagues in this regard. Members will be aware that several bills in which confidentiality is an issue will come before the Assembly today. Quite clearly, it is an issue of principle that is most properly addressed in a second-reading debate. I give notice here and now that this may not be the only time I will speak on the issue this afternoon.

Quite clearly, the member for Victoria River and the member for Koolpinyah, with her ministerial experience, are both supporting the government line in this regard. We have a balance here between the government's right to give unfettered consideration to particular proposals in secret and a concern about the public's right to know. My feeling is that the government's right to deliberate in private really does not extend beyond the party room. Where the government seeks opinion on particular issues, such as the matter of bushfires or the management of Territory parks and wildlife resources, it is attempting to gain in that process the opinion of a broader range of Territorians than would be available to it otherwise. I really find it difficult to understand the purpose of confidentiality provisions under such circumstances.

I can imagine that, under certain circumstances, confidentiality provisions have a real purpose. I think that the most often quoted example is the one that has already been raised by the member for Koolpinyah. I refer of course to council nominees on the Planning Authority and the concerns that have been raised in that context about the degree to which council representatives on the Planning Authority should or should not represent the view of the councils to which they belong.

Quite clearly, there are certain classes of applications before the Planning Authority in which confidentiality provisions are clearly desirable; for example, under circumstances whereby, if such confidentiality provisions were not respected, it might enable the commercial competitor of a particular applicant to the Planning Authority to gain an unfair advantage in the marketplace. On the other hand, there are draft planning instruments where zonings of considerable areas of a particular planning area are due to be considered. Under those circumstances, confidentiality provisions are a shackle upon open public debate and upon the Planning Authority reflecting not only good planning values but the aesthetic concerns of the wider community. In those cases, confidentiality provisions can be a 2-edged sword.

In respect of the 2 bills before us at the moment, I believe that it is incumbent upon the Minister for Conservation to provide a slightly better justification for these confidentiality provisions. After all, in his second-reading speech, we had a not particularly lengthy paragraph.

I will freely confess that, as a member of the opposition for the 4½ years that I have been in this Assembly, the deliberations both of the Bushfires Council and the Territory Parks and Wildlife Advisory Council have been something of a closed book to me. I would in nowise claim to be particularly well apprised of their particular functions. It is a matter of concern that,

with these confidentiality provisions, we will get into some quite absurd circumstances. For example, somebody on the Bushfires Council may say: 'Oh, I heard Fred had a fire in the back paddock'. That would cost him $3000.

Mr D.W. Collins: Oh, come on!

Mr Finch: Deliver!

Mr BELL: That sort of comment is treated quite rightly as risible by some of the government backbenchers. I appreciate their appreciation of my wit in turn. I think that it is incumbent on the minister to provide a greater justification than he has provided hitherto for these particular confidentiality provisions.

Mr SETTER (Jingili): Mr Speaker, I have listened over the last half an hour or so to members of the opposition telling us how unnecessary these amendments are because they say that members of these councils and committees either have a right to discuss deliberations of those councils publicly or, alternatively, never do so. We all know and understand from what has been reported in the media recently that in fact that is a load of rubbish. To quote a member who spoke earlier this afternoon, on many occasions we have heard that documents fall off the backs of trucks. There have been many instances where information has been leaked unnecessarily.

However, I have risen to speak briefly in support of the bills. I have had a concern for some time regarding how members of some committees and or councils fail to respect the confidentiality their office demands. These amendments serve to clarify the position and enshrine in these acts the requirements that the deliberations of such committees and or councils remain confidential.

When committees and or councils are established by a minister, the minister follows the government's policy of appointing members from a wide cross-section of groups interested in the particular subject. This is done to gain input from as broad a community view as possible. In so doing, however, it is common to have people serving who represent vested interest groups. I do not have a problem with that - let me point that out quite clearly - provided that those people respect the confidentiality of the deliberations of their committees and or councils.

Recently, we have experienced examples of how information, leaked prematurely, has created misinformation and speculation in the media and within the community. This served to develop unnecessary and unfounded worry and concern throughout the community. This misinformation was leaked by those on the committee who hoped it would embarrass the minister and the committee and, of course, serve their own vested interests. This type of action is totally unacceptable to me and, I believe, to the community at large.

I support these amendments. They serve to bind committee members not to disclose information prematurely and they provide substantial penalties for those who fail to comply. I believe the government should move similarly to amend other acts which govern such committees. I support the bills.

Mr LEO (Nhulunbuy): Mr Speaker, I have a few queries which I am sure the minister will be able to address quite adequately in his reply. In reading clause 89, I am left in some doubt about its actual intent. It appears to be a very concise clause but, given my limited understanding of the various laws

that apply to these matters and the way in which words can and cannot be interpreted, I would like some clarification from the minister. For the sake of the debate, I will read the clause. The minister may share my concerns or he may be able to dispel them: 'A member shall not disclose information obtained in the course of his duties as a member unless that disclosure is made in the course of his duties'.

I think that a member's duties may be open to various interpretations. If he is there as a representative of some community group, he may very well perceive that it is his duty to disclose information obtained in those council meetings to the organisations he represents. I imagine that, on the Bushfires Council, there are representatives of cattlemen, pastoralists, councils and other organisations. I am unsure of its present composition but I imagine there are representatives of various interest groups, and they may very well perceive that part of their duties is to disclose information to the organisations they represent. I would like an assurance from the minister that the intent of this legislation is not to stop them from doing so. For example, when the Bushfires Council is discussing some matter of grave importance to pastoralists - such as burn-back procedures - those pastoralists should not be prohibited from reporting the discussions back to the people they represent. It would be unfortunate if representatives on the Bushfires Council could not discuss such matters with their organisations. In this sense, the clause seems a little unclear in defining the role or duties of council members. It is ambiguous to me because the minister's second-reading speech did not clarify the intent of the clause.

I believe the minister's intent is that members of these councils should not publicly air their views in search of media coverage like politicians do. Perhaps that is a worthwhile intent. But, if this legislation is going to shackle people and stop them from speaking to their various interest groups about matters of legislative concern, I believe the minister should either review the legislation or dispel my fears.

Mr ROBERTSON (Leader of Government Business): Mr Speaker, there is a rather fundamental point that I want to pick up here. It relates to the comments of the member for MacDonnell. He says that he will raise the same issue in relation to the next series of bills. In my submission, this comes down to a total lack of understanding of why, when parliament sets penalties, it sets a maximum rather than a range between a minimum and a maximum. Parliament does this simply to indicate that, in the most severe circumstances, a certain very severe penalty shall apply. Some of my colleagues and, indeed, members of the opposition have said that it is a matter of concern that newspapers get hold of material, or information is given away, which is in transit between statutory advisory bodies to government and thereby the government is embarrassed or ministers are embarrassed. Quite frankly, to me that is very small beer indeed. What the parliament is doing is indicating to the court a penalty between zero and $3000 or 3 months, depending on the significance of the offence in respect of this legislation.

In other words, if one were to say that this legislation should provide before a court an alternative charge of conspiracy - and all of us are aware of the abhorrence of judges to charges of conspiracy - one should understand that the judges clearly are looking to legislatures to provide specific charges instead of charges of conspiracy. We have seen a number of those in Queensland recently which have dragged on for 9 months and become completely inconclusive in their result. Courts, particularly where juries are involved,

find it extremely difficult to analyse and come to decisions in relation to conspiratorial charges. We all ask ourselves what could possibly happen that would be so serious as to warrant a $3000 or 3-month penalty in respect of the Bushfires Council. An example would be a situation whereby a member of the Bushfires Council - and heaven help us if this ever came about because clearly we would have chosen the wrong person if it did - conspired with an estate agent who dealt in properties to keep him informed as to the capacity of a pastoralist to be able to afford the requirements of the Bushfires Council's dictates to prevent bushfires and prevent hazards to neighbouring properties. Keeping that person monitored as to the pastoralist's capacity to pay, and thereby give a clear indication of when to make a bid, would constitute an extreme case of conspiracy. Can members imagine trying to carry such a charge before a jury in a court, having regard to the rightful, with respect, view of courts that conspiracy is a lousy charge to lay?

In the Criminal Code, we have the offence of manslaughter. It exists around this country as a common provision in statute law. Inevitably, manslaughter can result in anything from conviction with discharge to 25 years or life at the discretion of the court. All this is doing - as is each of the other bills, if I may speak to them now so I do not have to later - is providing the courts with the view of this legislature as to the maximum penalty in the most extreme case and to what the courts ought to have regard. We are not saying that, if someone totally disagrees with something the government does, and drops it off the back of a truck, that person will be subject to a $3000 fine or 3-months imprisonment. Indeed, a whole system of criminal justice is based upon the good sense and discretion of the prosecution, be it police or the Department of Law, to prosecute in the first place. These laws are put there to cover the most extreme cases, not the ordinary ones and certainly not the little indiscretions.

Incidentally, if members on the other side live to mid-next century and become ministers, they will find that there is an oath they take which carries very severe penalties for disclosing matters which are subject to Executive Council. That does not mean to say that, when a matter is due to go to Executive Council, we cannot consult. Clearly, as ministers, we could not do our duty to the public that elected us unless we can consult on regulations which are likely to come before Executive Council. It is not the design of that oath, and the penalties that pertain, to prevent us from discussing these matters with our constituents, our electors and our taxpayers. It is to make sure we do not abuse the knowledge we gain as members of Executive Council either to our own advantage or to the advantage of others.

It is right that, for total misuse - gain, kickback or reward of any kind - of our privilege to knowledge, there must be a penalty. It is completely different to something done innocently or done properly as a result of the knowledge gained by being a member of the Bushfires Council, Conservation Commission or any other body, and which leads to an enhancement of the public interest. In that situation, we ought to talk about it, and we do. There would be no charge arising from such an activity but there must be a definitive charge rather than a conspiracy in respect of abuse of the trust that is placed in us as legislators and as members of Executive Council, and in people who are members of statutory boards.

Mr HATTON (Conservation): Mr Deputy Speaker, this has been a most amazing debate. I thank the Leader of Government Business for saving me the worry of having to explain to members opposite the role of penalties, the nature and extent of penalties, how they are arrived at and how they are interpreted and applied by the courts.

Another matter has come out quite clearly in this debate. It really needs to be addressed. I would ask members to read the amendment. It says: 'A member shall not disclose information obtained in the course of his duties as a member unless that disclosure is made in the course of these duties'. That is quite clearly intended to refer to the individual actions of an individual member of a particular board. It does not in any way inhibit the board itself from consulting or, for that matter, the corporate unit that we are talking about from approving that community consultation take place. I certainly support and promote the process of community consultation and would be quite keen to encourage that within statutory bodies. The point is that that should be a decision of that body and not the individual decision of a member of that body in total alienation of the body. It is intended to enable the body to decide how it is to go about its business and not have that potentially circumvented or undermined by the actions of a particular individual within that organisation. It is not intended to gag government. It is not intended to gag consultation. It is intended to stop individual members of the organisation from misusing their position and the knowledge they have gained in an advisory body to the minister or, in the case of the Territory Parks and Wildlife Advisory Council, to the Conservation Commission for a political, commercial or other reason.

Those bodies deal with matters of commercial significance to people within the Northern Territory and to the government. Those matters may go through a process of consultation or they might be referred to the minister for him to decide upon any process of consultation. The legislation will ensure that those bodies can act with confidence as bodies rather than allowing an anarchical situation whereby individual members run off willy-nilly, left, right and centre, debating, divulging information to the public and, in some cases, generating unnecessary confusion and concern in the community, often even before those advisory bodies have sat down to consider the information being put to them.

Mr Bell: It happens.

Mr HATTON: It does happen in a number of organisations. This is intended to give a very clear message to people that they are to act within their responsibilities. It is not to prevent debate or discussion but stipulates the processes for that to be done; that is, through the corporate decisions of those advisory boards rather than the individual actions of members who may or may not be acting in the interests of those advisory boards.

The member for Nhulunbuy is not quite sure what the clauses mean. The wording in those confidentiality clauses are consistent with a number of pieces of legislation in the Territory and throughout Australia. I might indicate that the penalties are consistent with legislation elsewhere in the Northern Territory. The basic point is that a member is quite capable of disclosing information in the course of his duties. The question of what constitutes acting in the course of one's duties can be quite adequately dealt with by the members of the respective advisory bodies. It is simply a matter of people knowing where people are going with their discussions and consultation.

A good example is in respect of Aboriginal representations. I am sure that is what the member for Arnhem was particularly referring to. I have held discussions with the Northern and Central Land Councils. I believe it is important that the views of the Aboriginal people are properly reflected in consideration of matters. I believe that we can quite satisfactorily resolve

administrative arrangements between Aboriginal representatives on committees and those land councils with adequate protection for the confidentiality of the information being discussed by those councils. That is a matter that can be dealt with administratively. It simply stops inadvertent and improper use of information, which has occurred in a number of areas, by implementing an organised and responsible approach.

I might add one more point for the benefit of members who obviously have not read the legislation. People are appointed to the bodies. They do not sit on these bodies as representatives of organisations but as individuals in their own right on the nomination of those organisations. That places on them an entirely different duty of care in respect of their membership and functioning on those advisory councils. I commend the bills and I welcome the comments by the member for Arnhem that the opposition supports the legislation.

Motion agreed to; bills read a second time.

Mr HATTON (Conservation)(by leave): Mr Deputy Speaker, I move that the bills be now read a third time.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise to speak very briefly to the third reading. I am singularly unpersuaded by the comments either of the Leader of the Government Business or his colleague who has responsibility for the carriage of this legislation. The prime fact of the matter is that both those government speakers, particularly the Minister for Conservation, have failed to demonstrate either generally or specifically that the deliberations of the government have been prejudiced or that government has been damaged politically by any disclosures from the Bushfires Council or the Territory Parks and Wildlife Advisory Council.

Further, both speakers failed to demonstrate that there has been any detriment suffered personally by any conspiracies which, I suggest, are a figment of the imagination of the Leader of Government Business and perhaps one of the longest bows I have seen drawn in this Assembly and, by golly, I have seen quite a few of them drawn. I want to place on record that the government has consummately failed to demonstrate that any such detriment may occur. I have seen no media reports of any sort that would suggest that this should be a matter of concern to the government.

There was a further matter introduced by the minister in his second-reading speech that I want to respond to briefly. I refer to the question of people who are nominated by particular organisations to such advisory councils or councils. He said that these people are on those councils not as representatives but as individuals. I would like to take him to task on that particular point. If the government expects organisations to nominate members, it must accept the fact that these members have a responsibility to their organisations. For the minister's information, I am well aware that there is an exclusion in both bills. However, I really fail to see how he can argue that, although organisations nominate people to a particular council, those people do not in any sense represent the organisations. I think that this obfuscation does no good service to government in the Northern Territory. In conclusion, I want to reiterate that, in passing these bills through the Assembly, the government has consummately failed to demonstrate the need for the confidentiality provisions.

Motion agreed to; bills read a third time.

SOIL CONSERVATION AND LAND UTILISATION AMENDMENT BILL
(Serial 132)

Continued from 21 August 1985.

Mr LANHUPUY (Arnhem): This bill has 2 aims: to set the term of 3 years for members of the Soil Conservation Advisory Council, as there is no term specified in the present act, and to allow for reappointment. The opposition has no difficulty with that. It also inserts a confidentiality provision for members similar to that provided in other legislation debated today. I would like to stress again that that is a problem as far as we are concerned. I would like to take that matter further in relation to some of the points emphasised by the member for MacDonnell.

Some people appointed as members of this board are quite illiterate. For example, the Minister for Conservation would be aware that there are people on the Gurig national park management board.

Mr Hatton: That is not the Soil Conservation Advisory Council.

Mr LANHUPUY: I didn't say so. It is very worrying for me because, as with the previous bills, it will prohibit people who have been appointed by the land councils and organisations from taking up issues with the parent bodies which are of concern to them. We hear considerable argument from this government that Aboriginal people own a great deal of land in the Northern Territory and yet, as we found out in the last debate, when they get on these boards, they are not given the opportunity to discuss those matters of interest to them. However, I was pleased to hear the minister advise the Assembly that, if it can be done administratively, it will be done. Certainly, that would be a welcome change of heart from the minister concerned.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in rising to support this legislation, I think it is very important that we remember that we must keep our various advisory councils active all the time. We must keep them vigorous and energetic and up with current thinking on the particular matters for which they have been appointed. This can be done by a roll-over in membership at appropriate times. It is a fact of life for most of us that, if we have continuous membership in any organisation without the necessity of an election from time to time, we become stale and can become complacent regarding our duties. This negates the reason for appointment. By its intent, this legislation falls into line with the appointment of similar councils in other disciplines.

The confidentiality provisions in this legislation are similar to those pertaining to legislation debated earlier and I will not repeat what I said before. I supported those amendments and I support this amendment.

Mr BELL: Mr Deputy Speaker, with regard to the confidentiality provisions: ditto.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, I could say the same thing but, as indicated by the Minister for Conservation in his second-reading speech, it is normal for advisory bodies to be reviewed on a regular basis to ascertain their suitability as representatives of the wider Territory community. As stated by the minister, this provision is not currently available with regard to the Soil Conservation Advisory Council. I am sure

that all members would agree that this is not a sound means of ensuring that only the most suitable persons are appointed to these bodies. It is possible that, because of changing interests, an advisory body such as this could become embarrassed as to the interests of its members over a period of time.

The first of these amendments brings the Soil Conservation Advisory Council into line with similar advisory bodies. However, it provides for present members to be retained for a further 3 years, and I think that is reasonable. Upon the commencement of this legislation all present members will be eligible for reappointment for a further 3 years. Proposed new section 7B, which deals with confidentiality, is identical to that applying to the previous 2 bills and applies for the same reasons. I support the bill.

Mr HATTON (Conservation): Mr Deputy Speaker, the introduction of 3-year terms for members of the Soil Conservation Advisory Council is in no way a reflection on the current members of that advisory council. I would like to place on record that the government and I are quite happy with the work that that council is doing. These amendments will ensure that this legislation is in line with the proper principles of the administration of advisory bodies which, as a matter of principle, should be reviewed from time to time. This enables the minister to decide whether he wishes to review the types of people, the structure of the council or the representative groups from which members may be appointed. It is nothing more than the proper administering of such advisory bodies.

In respect of the confidentiality clauses, I do not really want to canvass the arguments again. One thing that I certainly will not do is spend an hour or 2 giving the member for MacDonnell a lesson in legal practice and principles. However, I must say that the fundamental problem that the member for MacDonnell has is a philosophical objection to the government carrying out its business in a proper manner. He would prefer the anarchy of people gaining information, which may or may not be of a confidential nature, and broadcasting it all over the country. There is a time for consultation. When decisions are made, it is appropriate that they be communicated to people. It is not appropriate to have an anarchical open debate on bits and pieces of information even before they have been considered by advisory bodies.

Motion agreed to; bill read a second time.

Mr HATTON (Conservation)(by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Mr BELL (MacDonnell): Mr Deputy Speaker, I cannot be expected to sit through the sort of inflammatory outbursts that the minister has poured in such a contumelious fashion upon my head. I merely rose in the second-reading debate to add to what must be one of the shortest, anaphoric second-reading speeches that I have heard in this Assembly in my few years here. I must place on record that, as the minister has suggested, there is a philosophical issue here. Of course, his suggestion that I am in some way encouraging an anarchic approach by the Bushfires Council or suggesting that the Territory Parks and Wildlife Advisory Council should take up throwing plastic bombs or whatever is certainly not the case.

The fact of the matter is that the minister has drawn an even longer bow than his colleague, the Leader of Government Business, did earlier. As I interjected during his speech, it is a commitment to open government. I believe I can go no further than the Jim Hacker in suggesting that therein

lies the problem. On the one hand, we live in a democracy and there is a need for open government and, on the other hand, we have an entrenched government in the Northern Territory which evidently is becoming more and more secretive. Quite clearly, the minister's ability to address this bill and the previous bills has been so scant that he has had to resort to such contumely.

Motion agreed to; bill read a third time.

PLANNING AMENDMENT BILL
(Serial 118)
LANDS ACQUISITION AMENDMENT BILL
(Serial 119)

Continued from 21 August 1985.

Mr BELL (MacDonnell): Mr Deputy Speaker, I have no doubt that the Minister for Lands will be relieved to know that we support unreservedly these pieces of timely legislation. In one sense, these are the obverse of the previous bills with respect to the confidentiality provisions. These provisions protect members of the Planning Appeals Committee and the Lands Acquisition Tribunal against civil or criminal action. We note that they provide protection for those members in respect of actions that they may do or not do provided those actions are done in good faith in the exercise of their functions. We note that this is a common provision used for such bodies both in the Territory and in other parts of Australia. As I said, the opposition supports the bills.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I support both the intention and the expression of this legislation. The members of the Planning Appeals Committee and the Lands Acquisition Tribunal must perform arduous and taxing work and, in so doing, they must have full protection of the law. It is not likely that the legal protection regarding defamatory statements that may be made in the course of their duties will be treated frivolously by the members of the committee or the tribunal. The members must not be fettered in the exercise of their duties. In these days of civil liberties, it is not uncommon that, if a person even thinks he has been defamed, he will rush for legal redress so fast that he will not be seen for dust. Whilst recognising that a person should be able to protect his good name if he thinks it has been besmirched, nevertheless, the good of the community at large may demand some straight talking by members of the tribunal and the committee. In doing this, the members must be protected. I believe this legislation is designed to give that protection and I support it.

Mr HATTON (Lands): Mr Deputy Speaker, I thank members for their support of this legislation. For the benefit of the member for MacDonnell, I appreciate his support and I advise him that there is already a confidentiality clause in the Planning Act.

Motion agreed to; bills read a second time.

Mr HATTON (Lands)(by leave): Mr Deputy Speaker, I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

## CONSERVATION COMMISSION AMENDMENT BILL
(Serial 129)

Continued from 21 August 1985.

Mr LANHUPUY (Arnhem): Mr Speaker, this bill makes 3 amendments to the conservation legislation. It increases the size of the commission from 8 to 9 members. The opposition does not have any problems with this minor change. However, in relation to the amendment relating to the disclosure of information, my views are the same as in respect of the other bills that we debated earlier.

The bill also replaces the requirement that the commission meet at least every 3 months with a requirement that it meet at least 4 times a year. The minister cited as reasons for this the difficulty in obtaining a quorum and the necessity for flexibility to coincide meetings with the meetings of various advisory councils which work to and with the commission. Given the relative importance of this body, I am appalled that a requirement to meet every 3 months creates difficulty in obtaining a quorum. However, the opposition is willing to accept that this amendment will assist in overcoming this problem.

The opposition supports this bill with our additional amendment which we will introduce in the committee stage. I urge members opposite to support our amendment.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, like the 5 earlier pieces of legislation, this bill deals with the subject of confidentiality. Thus, it is unnecessary to reiterate what I have said before. In saying that, I oppose the amendment of the member for Arnhem by which he seeks to allow the disclosure of confidential information by a representative of a group, albeit that that disclosure is to that group. I think the member fails to realise that a person may be appointed to the Conservation Commission Board because of interest or membership of a particular organisation but, once elected, must have first allegiance to the board and the minister.

I believe that the increasing interest of the Northern Territory community in conservation issues has been recognised by the minister's willingness to increase the size of the board membership to take account of the many interests that have expressed a wish to be represented. These include fishing interests, 4-wheel-drive interests and shooting and hunting interests, to name but a few. The matter of the meeting times is unimportant. It simply relates to the convenience of members. I support this legislation.

Mr EDE (Stuart): Mr Speaker, I intend firstly to cover the less controversial areas. Among these is the change to the meeting requirements from once every 3 months to at least 4 times a year. This is a similar provision to one that we debated earlier in respect of hospital management boards. Opposition members stated then that we believed it was necessary to spread the meetings over the year to supervise adequately the operations of particular organisations. This belief applies equally in this case. The opposition believes it is important that the meetings are spaced out. Should the board find that it is a couple of meetings short, it should not simply be a matter of deciding to adjourn one and start another just to conform with the requirements of the legislation. This particular body is far more important than that. In order to properly carry out its function, it needs to meet on a regular basis. I believe the previous provision was that it would meet once

every 3 months. That was achievable. If not, I cannot see how the body could adequately achieve its purpose.

However, my main concern relates to proposed new section 89. It has been customary to have a representative from each of the Northern and Central Land Councils on the Board of the Conservation Commission. I believe that the minister will agree that that is a necessary provision and one which should be continued. I take issue here with the comments of the member for Koolpinyah. It is esoteric to state that, when a person becomes a member of the board, he no longer acts as a representative of the organisation which originally nominated him. That certainly is not practical in terms of Aboriginal organisations. When Aboriginal people see a person being appointed from their organisation to become a member of another body, they believe that the person continues to speak as a representative of their organisation. That person is considered to have the right and the obligation to come back and consult with his organisation, to inform it about what happened in the meeting and to find out its views on the deliberations of that body. He then has a responsibility to take the responses of the Aboriginal organisation back to the board or committee. Not to do so would lay the particular representative open to very serious claims of not carrying out his job or carrying it out in a very dubious fashion.

As my colleague the member for Arnhem has said, we will be introducing an amendment in the committee stage to proposed new section 89. The amendment has been worded very deliberately and very carefully. In our opinion, the government has been proposing a number of amendments to insert completely unnecessary secrecy clauses in various legislation. This has been done by deliberately limiting the ability of board members to consult with their organisations. I would hope that, when we reach the committee stage, the minister will accept the opposition's amendment. I will be speaking to it, and I reserve further comments until then.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, at the risk of being repetitious, I must say that the confidentiality clauses of the bill are justified, as are those presented in a number of other bills which have been debated today. The reasoning behind them has been outlined before and there can be no reason to debate it again.

However, I note that the amendment circulated by the opposition would allow a person appointed to the board as a representative of an organisation to divulge information to his special interest group as though it were in the course of his duties. I believe that this is a hoax on the part of the opposition to ensure that its plants on the Board of the Conservation Commission are able to divulge information to their cohorts in the land councils without delay and without fear of action against them.

As the minister stated, people on the Board of the Conservation Commission are not appointed to represent any organisation but to put forward views for discussion and eventual recommendation to the minister. There is no place in advisory councils to a minister of the government for people who are simply advocating sectional interests. The member for Stuart stated that he had real concerns about this. Why did he not express the same concerns in the previous bill? The provisions are there for the same purpose. Obviously, he does not have plants in those other areas. The other bills do not concern him because he does not have people in those organisations to keep him informed.

I have no problems with the provision to allow for 4 meetings in a calendar year rather than every 3 months. This seems to be a sensible provision. I have seen the problems enshrined in constitutions of incorporated bodies where specific meeting dates are laid down. The widening of the board to include an extra member from the community is to be commended. I support the amendments.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise to make several points concerning this bill. I will not reiterate my comments on the confidentiality provisions of this bill, having already placed those on record in debating previous bills this afternoon. I do wish to point out, however, that the confidentiality provisions for members of the Board of the Conservation Commission will be more important than those applying to members of the Bushfires Council and the Territory Parks and Wildlife Advisory Council.

Apart from the fact that issues of environmental concern are somewhat more politically sensitive than those of the Bushfires Council or the Soil Conservation Advisory Council, there is the further point that the Minister for Conservation, in an address to the Chamber of Mines recently, gave an undertaking that the government would be nominating a member of the mining industry to be on the Board of the Conservation Commission. Environmental issues already tend to have a high profile in the Territory, around Australia and indeed throughout the world, and quite rightly so. We live in a diminishing world, with an expanding population. Whereas we few people in the Northern Territory are able to convince ourselves that natural resources are boundless, if we look at this issue in a global sense, we can only be convinced that we are very lucky. The fact is that resources in a world-wide sense are becoming scarcer and scarcer. In that sense, we have a particular role to play, not only in moving our desks backwards but in conserving exactly those resources.

I notice the minister nodding his head about the mining industry being represented on the Board of the Conservation Commission. I would like to make some comments in respect of the increase in the size of the commission from 8 to 9 members to enable the representation of the mining industry. Before one of the more dull-witted members of the government leaps to his feet and says the member for MacDonnell is anti-mining, let me say that, in most respects, the increasing interest in environmental issues within this country has encouraged the mining industry to take a responsible attitude towards the dangers of environmental degradation and the consequent need to ensure that possible threats in that regard are avoided. It is not my intention in the context of this debate to suggest that the mining industry is inimical to environmental protection. But I believe the minister, the government and this Assembly as a whole must give attention to the issue of the extent to which we are going to protect the Finke Gorge National Park, the Kings Canyon National Park, the Uluru National Park, dare I say, and many other conservation areas that are of concern. Many of them, including the ones that I have already cited within the boundaries of my own electorate, contain some of the most beautiful landscape in this country. I am concerned that a board that is charged with the responsibility of protecting the environment and of creating national parks, not just for this generation, not just for the next generation but for Australians and for mankind in the future...

Mr D.W. Collins: All Australians?

Mr BELL: To respond to the interjection from the member for Sadadeen, yes, for all Australians. Several thousand of them visit my electorate every

year. I believe that I have even heard the member fulminating on the subject. If the member is actually interested in the tourist industry, if he is interested in securing these valuable natural resources from which many Territorians find their livelihood and if he wants to ensure that those Territorians are able to continue to seek and obtain a livelihood on the basis of these precious natural resources, perhaps he could pay a little closer attention not only to the words I used but to what I actually mean.

I do not wish to fulminate at great length on this but I do not believe that I would be doing my job if I were not to point out to the minister and his supporters on the backbench that the question of mining in national parks is a matter of concern. Quite clearly, there is an implication in having a member of the mining industry on a board of a commission whose task it is to administer national parks. I do not believe it is appropriate that we enshrine that sort of representation, not because I do not have any faith in the mining industry but because I think it throws open the whole question of what our national parks are for.

I do not believe that, in the context of his second-reading speech, the minister was particularly clear about his reasons for increasing the size of the board. He said in his second-reading speech:

> 'The bill deals with 3 minor matters relating to the Board of the Conservation Commission. The commission recently reviewed its structure and meeting arrangements... with 4 of the present 8-man board being preselected... for board interests of the community to be represented is limited... provision for an additional member would ensure a public majority on the board and this will be of interest in assisting government to determine the commission's direction and pursuit'.

It would appear that, with 4 of the present 8-man board being preselected...

Mr Hatton: Preselected?

Mr BELL: I hear the minister querying 'preselected'. I refer him to my copious notes from the Hansard of the last sittings. I will not quote page numbers but suffice it to say that, in the second-reading speech he gave on Wednesday 21 August, he used exactly the phrase 'preselected'. I suggest that perhaps that was written for him and the talking head was unable to recall the exact phraseology. However, I am quite happy to advise the minister correctly in that regard.

My point stands up that the Minister for Conservation was somewhat less than patent in failing to explain to the Assembly - but obviously quite happy to explain to the Chamber of Mines - the purpose of this increase in the size of the board. The fact that the minister chose to break this little bit of news not to the Assembly but to a public gathering constitutes rather contemptuous behaviour with respect to the deliberations of this Assembly.

I want to place on record my concerns about the flexibility provisions for meetings. I give a high priority to the protection of the Territory's natural resources, many of which lie within the boundaries of my extensive electorate and many of which are amongst the most beautiful natural features in this country. I believe that, if the role of the Board of the Conservation Commission is to protect and to enhance the use by Territorians and by

visitors of those resources, it should be deliberating in a more regular fashion. I am concerned that clause 6 of the bill, which relates to the meetings of the commission, provides too much freedom. As I understand it, it would be possible for the Board of the Conservation Commission to have all its 4 meetings in 1 morning once a year. It could meet at 9 am, 9.30 am, 10 am and 10.30 am and its members would all be home in time for lunch. As my colleague, the member for Stuart, pointed out, it is a similar concern to the one the opposition had in respect of the hospital management boards. Quite clearly, we will not go to the wall over it but I do not think we would be doing our job as Her Majesty's loyal opposition if we did make those comments both to you, Sir, and to some of the members on the other side, who may not have scrutinised the legislation with quite the same avidity as their opposition colleagues have done. I think that the principle enshrined in that clause deserves some explanation from the minister.

If there are organisational problems with the board, and I appreciate that it has members from many places, I have no objection in principle to more flexible provisions but I really am concerned that the provisions enshrined in clause 6 are so flexible as to encourage abuse.

Mr HATTON (Conservation): Mr Deputy Speaker, a number of matters have been raised. They were really thrown in as side issues but they cannot go unanswered. One really does become sick and tired of hearing continually this cynical, sarcastic castigation of the mining industry, particularly when we are dealing with environmental matters. I might point a couple of things out for the benefit of the members opposite. Firstly, the Conservation Commission has a wide range of functions, one of which is the management of parks and reserves in the Northern Territory. If the member for MacDonnell had sat down with the member for Arnhem, who has, I believe, a much better appreciation of the role of the commission than does the member for MacDonnell, he may not have made some of the comments that he made today.

The member for Arnhem expressed support for the amendments relating to more flexibility on meetings. I would suggest that, from his previous experience and dealings with the Northern Territory Tourist Commission, he recognises the problems that exist with the 3-monthly meetings. Quite obviously, apart from the total impossibility of holding 4 meetings in a day at 2-hourly intervals, it is quite clearly the intention to hold meetings as closely as possible to a quarterly basis but not to a rigid timetable which has created difficulties. It has made it particularly difficult for Aboriginal representatives on the Northern Territory Conservation Commission to attend the meetings. The provision should enable us to act with more flexibility and facilitate the participation of the 2 Aboriginal members of the Northern Territory Conservation Commission. I urge members to support that particular provision.

I quite resent the accusation that I may have acted contemptuously or failed to inform the Assembly in my second-reading speech. I advise the Assembly that there had been no decision in respect of the ninth member at that time. It has been some time since this bill was introduced and there has been a number of consultations and discussions in respect of Northern Territory legislation.

The member for MacDonnell referred to a speech I made to the Northern Territory Chamber of Mines. It is a shame that he did not advise the Assembly of the title of that speech. It was called 'A Question of Balance'. That is what we are seeking to achieve and that is what Australia is seeking to

achieve in respect of its national conservation strategy. Part of that balance involves bringing the various sectors of the community together to try to understand each other's point of view. I cannot think of a better way to do that than, for example, to have a representative from the mining industry on the Northern Territory Conservation Commission whereby the miners can hear directly the concerns of those primarily concerned with environmental and conservation issues. On the other hand, those involved in the environment and conservation movement will be able to hear the concerns and problems of the mining industry. I believe that would be a most appropriate appointment to the Northern Territory Conservation Commission.

In respect of the confidentiality provisions, I know that the member for Arnhem has alluded in previous debates to problems associated with the Aboriginal representation on the Northern Territory Conservation Commission. I really think that is at the root of the arguments that have been presented by members opposite in respect of these particular confidentiality clauses and I might say that I have had representations, including some from the Central Land Council, on this particular point.

A couple of points need to be made. I referred earlier to the fact that the Aboriginal representatives on the Conservation Commission are there as Aboriginals domiciled in the Northern Territory. Section 10(3) of the Conservation Commission Act states that 'not less than 2 members shall be Aboriginals domiciled in the Territory'. Section 11 deals with the appointment of members and subsection (2) reads:

> 'Prior to an appointment of a member referred to in section 10(3), other than an appointment under section 15(1), the minister shall, in writing, request each land council established under the Aboriginal Land Rights (Northern Territory) Act 1976 of the Commonwealth to nominate to him, in writing, the names of 2 persons who are qualified to be members under section 10(3) and who are willing to serve as members'.

There are currently 3 land councils in the Northern Territory and I understand that there are discussions taking place within the Aboriginal community about the possibility of other land councils forming. It will be physically impossible to say simply that there will be 2 Aboriginal representatives and they are representatives of this particular land council or that particular land council. What we are trying to obtain is the views of the Aboriginal people because, in relation to many parks - and this will develop more in the future - there will be close involvement between the Conservation Commission, the Aboriginal people and the traditional owners. I refer members to the developments that are occurring at Kings Canyon National Park at the moment. We are holding discussions at the moment with the Northern Land Council and the Central Land Council on the way in which we can work in cooperation and partnership with Aboriginal people, where they have a close attachment and involvement in land in parks, to accept mutual responsibility for the management of those areas. In respect of our experience at Kings Canyon, the Northern Territory Conservation Commission has benefited greatly from the process of discussion and from working in partnership with the Luritja Community to gain an understanding of the history and knowledge of the land. That has assisted extensively in the development of management policies.

We have specifically legislated for the membership of 2 Aboriginals domiciled in the Northern Territory. We are required under the act to

approach land councils to nominate 2 persons each for consideration for appointment to the board of the commission. Those people are appointed as individuals but they may not be from a particular land council. We still need to ensure that there is a flow of information between the land councils and other Aboriginal people who may not be communicating directly with the land councils to ensure that we receive an accurate reflection of the views of the general Aboriginal community in respect of matters that are of relevance to the Northern Territory Conservation Commission.

To that end, last week I held discussions in Darwin with both the Northern Land Council and Central Land Council. Without the necessity of changing the legislation, I believe that we can quite adequately meet the following objectives: firstly, to ensure that the Aboriginal representatives can gain advice and assistance in handling matters on the board of the commission that often are of a very complex nature; secondly, to ensure that the Aboriginal communities are aware of what is going on within the Conservation Commission; and thirdly, to ensure that that does not become a vehicle to encourage every harebrained, half-wit in the Northern Territory to create chaos.

Unfortunately, there is a history of that occurring in the Territory through the Board of the Conservation Commission. Whilst this particular example was not a stimulant for this clause to go in, because the incident occurred after the legislation was before this Assembly, nonetheless it is representative of the problems we are talking about.

As most members would know, we are working towards the development of a park in the Tabletop Range on Stapleton Station. Towards that end, considerable work has been carried out in conducting a provisional environmental report, some sort of area statement and a consideration of potential resort developments in or around that park. A report has been prepared. There has been some preliminary viewing of it. It has not yet gone through the environmental assessment processes. It has not even been referred to the board for consideration of further reaction, but it was circulated as a matter of advice to board members of the Conservation Commission so that they would be kept informed of what was going on, which is as it should be.

I received a letter from the Environment Centre seeking copies of that report. Quite properly, I wrote back to that organisation and said that it had not been assessed properly. I told it that the information was in a preliminary form and should not be open for public debate at that point and that I would contact it when we were in a position to release copies of that report. Just 2 days later, I received advice that a photocopy of that report was sitting in the shop of the Environment Centre in the Darwin Mall. The front was stamped 'NLC library'. It could have arrived there only through one mechanism, and that is the sort of thing that should not happen. That is the sort of thing that perverts and distorts fair and dispassionate consideration of issues associated with parks, for example.

The processes that I am negotiating with the land councils at the moment will obviate those problems but allow the land councils to be kept informed provided they accept the confidentiality provisions that we are referring to and do not allow themselves to become a funnel to feed organisations throughout the Northern Territory. I might say that the land councils recognise that as a fair and legitimate position and I believe that this will not in any way inhibit or limit the ability of the Aboriginal members of the board to receive advice, provide information and contribute effectively to the workings of the Conservation Commission and assist us to obtain the views of the Aboriginal people.

I trust that satisfies the wishes of the member for Arnhem who raised that specific question. He mentioned the Gurig situation, but that is specific legislation. I think I have dealt with the concern that he expressed. I notice that the member has an amendment circulated and I must say that I shall be opposing that amendment because the nature of representation referred to in sections 10 and 11 of the act would render that amendment meaningless because it specifically refers to people who are there as representatives of organisations and there are no members who are there as representatives of organisations, with the exception of the Director of the Conservation Commission.

I believe that the administrative procedures that we are discussing with the land councils will overcome the objections that the opposition has raised and I commend the legislation.

Motion agreed to; bill read a second time.

In committee:

Bill, by leave, taken as a whole.

Clause 5:

Mr LANHUPUY: Mr Chairman, I move amendment 48.

I reiterate what I said earlier in my statement concerning the disclosure of information. With respect to the Minister for Conservation, I am still of the opinion that, to some extent, this legislation will restrict people who have been appointed by land councils and organisations. It is of concern and that is why the opposition has proposed this amendment. I would certainly like the minister and the Assembly to look at the proposed amendment that we have introduced in relation to this bill. I ask all members to support the amendment.

Mr EDE: Mr Chairman, I will just make a few brief points regarding the amendment. The minister has taken exception to the wording of our amendment. We could argue the legality of the amendment all day. Suffice it to say that our lawyers believe that our amendment will accomplish our purpose. This is also the view of the people I have spoken to on the land councils.

The minister has said that he needs the views of Aboriginal people. However, he does not allow the processes needed to obtain those views. He says that he has a method - which he has not explained - that will solve these problems. If he is not prepared to explain what that process is, he cannot expect us to sit quietly and accept that he has solved the problem. On our legal advice, we have found a form of words which will solve the problem. It will not entirely remove the secrecy provisions but it will allow people on the board to talk with the land councils which nominate them.

I would ask the minister whether he wants the full value of the representation which he has been trying to achieve in this act, which actually stipulates that the land councils will be asked to nominate people. Does he want the full value of that representation? He may wish to have only token representation. He may not know - although I suspect that he does - that sometimes the person best able to represent an Aboriginal organisation may not have the highest standard of literacy skills in that organisation. That person may in some instances find it difficult to handle some of the complex

issues that arise. It is in the minister's interests that these people be utilised. I believe that the opposition's proposed amendment will allow the representative to utilise his organisation's resources in such a way that the matter does not become one of public debate.

The particular point raised earlier by the minister is not relevant. We have not complained about a problem with secrecy provisions in this amendment. If somebody within an Aboriginal organisation was to release information to the public, it would be quite within the minister's rights to find out who it was. If it was a member of the board, he could require that person to be removed and ask that another person replace him. That is a very substantial power. I think that our proposed amendment would ensure that the minister can retain the secrecy provisions, whilst simultaneously enshrine in legislation the ability of members from organisations like the land councils to act in a way which is consistent with Aboriginal culture, and which will provide resources to the Board of the Conservation Commission. I commend the amendment to members.

Mr HATTON: Mr Chairman, I would like to make the point that this is not a capricious rejection of the amendment proposed by the opposition. In fact, its proposal is technically incorrect.

Mr Ede: You line up your lawyers and we will line up ours.

Mr HATTON: The member for Stuart was waving around a letter from the Central Land Council. It has written to me too and it has suggested a wording which also presents problems. Its words are different to the ones proposed in his amendment. I assume he must have used legal advice outside the Central Land Council, but that would amaze me.

The point I make relates to the fourth line of the proposed amendment: '... a person appointed as a member to represent that organisation or group shall be...'. That is the problem. The person, as I said earlier during the second-reading debate, is not appointed as a member to represent that organisation. We are talking about law here. We are talking about a person who is appointed because he is an Aboriginal domiciled in the Territory - full stop. He is not appointed as a representative of an organisation or a group. This is legal terminology.

The member for Stuart challenged me to outline the details of the processes that are in place. I did not go through the fine details because we are still in the process of finalising them. However, it would be the intention of the Conservation Commission to provide, through administrative arrangements, for Aboriginal representatives to hold discussions with the land councils in the course of their duties. That would enable them to discuss matters that are in the process of being considered by the Board of the Conservation Commission. In setting these administrative arrangements in place, the land councils would reach agreements with the Board of the Conservation Commission to ensure that information being provided to them was treated confidentially. In addition, there are times when it may be difficult for an Aboriginal member to express clearly particular views which should be brought before the Conservation Commission. There is a practice whereby organisations have the capacity to come before the board and make direct representations to it. The directors of the Conservation Commission have discussed this practice with the land councils. They will be able to come forward and put their views directly to the board although they obviously would not be participating in the decision-making process. These views can be

brought forward at board meetings to ensure that they come to the attention of the commission.

There is no intention to stop the flow of information. It is a matter of ensuring that the information is handled properly. The opposition amendment does not achieve its objective. I believe the administrative procedures will achieve the objective and there is no need to amend the legislation.

Mr SMITH: Mr Chairman, it has been brought to my attention that there may be a set of words that would bring us closer together. Because of the possibility that a change to our amendment might solve this conflict, I would like to propose that we report progress.

Progress reported.

## LEAVE OF ABSENCE
Mr Perron

Mr D.W. COLLINS (Sadadeen): Mr Speaker, I move that leave of absence for this day be granted to the honourable Attorney-General on the ground of ministerial business.

Motion agreed to.

## CROWN LANDS AMENDMENT BILL
(Serial 143)

Continued from 28 August 1985.

Mr EDE (Stuart): Mr Speaker, the opposition has no objection to the amendment to section 38AA(1) to widen its applicability. The section empowers the minister to carry out remedial work on perpetual pastoral leases where the lessee has neglected to do so. Costs can then be recovered. This amendment will extend the operation of the provision to cover term as well as perpetual pastoral leases. We have no quarrel with this approach.

However, the amendment contained in clause 3 is another matter. In introducing the bill, the minister said that his principle intention was to make clear the intended purpose of section 24(2). That is simply not true. The amendment will make a significant alteration to the provision as it currently stands. To illustrate this, I would like to look briefly at this section in its historical context.

The original intention of the section was to protect the traditional lifestyle of Aboriginal people. Up until 1964, the section conferred on Aboriginal inhabitants of the Northern Territory and their descendants: 'full and free right of ingress, egress and regress into, upon and over leased land and every part thereof, and in and to the springs and natural surface water thereon, and to make and erect thereon such wurlies and other dwellings as those Aboriginal inhabitants are from time to time accustomed to make and erect and to take and use the food, birds and animals and ferae naturae in such manner as they would have been entitled to do if the lease had not been made'.

They had the same rights as if the lease had not been made. In other words, the section was designed to preserve the traditional rights which had existed before pastoral leases had been granted: rights of movement and

hunting, and to erect shelters and stay on the land. The wording of the section was quite clear. The rights existed as if the lease had not been made. Because of the value that Aboriginal labour represented to pastoral lessees, these rights were not challenged. However, with full wages for Aboriginals and a more capital-intensive approach to mustering, the presence of Aboriginal communities on pastoral leases was no longer as attractive or important economically for pastoralists and the position gradually changed. Since that time, the rights conferred by this section have been gradually whittled away.

The current amendments represent a further erosion of those rights. In no way are they a clarification of the current position. In the past 20 years, the provisions for Aboriginals generally have been the subject of a number of reports - such as the Woodward Report - recommending the strengthening of the rights of Aboriginals to enter, travel over and camp on pastoral leases. In addition, the Woodward Report recommended that Aboriginals be given free access to bore water on pastoral properties. This was in recognition of the fact that the sinking of bores had seriously affected the levels of watertables. In some cases, it led to the drying up of natural waterholes which had been the source of water supply for the Aboriginal communities on the leases. Needless to say, none of these recommendations was taken up. On the contrary, what has been taken up, in virtually every case, has been any suggestion which would have led to a weakening of the provisions as they stood. In the case of Woodward's recommendations, a 2 km zone around homesteads was exempted for use by Aboriginals - 2 km when Woodward had recommended 1 km. The penalty for breach of rights conferred by the section was also reduced. Other recommendations in favour of Aboriginals were ignored.

It should be appreciated that all such recommendations were made as part of a package, including recommendations that would have provided excision areas for Aboriginals and led to various other steps in an effort to preserve Aboriginal culture. That has happened time and time again. Successive Northern Territory governments have chosen to implement selectively recommendations which, on the one hand, weakened provisions conferring rights in respect of pastoral leases while, on the other hand, did not provide the excision areas on Crown leases which were an integral part of the recommendations made in every case.

We now have a situation where there is no longer in the section a reference to the erection of shelters for Aboriginals, and the whole question of the right to residence on Crown leases is in question. This is something that has developed over the last 20 years. In 1964, the rights clearly existed but a series of amendments have cut down those rights. Lessees no longer needed Aboriginal workers so the communities on the leases became a nuisance. Since that time, there have been many incidences of small Aboriginal communities being forced off pastoral leases.

It is interesting to note that there are few recorded instances of the rights conferred by this section ever being enforced by the authorities. The one exception that I know of was in relation to Lake Nash in 1979. I recall that, when the Reverend Jim Downing and I first went out there to talk to the people about the attempts that were being made to have them removed, we were told that there was no sense our becoming involved because the Department of Aboriginal Affairs organised the cattle trucks which were on the way to pick them up and move them off. In that particular instance, we were able to obtain an injunction from a Supreme Court judge under the provisions of the

services section which gained the people a breathing space necessary to mount their battle to stay on the land.

Some of the members of this Assembly are aware, perhaps only in broad outline, of the long struggle of the people of Lake Nash to have the right to stay on that land. Time and time again, the pressure built up and, time and time again, it was necessary for the people and their supporters to attempt to find some means whereby those people could stay there. The Chief Minister, whose electorate it was at that stage, was involved. I will not go into the details because, unfortunately, there are aspects that do him no great credit. However, the fact remains that an injunction was sought and obtained. In fact, the company which is running Lake Nash made no attempt to have that injunction set aside even though it clearly went against the attempt that it had made in that area earlier.

It is a source of continuous regret to me that the people of Lake Nash still do not have title to their land to this day. Due to the publicity and pressure that they have been able to mount, they have a living situation which is far superior to what they had before. I give credit to the federal government, and to the Northern Territory government to the extent that it has been of assistance in that particular problem. However, the fact remains that, to this day, those people do not have title to their land. In the arguments that have risen over how that title would be conferred, I have generally found that, unfortunately, the government has not been as sympathetic as it could be to some of the provisions which the people have asked to be included in the lease. It has placed a very high level of credence on requests from the pastoralists. For example, I recall the request for a dog-proof fence around the excision, a particular monument which would cost an enormous amount of money, serve very little practical use and probably end up being a source of friction in the future.

The amendment in this bill will restrict the current rights of residence of any Aboriginal group to the exact place where they currently live. Such a restriction is completely new. Indeed, given the nature of Aboriginal culture, it is iniquitous. What of a situation where a death in the community requires either a temporary or long-term relocation by some or all members of the community? What happens if their water supply dries up as a result, for example, of the effect of sinking further bores? This has not been dealt with at all. Presumably their rights to move to a water supply would not exist.

In addition, Aboriginals entitled by tradition to use the land and also those Aboriginals who are granted an excision elsewhere are specifically prohibited from residing on the pastoral lease. This, in effect, resolves the question which is currently uncertain: the question of residence. Just on 20 years ago, it was a definite right of Aboriginals but successive amendments have now made that uncertain. If this bill goes through, the question will be resolved in favour of the pastoralists, in favour of the group in whose favour these sorts of questions have always been resolved. Once again, it will be against the traditional rights of the Aboriginal people.

Indeed, when one looks at the comments made by the minister when he introduced the bill, it is quite clear that these amendments have been introduced to suit again the interests of pastoralists without any regard to the interests of the competing group, the Aboriginals. When I use the word 'competing', I am talking in terms of the perception of some pastoralists and this government. Given the facts of the situation, it could hardly be said that the Aboriginals provide any real competition for the overriding right of

the pastoralists. It is the pastoralist who has the whip hand in this area. It is the pastoralist who has the legal title to the land. It is the pastoralist who has been in a position of influence with regard to government policy over the last 20 years to erode gradually the rights which existed for many years before that. Once again, it is the pastoralist whose interests are being promoted now at the expense of the few remaining rights of the Aboriginals to exercise their traditional rights over their country. In short, it is the pastoralists who have all the power and influence. Aboriginal rights under the Crown Lands Act have no record of enforcement. Rather, their rights have always taken second place to those of the pastoralists. In the name of simple justice, this trend must stop.

The minister commented that the motivation behind the legislation was to ensure that Aboriginals, who are not eligible for the grant of community living areas, do not take up permanent residence on a pastoral property under the misapprehension that they are entitled to do so. That is a matter of enforcement. The amending bill before us, on the other hand, is a question of reducing rights. If it is merely enforcing rights or clarifying entitlements, then rewording the legislation is not the way to do it. The minister claimed that the intention of section 24(2) has always been to confine Aboriginals ordinarily resident on a lease to one place and no other spot on that lease. I would suggest to the minister that he read the section again. There have never been these strictures before. On the contrary, he is introducing them for the first time.

He says that this bill does not represent a change in policy. Unfortunately, we must recognise that that statement is correct. These amendments represent a consistent policy which has been exhibited by this government over a period of many years. That policy is to discriminate in favour of pastoralists and against the once strong legal rights of Aboriginals to live on their traditional lands. No doubt, the Chief Minister and his colleagues will be quick to jump to their feet to accuse me of trying to stir up racial tension. It seems that any attempt to point out any injustice towards Aboriginal people is met with such a catchcry from this government, but let us be under no misapprehension as to what the proposed amendments in this bill are about.

The Aboriginals have limited rights under the Crown Lands Act, and they continue to be reduced. Although the need for legislation to confer entitlement to excisions from pastoral properties has been stressed again and again over a number of years, the government still refuses to act. It has introduced a set of guidelines which, in many cases, offer to Aboriginal people who have lived on leases for many years limited conditional leases for 5-year periods. The argument is that, if they can stay at that one place for 5 years, they have proved their good intentions. Apparently, the long years of residence which they have chalked up already count for nothing and are no indication of their genuine intentions.

This limited provision to confer excision rights on Aboriginals is not enshrined in legislation but is set out in guidelines which are subject to the goodwill of the government and, I might add, to the goodwill of the pastoralists. The government continues to erode what small legal rights are left to Aboriginal people to move and stay on pastoral leases. These actions breed racial tension, and they are embodied in clause 3 of this amendment bill. For those reasons, we will be opposing this clause of the bill.

The government issued a set of principles which it said that it would utilise to negotiate excisions for people because it had refused to allow to people a legally enforceable means of gaining excisions, and that it had decided that it would operate simply according to a set of non-legislative principles after negotiation. I believe it to be highly improper that it is now removing some of the rights that were held by one of the participants in that particular negotiating situation. From his background in negotiation, the minister should know that that is just not on.

We have prepared an amendment which we will put to the Assembly during the committee stage. This amendment is aimed at restoring to Aboriginals the clear right to camp on traditional lands. It will also confer on Aboriginals the right to use bore water for drinking, washing or cooking, subject to the reasonable requirements of the lessee.

Mr Robertson: Traditional bores.

Mr EDE: Surely, the members on the other side of this Assembly could not, in all justice, argue with such a provision. I find the comment about 'traditional bores' specious and completely inappropriate in this case because I have already stated that, in many instances, the bores have lowered the watertable and made it impossible to utilise the traditional wells that were around certain areas.

Mr Hatton: Give us an example.

Mr EDE: If the minister wishes to accompany me around my electorate, I can show him example after example.

Finally, the opposition will be moving to delete the latter reference in this clause which aims at restricting traditional rights further and confining Aboriginals to small enclaves. When one looks at the proposed provisions in this bill, one can only wonder how long it will be before this government attempts to confine all movement of Aboriginal people. I ask all members to consider seriously the implication of the amendment contained in clause 3 and I urge them to reject that amendment and to accept ours which we will put in the committee stage.

Mr BELL (MacDonnell): Mr Deputy Speaker, it is extraordinary. Contrary to the plethora of government backbenchers who chose to speak on bills before this Assembly earlier today, we find not one of them is particularly keen to speak to this rather more contentious piece of legislation.

I will commence my comments on this bill by offering an example that the minister asked for from the member for Stuart, the shadow minister for Aboriginal affairs, of where natural waters have been degraded and made unusable because of pastoral use. I refer to a pastoral lease in my electorate, but I will not refer to it specifically. It is not shown on any maps. The name of the place is Ukaka and, undoubtedly, the sound symbolism will inform members that it is a frog dreaming place, surprisingly or not. That particular frog dreaming place was a natural waterhole around which one of my constituents and his forebears had lived. Without realising that it would be downgraded, they had assisted the pastoral lessee to build a well but, unfortunately, that is no longer usable. That is one example. If the minister is interested to learn more specific details of that particular case, I shall be more than happy to inform him.

As a corollary to that particular story, and it is quite germane to this bill, I will tell members about that same man who had to pluck up his courage to take advantage of section 24 of the Crown Lands Act - the reservation in favour of Aborigines that is contained in the section of the bill being amended here. He is a fine man and his family has lived in my electorate for generations. Understandably, he was concerned that he would be harassed by the pastoral management involved in this particular case. He sought my advice in that regard. I wrote a letter for him, to whom it may concern, advising of this particular man's rights under section 24 of the Crown Lands Act to be on pastoral leasehold land in precisely the terms that were contained in the act and which have already been discussed and cited by my colleague, the member for Stuart. It so happened that I now have a record of the particular events that followed that because this man went to live on this particular lease and he was duly approached by the manager who was not too happy to see him there. The manager had been living on the particular lease only for a year or 2 whereas my constituent and his family had been associated with the lease for generations - in fact, possibly since the last ice age. The manager was upset and he dressed down this chap and said: 'If you are not away from here by Saturday, I will be calling the police'. Duly on the Saturday, down came the manager with a sergeant of police in uniform and they proceeded to berate the man in question and said: 'You have got to get away from here. If you do not, you will be in strife'. But he stood his ground. Subsequently, he said to me: 'I showed him that piece of paper with the law book in it'. Surprisingly enough, the police sergeant said to the manager in question: 'Well look, he is quite right you know. There is nothing I can do about this'.

One can imagine the sort of courage that took on the part of a man who was well aware of incidents associated with the police, albeit isolated. Relatives of his had been shot dead under circumstances that led to a board of inquiry. I will not go into that particular incident now but I think that all members will be impressed by the good humoured determination of this particular man under those circumstances. I have deliberately refrained from naming the lease and the manager concerned because I do not think it is necessarily in the interests of community relations to make an issue of it. However, I do believe it is appropriate to bring up circumstances like that in the context of a debate such as this in case the large number of government ministers and backbenchers who represent pocket handkerchief corners of suburbia imagine that sections such as this within the Crown Lands Act do not relate to some human reality and some real social need that might not necessarily be apparent in their suburban fastnesses.

Having said that by way of introduction, it will come as no surprise to members that I oppose the amendment to section 24(2) that has been proposed. I oppose it because of the process of negotiation of excisions that the minister referred to in his second-reading speech. To corroborate the argument put forward by my colleague, in negotiation terms, it is hardly constructive for such negotiations to be prejudiced by the introduction of an amendment such as this. It is very difficult for my constituents who are unable to obtain any security of tenure to living areas on pastoral leasehold land to perceive in an amendment such as this anything but malign motivation, anything but a determination to restrict further and further those very interests. The Minister for Lands has not been in this Assembly for as long as I have but one of his predecessors...

Mr Robertson: You are not exactly the doyen either.

Mr BELL: I am pleased to hear that the Leader of Government Business has at last learnt to pronounce 'doyen'. Actually, he was quite wrong - the accent is on the second syllable not the first. I refer him to the Oxford or the Macquarie Dictionary. But since he has introduced himself into this debate by way of interjection, let me say that, as the predecessor of the minister, he will no doubt recall my maiden speech in relation to a former Martin report, dare I say, that received not quite so wide a publication or quite so wide a fame as the one that is currently before the Assembly. It was, of course, a consideration of the status of leasehold land. In the context of that particular debate, I referred to the fact that it was 10 long years since the Gibb Committee had presented its report to the federal parliament outlining the outrageous circumstances that surrounded the failure of pastoral lessees in many instances - not in all instances - to negotiate living areas for people who were displaced persons in their own country. In 1981, it had been 10 years. It is nearly 5 years since that particular report was presented to this Assembly in June 1981. In fact, it was tabled in March 1981. It has been half as long again and still there has been no action. Let me be quite precise. I will retract that. It is not that there has been no action, as I have placed on record in this Assembly on previous occasions. The minister cited an example in his second-reading speech of the excision on the Narwietooma lease which was negotiated between Mr Eddie Connellan and the Umpangara community. I have great pleasure in placing on record in this Assembly the sort of familial relationship that exists between Eddie's son and the community.

However, that is not the entire story because there are several groups in my electorate where excisions are still a considerable problem. I regard it as bad faith on the part of the minister to address the situation with an amendment such as this. The reports that have come back to me about the negotiations between certain groups have been positive. In other circumstances, they have not been so positive. That is a matter for regret. I am not convinced that there will not be a need to amend the Crown Lands Act to include arbitrative provisions because of the inability of these negotiations to resolve all the situations in which excisions are sought. I am sure that that issue would be of concern to the minister. I really fail to see what sort of motivation he could possibly have had for introducing this amendment.

I wish to make a historical point. Members may be as aware as I am of the changing aspirations of Aboriginal people in central Australia. Certainly, over the last 100 years, the aspirations of Aboriginal people and their interaction with the wider Australian society have changed markedly. That in turn has changed them, as indeed I would like to think that it has changed us and our attitudes. Unfortunately, when I see legislation like this before the Assembly, bearing in mind the current circumstances and the current negotiations, I suspect that the attitudes have not changed. To put it bluntly, I suspect that blackfellers are only acceptable when they are trying to be whitefellers. I am deeply concerned at the inability of the minister and the Cabinet to perceive that this reservation enshrined in section 24 of the act is of continuing importance to Aboriginal people in my electorate and elsewhere in the Territory. I believe that the minister and his government are to be roundly condemned for seeking to amend this act in this particular way.

Mr HATTON (Lands): Mr Deputy Speaker, I suppose the arguments were predictable. That does not necessarily make them logical but they certainly were predictable.

There was considerable discussion about an accusation that we are changing the law. I referred specifically in my second-reading speech to the views of Mr Justice Toohey. I refer to paragraph 102 of that famous report, 'Seven Years On':

> 'There has been some debate over the scope of the words "to enter and be on leased land" in paragraph 242 of the Crown Lands Act. In my view, they fall short of an entitlement to reside or to construct dwellings but do entitle an Aboriginal, having the benefit of the reservation, to remain on the land for one of the purposes mentioned in paragraphs (b), (c) or (d) and probably for any other purpose short of residence'.

That is precisely what this particular piece of legislation is saying. It is clarifying that position. Again, I quote Mr Justice Toohey:

> 'There has been some debate over this. If one says that legislation can be clarified so that somebody coming and picking it up and reading can more clearly understand what the legislation is saying, then it should be amended at an appropriate time'.

That is exactly what we are doing in respect of this particular piece of legislation.

I am pleased to see that the matters other than that have received the support of the members opposite. I refer to the amendment to section 38AA. I believe that will assist the government with respect to its dealing with all pastoral properties - certainly those that we still retain control over under the Crown Lands Act but also in respect of other properties to ensure that proper controls and management of B-TEC can be maintained.

I do not intend to detail the pros and cons of our excisions because it is my intention tomorrow to report to the Assembly on excisions. However, I might say that the achievements of the Northern Territory government in the last 6 months since the adoption of the excisions guidelines have been quite considerable and this legislation reflects the reality of what is occurring.

The member for Stuart referred to insecure 5-year tenure titles. I am sure that he is aware that those titles are convertible to freehold titles at the option of the lessee at either the meeting of covenants under the lease and or the expiration of the time with the covenants completed. There has been considerable negotiation over the terms of those and I understand that the land councils are now satisfied with the terminology. Perhaps he ought to go back and talk to his masters and get his new riding instructions.

The excision process is proceeding excellently and I am quite pleased to say that discussions with the pastoralists, the Aboriginal people and the land councils are proceeding to meet the needs and aspirations of Aboriginal people to give them secure title to living areas and to overcome many of the problems that members opposite are arguing in respect of this legislation.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr EDE: Mr Chairman, I move amendments 49.1 and 49.2.

My amendment replaces paragraph (d) which states 'to enter and be on the leased land' with a new provision which confers the right to enter, travel over and camp on the leased land. It also inserts a provision to give access to water from bores and other man-made sources for the purposes of drinking, washing or cooking. That access will be subject to the reasonable requirements of the lessee. This amendment is introduced because of problems encountered where waterholes are drying up as a result of the lowering of the levels of the watertable because of the sinking of bores and also because of problems created where natural waterholes and soaks have been contaminated by cattle.

The second amendment removes the restriction that Aboriginal residents be confined to one place only. It also removes paragraph (h) which specifically denies right of residence to Aboriginals who have been granted an excision or who are entitled to enter and occupy the land by Aboriginal tradition.

We believe that these amendments are fair and reasonable. They do not confer upon the people the right to erect permanent assets on that land. We realise that this government will not accept that. In the interests of trying to come up with an amendment which we believe should be acceptable to the government, we specifically refer to 'camp on' the leased land rather than to 'erect' residences on the leased land which was the situation in 1964.

Mr Hatton: Land rights hadn't started then.

Mr EDE: Mr Chairman, I might point out to the minister that he has a very poor knowledge of the development of this. This legislation in fact far precedes any of the land rights legislation. The traditional owners of the land had certain rights which have been progressively eroded by this government.

Under our amendment, the people would have the right to enter, travel over and camp on the leased land. We will always have the situation, as we have seen at places such as Mount Wedge, where old people wish to visit a particular part of their land and camp there for a couple of weeks. It may be near a bore. That particular situation is covered by our amendment. I am sure that, in that particular instance, the pastoralist would not deny those people the right to do that. However, there have been instances in my electorate where that right has been denied.

With the legislation amended as proposed by the minister, the people will not have any recourse. They will have no right to travel around or erect a temporary shelter on that particular land for a period of weeks or months while certain ceremonies are carried out or during a particular time of mourning or simply because an old man wishes to go back to pass away on his own land. I believe that this is a cruel and heartless piece of legislation. We believe that our amendment is eminently reasonable. It will allow the pastoralist to continue to carry on his activities but will allow many Aboriginal people to fulfil a very significant part of their culture.

At other times in this Assembly, we talked about the limitations that we believe have already been placed upon the ability of people to obtain excisions of operable areas of land so that they do not develop into some form

of rural ghettoes. We have made that position clear before. The government has said, with the best will in the world, that it will promulgate certain conditions upon which it will negotiate leases. I agree that, in some instances, some of those negotiations appear to be proceeding but, after all these months, I have yet to be notified of one that has actually been signed and accepted. However, I find it iniquitous that, given that we were told that negotiations would occur in good faith and would be done between the 2 parties, this government is now ensuring that people no longer will have any rights to camp on that land for a short period without first having to obtain the approval of the pastoralist and possibly being told that that it is not on because of some particular debate that may have arisen over some quite separate incident.

I commend the amendment. I hope that, even at this late stage, the government will see the error of its ways and show a little bit of graciousness and kindheartedness.

The committee divided:

| Ayes 5 | Noes 15 |
|---|---|
| Mr Bell | Mr D.W. Collins |
| Mr Ede | Mr Coulter |
| Mr Lanhupuy | Mr Dale |
| Mr Leo | Mr Finch |
| Mr Smith | Mr Firmin |
| | Mr Hanrahan |
| | Mr Harris |
| | Mr Hatton |
| | Mr McCarthy |
| | Mr Manzie |
| | Mrs Padgham-Purich |
| | Mr Palmer |
| | Mr Robertson |
| | Mr Setter |
| | Mr Vale |

Amendment negatived.

Clause 3 agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill reported; report adopted.

Mr HATTON (Lands): Mr Deputy Speaker, I move that the bill be now read a third time.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, today I have not participated in this debate. However, I think arguments were canvassed quite eloquently by both the members for MacDonnell and Stuart. I think the Assembly has once again witnessed the change of status of Aboriginal people. Most historians and anthropologists recognise that Aboriginal people are indeed nomadic people. We have once again turned nomads into refugees.

Motion agreed to; bill read a third time.

INDUSTRY AND EMPLOYMENT TRAINING BILL
(Serial 150)

Continued from 13 November 1985.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the Deputy Leader of the Opposition has clearly enunciated the opposition's amendments to this particular piece of legislation. I wish to confine my comments to clause 28 which provides the provisions for the standing down of apprentices. Inevitably, this clause will oblige apprentices to become members of unions. Although this is probably quite some time down the track, it will virtually ensure that, whereas they should be involved in study to become tradesmen, they will in fact become industrial animals. That will be a reality. I think it is a real tragedy.

I can appreciate the reason for the government moving in this direction. I appreciate that it perceives that this is one way of encouraging a growth in apprenticeships. We need to encourage more young people to take up apprenticeships. Certainly, the employers would see this as a means by which they could justify taking on more apprentices. I appreciate that, because of industrial stoppages, quite a deal of time is lost to employers. However, if this legislation is passed unamended, inevitably apprentices will become union members. At a much younger age than ever before, apprentices will become industrial animals.

I would like to canvass another option while I am on my feet. It is an option that is working very well in certain countries in Europe. In those countries, the government provided exemptions from payroll tax for employers who took on a certain number of apprentices. I suppose the figure would be arbitrary. Perhaps employers who employ 5 apprentices could have the payroll tax for 25 people reimbursed. I am quite sure that that would lead to a much higher rate of apprenticeship training in the Northern Territory. It is a very successful scheme. It works well in certain countries in Europe. I ask the Minister for Industry and Small Business to investigate those provisions which are available to employers in certain European countries. They appear to me to be very worth while. I am sure that they would contribute to what both the government and the opposition wants: a much larger number of apprentices in training in the Northern Territory.

Mr SETTER (Jingili): Mr Deputy Speaker, I rise to support this bill. In so doing, I congratulate the minister for his recognition of the need to revise legislation applying to the training of people for employment within our industries. For some time now, the responsibility for overseeing training in this area has been with the Vocational Training Commission. This body and its hardworking members have served our community well. They have been responsible for developing our industry training to the position in which we find ourselves today. Nevertheless, during the period since self-government, industry has developed so rapidly that it is now necessary to revise our approach to training within industry and to take into consideration the recommendations of the Kirby Report.

It has become obvious in recent times that there has developed some duplication of responsibility and resources. The Minister for Education has now introduced amendments to the Education Act which will reduce this duplication, simplify the coordination of resources and streamline the administration of post-secondary education.

This bill allows for the setting up of an Industry and Employment Training Advisory Council which will make recommendations to the minister and advise him on those matters relating to training for employment in industry. This includes training in apprenticeship trades. Members of this council will include people who represent government, and employer and employee organisations.

This bill clearly defines the establishment of the Industry and Employment Training Advisory Council. It outlines the method of establishment of training courses for industry and employment. It covers in detail all matters relating to apprenticeship trades: their declaration through the training of apprentices, assignment of indentures, regulation of apprenticeships, suspension or cancellation of indentures and the completion of apprenticeships. It is a comprehensive bill which clearly defines all matters relating to the establishment of the advisory council and its responsibilities.

The training of people, in particular young people, to take their rightful place in industry in our community is a responsibility which we as a government must address. We must ensure that our local people, and I reiterate 'local people', are provided with post-secondary education and training which not only will allow them to acquire the necessary skills but also will satisfy the needs of our industries. Too often in the past, we have not been able to satisfy these demands locally. Too often we have seen that either the necessary training facilities were not available - for example, within certain areas of the tourism and hospitality industry - or that the people with the required skills could not be sourced from within the ranks of local residents. This has resulted in people having to seek training elsewhere or having to redirect their interest to another trade or profession. Likewise, employers have often found it necessary to import people with the necessary skills to suit their businesses or, more often, to employ transient people who stay only a short time. This serves to destabilise industry, lower efficiency and decrease the quality of the service or the product. We in the Northern Territory cannot afford the luxury of this approach. We must train our people to the standard where they are equal to any other. We must provide local employment opportunities as well as training facilities.

I referred earlier to the difficulties within the tourism and hospitality industry. However, I must applaud the recent establishment of courses at the Darwin Institute of Technology which, in part, satisfy local demand for skilled people. These were set up after consultation between government, our educators and employer and employee groups. It is an example of how the various involved parties can work together to satisfy a demand and create employment for our local residents. I reiterate: our local residents. I believe this bill has much merit and will rationalise our industry training programs to satisfy current and future demands. I commend this bill to members.

Mr DONDAS (Industry and Small Business): Mr Deputy Speaker, the Deputy Leader of the Opposition made great play of the fact that we have given no reasons for the changes. When I gave my second-reading speech, he said it was the worst second-reading speech that he had heard for a long time. Quite obviously, the Deputy Leader of the Opposition was relying on the second reading to do most of his work for him. My intention was to keep the second reading brief to give me the opportunity in this debate to obtain the views of opposition and government members.

He also criticised the fact that it had taken nearly a year to draft the legislation. One must remember that the administrative arrangements did not commence until December last year. We already had a Vocational Training Commission in operation. The Department of Industry and Small Business picked up several people from the Public Service Commissioner's office, the Chief Minister's office and the Northern Territory Development Corporation, and it took some time to get the new department organised. Most important of all, the department had to identify its legislative requirements because they will provide the framework for developing training facilities for our young people. Consultation with the unions and the private sector has also taken time. Finally, we have been waiting on the recommendations of the Kirby Report and the Hancock Inquiry. The recommendations of the Kirby Report were only accepted by the government in September. As late as August, the Commonwealth government itself was still evaluating the recommendations of the Kirby Report.

Therefore, I do not accept the Deputy Leader of the Opposition's contention that we have taken our time in presenting this legislation. Until the Industry and Employment Training Bill is passed, the Vocational Training Act will be in place. There was really no urgency because we were still working under an act of this Assembly. Furthermore, the time taken to discuss the proposed legislation with employer groups and other interested parties has helped to ensure that the legislation will work well. Judging by the comments of opposition members and their proposed amendments, this legislation appears to have won general acceptance. I think the time taken to present this legislation has been worth while.

The Deputy Leader of the Opposition has foreshadowed an amendment to clause 6(4). His amendment proposes to increase the membership from 9 to 11. The old Vocational Training Commission had 10 members. We thought that to be too many. We reduced the level of membership to 9 by deleting one of the public service positions on it. We feel that 11 would be too unwieldy and that 9 will provide a reasonably well-balanced council. After all, it is only an advisory council. I will be referring to its role in due course. More importantly, the minister will have the power to appoint not less than 2 members from both employer and employee organisations. Once the legislation is passed and we are able to assess people who wish to become involved, I will be able to take steps to create a well-balanced advisory group. I wish to thank the member for Koolpinyah who made some constructive comments on this matter. I think she may have a better grasp of it than the Deputy Leader of the Opposition.

The Deputy Leader of the Opposition has foreshadowed an amendment to clause 6(4). This subclause reads: 'The minister shall not appoint an employee to the council without consent in writing from the employer of that person'.

He stated that he thought it was completely unnecessary. The reason for including this subclause is that, in the process of consultation, industry requested it. Protection for the employee is given in clause 13 which ensures that an employee will not be penalised for being a member of the council. The amendment proposed by the Deputy Leader of the Opposition would have the effect of circumventing the employer's approval for an employee to serve on the council. This is not considered a desirable or supportable concept. In fact, if a particular employee wants to go on to this advisory council, he will need the permission of his employer. I think it is very important that that be maintained.

Mr Leo: The employer can sack him.

Mr DONDAS: Mr Deputy Speaker, the member for Nhulunbuy says that the employer can always sack him. What a load of nonsense! One should completely disregard that interjection. It is just nonsense to say that an employer can sack his employee because the employee is on the advisory council.

Mr Leo: He can sack him for any reason at all.

Mr DONDAS: Goodness gracious me!

The member for Koolpinyah queried clause 11(2)(b) which relates to financial insolvency of a member. My advice is that the parliamentary draftsman considers that this provision is not necessary because the council is an advisory body which does not enter into contracts or conduct business dealings.

The member for Koolpinyah also had a problem interpreting the meaning of subclauses (2) and (3) of clause 13 which relate to protection of the employment of council members. Subclause (2) is designed to ensure continuity of leave entitlements to an employee who is a member of the council. It provides for the employer to grant the employee member reasonable leave of absence to attend council meetings, with such leave determined as service in employment. In other words, he will not be losing any time, and I think that is very important. That is another reason why the employer and employee should agree to membership on the council.

The Deputy Leader of the Opposition was concerned that the council could not commission reports and research. Clause 14 provides for the functions of council. Subclauses (a) to (e) list functions of the council. It considers, advises and makes recommendations to the minister. Subclause 14(f) states that the council shall 'exercise and discharge such other powers and functions as are conferred or imposed on it by or under this act or any other act'. The functions of reporting and research are implicit. The council can appoint subcommittees, but it should be remembered that the whole Department of Industry and Small Business is there to provide resources and research services. The council is not like a small statutory authority without resources. I think this is where the Deputy Leader of the Opposition may have some misunderstanding. The council is part of a department and the department provides all the necessary services and research. That is the whole function of the department. The member for Koolpinyah is, of course, able to grasp this.

The Deputy Leader of the Opposition also had some concern about jurisdictional conflict with TAFE. The request for the minister to have powers under clause 19 came from industry through the consultation process. Industry representatives believe that the powers in clause 19 should rest with the minister because they relate to policy areas whilst the administration of the apprenticeship provisions relate to day-to-day activities which are properly the concern of the secretary. Like all administrative matters, any areas of potential conflict are usually resolved at departmental level. If necessary, they can be resolved by ministers. The wording of that section has been designed to avoid any potential conflict and it is believed that the member's concern is unfounded. It should be noted that there is a high level of cooperation between departments involved with the development of the Kirby traineeship scheme. Cooperation rather than conflict is the hallmark of the government's administration in the development of training courses for industry and employment.

Probably the most important point made by the Deputy Leader of the Opposition concerned clause 28, which relates to stand-down provisions for apprentices in certain circumstances. The opposition's amendment schedule relates to this particular clause. We oppose it because stipulating a breakdown of machinery as the sole reason for an employer seeking to use these stand-down provisions would not be fair, as the member for Koolpinyah has said. In fact, the department has spent a lot of time trying to work out which was the best way of doing it. The mechanism that it finally decided upon is reasonable. It has adopted as a model the stand-down provisions for employees contained in the electrical employees award. It is almost word for word. Essentially, the details have been lifted out of the award which has been ratified by the Conciliation and Arbitration Commission and which has general support within industry. In considering this course of action, it was thought to be the most just and reasonable way to deal with this area of jurisdiction. It should be noted that NTEC advises that reference to electrical failure in the Vocational Training Commission Act is no longer relevant due to the reliability of service now provided. To refer to breakdown of machinery as the sole cause for stand-down of apprentices is far too restrictive in this day and age and may even cause the stand-down provisions to be invoked. It should be noted that the secretary's approval must be gained before the provisions in respect of apprentices can be invoked. The member for Koolpinyah spoke on this matter and responded well to the points raised by the Deputy Leader of the Opposition.

The member for Koolpinyah canvassed the provisions in the clauses quite extensively. In fact, I think she did it far better than the Deputy Leader of the Opposition. The member for Koolpinyah had a number of questions regarding the hours identified for payment. She asked about the length of the determination with traditional provisions. Unfortunately, she is not here but she can read it in Hansard. These provisions are seen as reasonable and have general support. If an apprentice attends for work but cannot work because of an industrial occurrence, he is paid wages equal to 2 hours. Where an apprentice commences work but, through an industrial occurrence, cannot be fully employed, he is paid wages for 4 hours or the number of hours worked whichever is the greater. These provisions act as a protection mechanism for apprentices or probationers.

The member for Koolpinyah also raised concerns about the possibility of unreasonable terms and conditions being set by the secretary. This comes under subclause 29(3) which reflects the need to ensure that the employer provides adequate and proper training for apprentices. I can assure the member that the secretary will assess each case on its merit, with a just and balanced judgment in each situation, whilst ensuring that the best possible standards are maintained.

Another concern that the member for Koolpinyah had related to clause 30. She sought an assurance that the secretary will be reasonable in carrying out the intent of clause 30. This provision seems a reasonable inclusion and gives the secretary appropriate power should he need to accept or reject an applicant as a probationer. In practice, the secretary will always make determinations with the overall good of the apprenticeship system in mind.

The member of Koolpinyah raised several other points. I will be only too happy to allay her fears. Of course, right from the outset, she has said that she supports the legislation before us. In respect of the termination of employment in clause 49(1)(c), she was concerned with interpretation. However, the clause states: 'first employed by the employer to whom the indentures of his apprenticeship were assigned'. This provision seems quite clear.

The member for Koolpinyah was concerned about clause 53(2). She was worried about the intent of the bill in relation to the recovery of fines imposed by the secretary. She thought that the provision placed an unfair imposition on the employer to collect the fine. I think that the apprentices who are coming into the workforce these days are responsible. If there are any disciplinary fines, I am quite sure they will be very limited and therefore not onerous for the employer to collect.

I have also circulated an amendment schedule which I will now deal with. One error was picked up by the member for Koolpinyah. In clause 32, the word 'employee' appeared instead of 'employer'. I hate to think that the Deputy Leader of the Opposition also made mention of that. That will be amended in the committee stage.

Clause 70 needs amendment to take into account the neccessity to preserve the audit and reporting requirements in respect of the former Vocational Training Commission, particularly for the 1984-85 and 1985-86 years. As members will be aware, with the passing of this legislation, the Vocational Training Commission Act will be repealed. The purpose of this amendment is to deem the departmental head of the Department of Industry and Small Business as being the commissioner or the chairman, as the case may be, to comply with the provisions of the Financial Administration and Audit Act and the Public Service Act.

In conclusion, I thank members for their contributions to the debate. The Industry and Employment Training Bill will be very important for the development of our youngsters in training. I have been at great pains to try to flush out the various problems associated with setting up the new department. I believe that, once this piece of legislation is in place, the department will be able to move far more quickly than it has over the last 10 months. At the same time, the old VTC committee has remained practically intact and has provided advice to the department. During the early stages of framing this legislation, I was able to retain the services of the former Chairman of the Vocational Training Commission, Mr Geoff Chard, who is now with the Northern Territory Development Corporation.

I am not saying that this piece of legislation will stand as it is forever and a day. I am quite sure that, as further recommendations emanate from the Kirby Report, and in an effort to strengthen the legislation for the training of apprentices, no doubt we will be back to amend the legislation. Once again, I thank all members for their contributions, especially my colleague, the member for Koolpinyah.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr SMITH: Mr Chairman, I move amendments 45.1 and 45.2.

We have moved these amendments in order to provide for a majority on the advisory council to be the representatives of the employers and employees combined. At present, the employers and employees combined constitute 4 out of the 9. Under our proposal, they will constitute 6 out of the 9. In

effect, we are asking that 3 employer representatives and 3 employee representatives be nominated to the advisory council instead of the present 2 for each. The reason is quite simple: this council is an advisory council only and it is therefore quite proper for the majority of its representatives to be practitioners in the field; that is, either employees or representatives of employees or employers. As it is an advisory council, the minister should be seeking expert advice from people who are involved in the field, which is neither new nor radical. There are similar provisions in legislation in some states. In some states, the councils not only advise but actually administer apprenticeships.

Mr DONDAS: Mr Chairman, as I said earlier, I intend opposing the amendments. As I said to the Deputy Leader of the Opposition, 3 positions can be filled by persons appointed by the minister. Rather than designating these as employer and employee representatives, I prefer to wait until individual applications are received. At the moment, the members will be the Secretary of the Department of Industry and Small Business or his nominee, the head of the Department of Education or his nominee, and 7 ministerial appointees, including 2 employers and 2 employees. We decided that 9 members is a reasonable number. I believe the opposition is trying to reduce this number by 2. The bill will provide for 2 permanent appointments whilst the remaining 7 will be ministerial appointees. If need be, when I assess the applications, I can balance employer and employee representation in line with the Deputy Leader of the Opposition's view. I would be happy to examine this possibility but I do not want more than 9 members on the council.

Amendment negatived.

Mr SMITH: Mr Chairman, I move amendment 45.3.

The effect of this amendment is to remove subclause (4) of clause 6 which at present allows for an employer to veto the nomination of an employee to an advisory council. The arguments were well canvassed in the second-reading debate. It is our view that, if a person is nominated by an employee organisation or by an employer organisation, that nomination should go to the minister. There should be no rights of veto by a person's employer. We would feel less unhappy about it if the minister had expressed in the legislation the sentiments he expressed in his reply in the second-reading debate. He did not argue for an unfettered right of veto for the employer. Essentially, he argued that the employer would need to offer a reasoned argument as to why the employee should not sit on this advisory council. If that were the bottom line, we would probably have no objection.

However, the clause as it stands gives the employer an unfettered right to be disruptive and to aggravate an employee for personal and illogical reasons. There is no doubt that that could happen. We know that there are a number of occasions in the work place where employers and employees do not get on. Yet, in this instance, the employer has the power, where one of his employees is thought so highly of in a particular field that he is nominated to this council, to veto the nomination without any reason at all. That is not good enough. As I said, we would have no objection if there were a reasoned argument and reasoned restrictions, with the minister having the final say. To retain the present clause leaves too much power in the hands of unscrupulous employers.

Mr DONDAS: Mr Chairman, I oppose the amendment on the ground that the clause as it now stands gives the employer a degree of control over his

employees. Let us assume that somebody nominates a person from Katherine or Tennant Creek to go on the advisory council. He might work for a very small organisation. Not all organisations in industry employ hundreds of people. Some are very small operations. If we remove an employee from a small operation and thus deny the employer the right of his services, that is just as unfair as the case cited by the Deputy Leader of the Opposition. In general, if an employee is well respected by his employer, and his employer realises that he will play an important role on that advisory council, then there would be no good reason for the employer to withhold permission.

Essentially, it is a matter of courtesy. We cannot simply say that we will have a certain bloke on the advisory council and leave the employer stuck with the decision. I do not think that would be fair. The member for Koolpinyah also indicated her concern about the small businessman. I think we must maintain that level of consideration for small employers.

Mr SMITH: Mr Chairman, the Deputy Chief Minister has not advanced the argument at all. Under the circumstances he has outlined, I accept that there may be a case for the employer's discretion. He has not addressed himself to my argument that there may be unscrupulous employers who, through a sense of mischief or a desire to persecute an individual employee, might use this clause to achieve those ends. He has been anxious to protect the rights of the employer. I am saying that, in this clause, there is not sufficient protection for the employee.

Mr DONDAS: Mr Chairman, this clause simply requires the minister to seek approval from an employer as to whether his employee can sit on the council. That is where it starts. The Deputy Leader of the Opposition is saying that people will be unscrupulous and vindictive. That is a load of nonsense.

Amendments negatived.

Clause 6 agreed to.

Clauses 7 to 27 agreed to.

Clause 28:

Mr SMITH: Mr Chairman, I move amendments 45.4 and 45.5.

The effect of these 2 amendments would be to alter the definition of 'stand-down' as contained in clause 28 and to narrow the circumstances under which stand-down can be ordered by an employer. It would limit the present wide definition of 'industrial occurrence' to a circumstance in which there is a breakdown in machinery.

I looked through the Electrical Workers and Contractors Act several times and I still have not been able to find the section from which this clause supposedly has been transferred.

Mr Dondas: The electrical employees award.

Mr SMITH: It is an award of the Conciliation and Arbitration Commission rather than an act. Sorry, I misunderstood that particular point. That is the reason why I cannot find it there.

Our concern is that the clause as it stands, no matter whether the Conciliation and Arbitration Commission has agreed to it or not, is a very wide clause indeed and provides again a fairly unfettered power for the employer to stand down an apprentice. Our concern is that, traditionally, apprentices have been beyond the fray in times of industrial dispute. There has always been a recognition that apprentices are different from other workers in the work place and that, because of the special relationship they have with the employer through the signing of their indentures, they should not be involved in industrial disputes. We now have a situation where, under the conditions of this legislation, the employer will be able to treat the apprentice in exactly the same way as he treats other employees. In fact, it is probably true to say that, in many industries, he in fact can stand down an apprentice much more quickly and easily than he can stand down other employees when there is an industrial dispute. We all know that, in many awards, before a person can be stood down, an application must be made to the Arbitration Commission.

In effect, this is a reversal of the existing position. At present, it is almost impossible to stand down apprentices because of industrial disputes. It is much easier, but still demands quite a few steps, to stand down employees. Now we are making it a simple administrative decision of the employer to stand down an apprentice in an industrial situation and we still have the same degree of difficulty in standing down employees. The Deputy Chief Minister is saying that that is not the case.

Mr Dondas: Read clause 28(2).

Mr SMITH: I am reading clause 28(1) which provides the definition: 'a stoppage of work by any cause for which an employer could not reasonably be held responsible'.

Mr Dondas: All right, read the next sentence. Read the next sentence so we can all hear it.

Mr SMITH: That is the key to this particular stand-down clause. In my second-reading speech, I invited the Deputy Chief Minister to agree with me that, in industrial conflict situations, one might be able to argue through clause 28 that there must be default on both sides and, therefore, the employer could not use that particular clause. But he has not even been prepared to go as far as that. Again, we have a situation whereby this clause will make it very easy indeed for employers to stand down apprentices in all sorts of situations that would not permit that at present. That will irrevocably change the present attitude that employers and employees have to the position of apprentices in the work force, and that is to the detriment of us all.

Mr DONDAS: Mr Chairman, certainly there is an extension to this particular stand-down provision from the provision in the Vocational Training Commission Act. But the Deputy Leader of the Opposition failed to read clause 28(2) which quite clearly provides that, before an employer can stand down an apprentice or probationer, he must first get the approval of the secretary of the department. Before an employer stands anybody down, he does not go to arbitration but he does go to the secretary of the department.

I think the Deputy Leader of the Opposition and I will disagree on this particular point no matter how long we take up the committee's time. Our object with this bill is to try to put young people into a good work

environment as far as traineeships are concerned. Once again, we must always consider the small firm which does not have the resources of Nabalco and BHP. The important thing is that the small firms must be able to operate and have some encouragement to put on more apprentices. The incentive is that they know they will not be tied up by industrial disputes. Philosophically, we disagree. Apart from that, the employer must first get the permission of the Secretary of the Department of Industry and Small Business. That is why I do not support the amendment as proposed by the Deputy Leader of the Opposition.

Mr LEO: The Deputy Chief Minister has arrived at a point where he says it is a matter of philosophy. I also think there will be industrial difficulty involved at some time in the future. Of course, clause 28(2) does require the employer to receive the permission of the secretary of the department before he stands down apprentices.

We heard before that this is basically a translation of a provision which presently exists within an award. There is a significant difference: one is an arbitrated decision whereas this is legislation. That is a significant difference. The secretary of a department, albeit for the best reasons, will be involving himself in industrial relations. That is creating a precedent for apprentices which is irrevocable. They will become industrial animals. There is no question about it. There is no way of escaping it. If the minister thinks that it is worth while that that should happen to safeguard a few hours pay, then I am afraid he has his priorities all wrong.

In Nhulunbuy, where industrial relations are played in the hard lane, they do not have a week off or a day off. If they decide to bolt, they do it for 11 weeks. That is 11 weeks of apprenticeship training that those apprentices will be down. Of course, the employer will still have to receive the permission of the secretary of the department.

Mr Dondas: I can see why you are worried.

Mr LEO: Why am I worried? Assume Nabalco applies to the secretary of the department to apply the stand-down provisions in clause 28(1) and the secretary denies the application. The employer will then scream industrial interference. Apprentices need to be protected, yet this legislation will involve them in what has otherwise been handled by arbitration. That is a hell of a precedent. I do not know that the minister is aware of where that will be in 5 years' time. Quite frankly, I do not know and I am not reassured by anything he has told me.

Mr DONDAS: As I said earlier, philosophically we disagree. I can only say to the member for Nhulunbuy that this particular stand-down provision is in more than one award. At the moment, I can only cite the one award but I will provide the member for Nhulunbuy with the name of the other award that contains this stand-down provision.

The committee divided:

| Ayes 5 | Noes 17 |
|---|---|
| Mr Bell | Mr D.W. Collins |
| Mr Ede | Mr Coulter |
| Mr Lanhupuy | Mr Dale |
| Mr Leo | Mr Dondas |
| Mr Smith | Mr Finch |

Mr Firmin
Mr Hanrahan
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mrs Padgham-Purich
Mr Palmer
Mr Robertson
Mr Setter
Mr Tuxworth
Mr Vale

Amendment negatived.

Clause 28 agreed to.

Clauses 29 to 31 agreed to.

Clause 32:

Mr DONDAS: Mr Chairman, I move amendment 50.1.

This amendment is self-explanatory. I urge the committee to pass it.

Amendment agreed to.

Clause 32, as amended, agreed to.

Clauses 33 to 69 agreed to.

Clause 70:

Mr DONDAS: Mr Chairman, I move amendment 50.2.

The purpose of this amendment is to deem the head of the Department of Industry and Small Business as being the commission or the chairman, as the case may be, to comply with the provisions of the Financial Administration and Audit Act and the Public Service Act.

Amendment agreed to.

Clause 70, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill reported; report adopted.

Mr DONDAS (Industry and Small Business): Mr Deputy Speaker, I move that the bill be now read a third time.

Mr SMITH (Millner): Mr Deputy Speaker, as at least one member of the government has realised, today we have taken a quantum jump in terms of the way this government handles its industrial relations. I want to spell it out once more so that the penny might drop for a couple more people. The stand-down clause under the existing legislation was quite simple. It provided an objective test by which the employer could, again with the

permission of the appropriate person, stand down an apprentice. That objective test was the failure of the electricity supply. Our amendment, if I could be so bold, provided for a similar objective test; that is, the breakdown of machinery. Through this definition of 'industrial occurrence', we have diverted from the objective test and we have entered the subjective area. That puts the secretary of the department in the position of being an arbitrator. In other words, the secretary has taken on an industrial relations role. He must weigh up and determine one way or another an application by the employer to stand down an apprentice. He is very unlikely to be skilled in that particular area and he has the potential to cause in turn more industrial action because you can bet your boots that, if it gets to that situation and if in the view of fellow workers of the apprentice the wrong decision has been made, there will be industrial action by those workers on behalf of the apprentice who has been stood down by the secretary of the department after a request from an employer.

We have created for ourselves a minefield. I hope that the government will realise that and will introduce legislation to amend it at the next sittings.

Motion agreed to; bill read a third time.

## CONSERVATION COMMISSION AMENDMENT BILL
(Serial 129)

Continued from page 1858.

In committee:

Clause 5:

Mr SMITH: Mr Chairman, I wish to report that we have had discussions with the minister. Arising out of those discussions, I would seek an assurance from the minister that he will develop the administrative procedures in his dealings with the Northern Land Council and its representatives on this matter to overcome the problem that we alluded to earlier.

Mr HATTON: Mr Chairman, not only will I give an undertaking that we will develop administrative procedures in relation to the Northern Land Council but I will also extend that to other land councils that equally need to be represented. I am sure the members for central Australia will appreciate my giving that additional concession.

I want to make it very clear that it is not the intention in any way to limit contact and discussion with the land councils and other Aboriginal representative organisations - quite the contrary. We want to ensure that we are in a position to consult properly without information being misused or there being accusations of information being improperly used. I quite readily give the undertakings and advise members that I will be continuing those discussions at the earliest opportunity to resolve those differences so that we will be in a position whereby the Aboriginal members of the Board of the Conservation Commission will be able to consult with the land councils in the course of their duties and under arrangements that will ensure the confidentiality of the material that they are discussing is protected.

Amendment negatived.

Bill passed remaining stages without debate.

APPROPRIATION BILL 1985-86
(Serial 137)

Continued from page Thursday 14 November 1985.

In committee:

Appropriation for division 5:

Mr SMITH: Mr Chairman, I have one question in relation to the expenditure of $90 000 last year for the New Parliament House Competition and $30 000 spent this year. Would the Chief Minister explain those figures?

Mr TUXWORTH: Mr Chairman, I am advised that there is a $30 000 fee that was to be paid should the winning contestant's design be taken up but construction not started within 12 months.

Mr EDE: I have one short question on this particular point. It relates to a fall-back position. It has been mooted that, if the new Assembly building does not go ahead, with the completion of the new law courts, the lower area of the Nelson Building will become available and could possibly become an expanded library for the Legislative Assembly with the area in between the quadrangle being developed with entry straight out into the quadrangle. Is there any provision in this particular division for that?

Mr TUXWORTH: Not that I know of, Mr Chairman.

Appropriation for division 5 agreed to.

Appropriation for division 6:

Mr SMITH: Mr Chairman, I have a number of questions. Firstly, what was the final cost of the Alice Springs lake inquiry?

Mr TUXWORTH: I do not have that information at present. I will provide it at a later date.

Mr SMITH: Under the new unit known as the 'Secretariat', there is a provision for federal representatives and, in addition, there is a new unit known as the Federal Affairs Unit. Are we talking about the same people or are there 2 different groups of people involved?

Mr TUXWORTH: Mr Chairman, there would be one group of people involved. The role of the Federal Affairs Unit and the Secretariat is to provide information for any member of the federal parliament on any issue relating to the Northern Territory. Their role is to service any member of parliament who has any requirement for information related to Northern Territory issues. That applies also to the senators on both sides. It is a very important communication link because parliamentarians in Canberra find it very hard to find out anything about the Northern Territory.

Mr SMITH: There is an increase of 38.6% in the allocation for the Parliamentary Counsel. This has been attributed to the employment of one additional staff member and increases in salaries. Is he able to break the figure down further as it appears to be an excessive increase for those items?

Mr TUXWORTH: Mr Chairman, I can break it down to any figure that he wants. I do not know that it is an excessive amount or if it is out of balance with the extra duties that have been performed. Could the member tell me what he thinks is out of balance?

Mr SMITH: The key point is that we have an increase in the total allocation to the Parliamentary Counsel of 38.6%. According to the information available to us, that is to employ only 1 extra person and provide for increases in salaries. That appears to be an excessive amount for those purposes.

Mr TUXWORTH: On a relative basis, it is not. If it were 38% of $12m, it would be a lot but, if it were 38% of the provision for 3 staff, it would not be a great increase. It is another person.

Mr SMITH: In fact, it is about $202 000 on $600 000. That is a reasonable increase.

Mr TUXWORTH: Mr Chairman, I do not have any difficulty with the increase but, if the member can tell me what he wants me to break down, I will have it done for consideration by the committee. I do not think there is a problem. The Parliamentary Counsel vote is being increased by $200 000.

Mr SMITH: Let me put it this way. We have a sum of $202 000 extra in the Parliamentary Counsel vote. We have an extra staff member employed. Let us assume that is $40 000. Therefore, we have a sum of $160 000 which, on the information available to us, would be for salary increases only. Essentially my question is: is that $160 000 - if that is the correct figure - for increases in salaries only or is it for increases in salaries and something else that has not been spelt out?

Mr TUXWORTH: I will get that information for the member.

Mr SMITH: In 1984-85, his department paid out a sum of $606 000 for consultancy and advice. Without asking him to break that down into 900 individual consultancies, is he able to give a more detailed indication of how that money was spent?

Mr TUXWORTH: I can name a few of these consultancies. There were consultancies for people to do a study on Aboriginal business prospects in the Borroloola area, there were consultancies on the railway and there were consultancies on the pipeline. Harry Butler did a consultancy for the Conservation Commission along with other work for the government. There was the CIBC consultancy and so on. There was a wide range of them, and they were not all big. Some of them were but others were $5000 and $10 000 consultancies for special projects. Another one that comes to mind is the consultant who has been retained to provide an overview of the government's industrial relations activities and coordinate industrial relations functions within the government. These consultancies are on a wide front.

Mr SMITH: Under the subdivision of 'management services', a sum of $300 000 has been allocated for 'other services'. The reference made is to celebrations. Could he explain to which celebrations that sum refers?

Mr TUXWORTH: I would be leading with my chin if I said that it was all for self-government, Mr Chairman. I can get the details on that if the member so desires.

Mr SMITH: I would not have asked for it if I did not want it.

Mr TUXWORTH: All right.

Mr SMITH: In the budget allocation for the Office of Equal Opportunities, the figures indicate that there has been a 17% cut in funds. Could he explain why this has happened?

Mr TUXWORTH: Mr Chairman, I am just trying to think why there would be a 17% cut. The function of the Office of Equal Opportunities has been taken out of the Public Service Commissioner's office and put into my department. As I understand it, all the functions from that office came across - none was left behind. I do not have a reason why there should be a cut. However, I do not think that the Deputy Leader of the Opposition should assume that there has been any reduction in the activity of the Office of Equal Opportunities. Certainly, that would not have been the intention.

Appropriation for division 6 agreed to.

Appropriation for division 7:

Mr SMITH: Mr Chairman, what is the estimated total cost of the Police-in-Schools Scheme? Secondly, a drop in staff by 29 has been provided for in the budget figures for the Northern Command. What is the reason for that?

Mr TUXWORTH: Mr Chairman, the answer to the first question is: $400 000 per year when we have 10 officers in 10 schools and that will be built up as quickly as we can do it depending on the availability of staff.

The second part of the question reflects the training activities that go on from time to time during the year and not the exact establishment of the department. Consequently, the level of manpower fluctuates as training proceeds but the establishment itself is fixed.

Mr SMITH: In relation to the Northern Territory Fire Service, 66% of the total allocation for salaries and payments is for Territory allowance, overtime and other allowances. It seems an abnormally high figure. Could he explain that figure?

Mr TUXWORTH: Mr Chairman, there are 3 reasons for this: firstly, the Fire Service is bound to maintain a minimum manning level and, when a person is absent for whatever reason, another staff member must be brought in. Secondly, in times of high fire danger, there is an arbitration ruling that additional staff be brought in to man the station. Thirdly, firemen receive 2 hours of double time each week as a part of their award conditions. Those 3 factors account for the additional funds.

Appropriation for division 7 agreed to.

Appropriations for divisions 23, 89 and 90 agreed to.

Appropriation for division 13:

Mr SMITH: Mr Chairman, could he provide full amounts for the 1984-85 payments at Yulara and the estimated 1985-86 payments?

Mr TUXWORTH: Mr Chairman, the payments at Yulara for 1984-85 by Northern Territory appropriation were $6.524m and estimated 1985-86 payments by Northern Territory appropriation are $5.556m. I note that this expenditure is shown in Budget Paper No 4 in different departmental explanatory notes. The Northern Territory Treasury figure is $6.524m. The Department of Youth, Sport, Recreation and Ethnic Affairs figure is $369 000 and $70 000 is the figure for the Conservation Commission. Note 2 indicates that the Northern Territory Housing Commission payment due on 1 July 1985 was paid inadvertently on 28 June 1985 and therefore the appropriation required in 1985-86 for the NT Treasury is $7m minus $1.444m which equals $5.556m.

Mr SMITH: In relation to ISD, salaries and associated matters have increased by $0.5m or 18% on the basis of increased staffing. Could he explain how many additional staff were involved and if this is expected to be the normal level of increase to maintain the standard of ongoing computer services?

Mr TUXWORTH: Mr Chairman, the increased overheads were caused by approval for 16 additional positions to meet demand and the upgrading of the classification levels of 10 existing positions to bring relativities into line with private sector installations. This was required to enable improved staff recruitment and to meet approved programs. Currently, the division has 37 vacancies and a total staff of 130. It is suffering a turnover rate of approximately 25% per annum.

Staffing was assessed by consultant review as grossly deficient to meet service-wide needs. The net increase in 4 years has been approximately 2% per annum - 5 positions - compared to growth in demand in excess of 40%. The required increase to meet demands fully was assessed at 26 positions but was contained to 16 key positions for 1985-86. This increase is abnormal to bring staffing to satisfactory levels and reduce dependence on expensive contract resources. The overall computing budget for 1985-86 was 1.2% of the budget compared to 1.75% in NSW, 1.57% in Victoria and 1.67% in Western Australia. The cost of the additional staff is offset by a charge of $250 on each existing terminal and printer in previous use purchased for departments by ISD.

Mr SMITH: The figure for the insurance of government risk is the same for 1985-86 as in the previous year. On what basis has this health insurance fund been established and does the Chief Minister expect this amount to grow as replacement values of assets increase?

Mr TUXWORTH: Mr Chairman, the $400 000 provided this year is an estimate of the amount that should be provided prudently to meet insurance claims as they emerge. We are not yet in a position to say whether or not this amount is adequate as that depends on the long-term claims experienced. The Territory has not had sufficient experience to reach firm conclusions. However, I can say that, once we are confident of the amount that should be provided, I would expect that amount to escalate over time as the replacement values of all assets and the expenditure costs of other claimable items increase.

Mr SMITH: In relation to the sales tax exemption on freight, does he expect this scheme to be fully wound down by 1986-87, and could he make a brief statement on the success or otherwise of the scheme?

Mr TUXWORTH: The answer to the first part is yes. I covered the second question in the budget speech. The introduction of the sales tax exemption on freight had the impact of supporting several major wholesalers in the town and did not seem to provide much other benefit at all. For that reason, the government has discontinued it.

Appropriation for division 13 agreed to.

Appropriation for division 14 agreed to.

Appropriation for division 15:

Mr LEO: Mr Chairman, who were the recipients of the loan in relation to the TAB implementation?

Mr TUXWORTH: The TAB.

Mr LEO: The board itself?

Mr TUXWORTH: The Totalisator Agency Board.

Mr LEO: What is the explanation for the 22% increase in salaries and administrative expenses and capital items for casino control?

Mr TUXWORTH: Mr Chairman, there has been an increase in the cost and charges of casino control because of competition throughout Australia for staff to operate in casinos. We are being rated at an enormous rate and we are finding that we must match the rates in other places to keep staff. For that reason, the vote has been increased.

Appropriation for division 15 agreed to.

Appropriation for division 20 agreed to.

Appropriation for division 21:

Mr SMITH: Mr Chairman, was a Japanese linguist ever employed to assist Japanese businessmen visiting the Territory to assess its tourist potential? The 1983-84 budget indicated that one would be so employed. If such a person was employed, why has the position been removed.

Mr DONDAS: Mr Chairman, I am unable to answer that question. I will obtain the information from the Chairman of the Tourist Commission and pass it on to members. Presumably, these particular arrangements concerning Japanese linguists were made well before my time. During the last 12 months, there has been a restructuring of the Tourist Commission and its functions. I think I have mentioned on several occasions to the Assembly that the marketing division has been moved from Alice Springs to Sydney. In Sydney, we have relocated the office to the other end of the street. However, if a position has been lost, it would not be through any bad intent on the part of the Chairman of the Tourist Commission. It may be that that particular position may not be needed in view of the fact that we have a representative and staff in Tokyo.

I will provide the information to the Deputy Leader of the Opposition at some later stage. It will not necessarily be during these sittings because I know the Chairman of the Tourist Commission is not in the Territory at the moment.

Mr SMITH: Mr Chairman, why has the convention bureau been dismantled after 1 year's operation and is the work done previously by the convention bureau being done elsewhere within the Tourist Commission?

Mr DONDAS: Mr Chairman, the convention bureau operation has not been wound down. Last year, we employed a person to take charge of the convention bureau. In the latter part of this year, that person left the convention bureau to work for the Darwin Beaufort Hotel. In the meantime, the Chairman of the Tourist Commission placed another person in that position who has since left the commission. I think that it is a matter of recruitment at this time. So far as I am aware, there is no intention to dismantle the convention bureau.

Mr SMITH: Mr Chairman, I am confused. According to the budget papers for the Tourist Commission, there is no such thing as a convention bureau. It has been abolished. My question was whether the work previously done by the bureau is still being done or whether, at this stage, there is no capacity in any government department to assist with the organisation of conventions.

Mr DONDAS: Mr Chairman, it is still a role and function of the Northern Territory Tourist Commission to maintain a level of service as far as conventions are concerned. There have been problems in recruiting staff, perhaps as a result of some funding restraints imposed on us by another place. Whilst the Chairman of the Tourist Commission may not have made a direct appropriation, the function is still being carried out. We are still circulating promotional material prepared by the Northern Territory Tourist Commission.

Mr SMITH: Mr Chairman, a sum of approximately $2m was allocated to a firm called Capricornia Productions to produce a series of short films on the Northern Territory. Capricornia Productions started work on the production of those films at the beginning of this year. Is the Deputy Chief Minister able to tell us when we can expect to see the result of this work?

Mr DONDAS: Mr Chairman, I have been asking the Chairman of the Tourist Commission the same question for the last 3 months. I am advised that the rushes are now ready for viewing. I had hoped that they would be ready a week or 10 days ago. I have been told that the main feature film is almost completed as far as the editing and the sound track are concerned. It is just a matter of having a look at it.

It did not cost over $2m; the figure as far as Capricornia Productions is concerned was $1.031m for film production. However, that relates not only to the feature film. The company is talking about extracting from that film segments of 9 minutes and 14 minutes for TV grabs, not only for use in Australia but in other parts of the world. Therefore, it is not just a feature film; it is a film promotion of the Northern Territory.

Mr SMITH: Mr Chairman, is it true that, in the contract that Capricornia Productions had with the Tourist Commission, the figure of $1.031m mentioned by the minister was for the production work only of the film and that, in fact, the company had a capacity to charge all other expenses - such as air fares, accommodation and meals - to the Tourist Commission on top of that?

Mr DONDAS: Mr Chairman, we are moving into a complicated area. The best way that I can answer that particular question is through a telex I received dated 12 November from the General Manager of the Tourist Commission which

indicates that the cost of the film production was $1.183m. According to earlier budget estimates, the cost was to be about $150 000 plus some additional charges. The Deputy Leader of the Opposition is writing it down. I hope he does not hit me over the head with a question about it at some later time. However, I am told by the Tourist Commission that the total cost for that film and other feature films is $1.031m. I am happy to show him a copy of the telex.

Mr SMITH: Mr Chairman, my question remains. I accept that the minister may not be able to answer it at this very moment. I will put it to him in a slightly different way. As I understand it, the normal contract for a film production like the one undertaken by Capricornia Productions provides that the successful producer puts in a price for the cost of producing the film and all associated expenses, including air fares, entertainment and so on. My specific question is: was that the case in the contract given to Capricornia Productions or was it given a contract which provided a specific cost for the film or films, plus the flexibility of separate charges, with no fixed costs imposed, for other expenses such as air fares, accommodation and so on?

Mr DONDAS: I am not in a position to dispute the argument put forward by the Deputy Leader of the Opposition. However, I can tell him that, upon assuming responsibility for tourism in December last year, I went through the supplementary estimates for the Tourist Commission. I noted the figure for film production, which was $650 000 or $750 000. I never sighted a contract. I was particularly perturbed at that time to know that we were spending those funds on a particular film. I was advised at that time by the Chairman of the Tourist Commission that the amount was sufficient to produce not just one feature film but many, depending on the availability of the various time slots for which the commission was endeavouring to negotiate in Australia and internationally. The contract may have stipulated x number of dollars for a film production. It may have also included a stipulation to provide additional funding during production stages.

The Deputy Leader of the Opposition and I are both aware that there was some criticism in Bushranger or Wilson's Place that film crews were living off the fat of the land whilst shooting this fantastic film for the Northern Territory. I asked the Chairman of the Tourist Commission about this because I was seeking information for the Deputy Leader of the Opposition who was throwing his hands up in the air about an alleged 35% cut in the Tourist Commission's funding. I asked the chairman to give me precise figures on costs of the move to new offices and so forth. He would remember that I gave him a figure of $200 249 in the debate the other day. I think the figure of $1.031m must be the all-up costs of the film...

Mr Smith: Be careful.

Mr DONDAS: I said 'I think'. This is getting onto pretty dangerous ground, and I am happy to try to obtain further information from the Tourist Commission and to provide it to the member. I cannot do so during the course of these sittings because the Chairman of the Tourist Commission will not be back in the Territory until Thursday or Friday. I will provide him with that information at a future time.

My recollection is that the chairman was concerned about the cost of that film. He was so concerned that he engaged one of the Willesees - John or Phillip, I think - to oversee the Capricornia project. Although the contract had been signed, there was some concern at the time I first became minister

about Capricornia's ability to complete the film at a reasonable cost. I was concerned about it.

Mr TUXWORTH: Can I interrupt and provide this information for the benefit of members before it goes stale? The Deputy Leader of the Opposition asked about the cost of the Alice Springs lake study. It was $40 000. On the matter of celebrations, the costs involved are for Self-Government Day, Australia Day, and the Bicentennial Authority. We pay the salary and costs of the bicentenary officer. In relation to the increase of 38.6% in Parliamentary Counsel expenditure and the employment of one extra person, we were understaffed in the previous financial year and did not expend the full amount. The Parliamentary Counsel is now fully staffed. With the additional person, it will use the extra 38% in funds.

Appropriation for division 21 agreed to.

Appropriation for division 22:

Mr SMITH: Mr Chairman, the last 2 budgets included an allocation for the Northern Territory Development Corporation to move its offices. Is this still the intention? If so, where is the corporation going and why?

Mr DONDAS: There was some consideration given to relocating the Northern Territory Development Corporation earlier this year but, in the last 2 months, it has been decided that it will stay at Development House.

Mr SMITH: Mr Chairman, is it true that the Northern Territory Development Corporation was intending to move to the Beaufort Hotel, but someone decided that the standard of office accommodation at the Beaufort Hotel was not adequate for government departments?

Mr DONDAS: There is a commitment by the Northern Territory government to lease office space at the Darwin Beaufort Hotel. That commitment was given to the owners after construction had commenced. It is not unusual. The government has given commitments to rent office accommodation from many developers in the Northern Territory, not only in the Darwin area. A commitment has been given to the owners of the Beaufort development. The Northern Territory government is assessing which department needs that space. The Deputy Leader of the Opposition has that Katzenjammer smile on his face.

The point is that those developers have spent $65m on a development which will bring great benefits to Darwin and the tourist industry. The government had no hesitation in providing financial assistance. During the last 12 months, that has been spoken about on many occasions in this Assembly. The government contribution was about $875 000, which I think was the value of the land. It is well known that the government has put something into it. My point is that this company has put $55m into the Darwin Performing Arts Centre, $6.5m into the brick centre, $9m into Raffles and another $1m to $2m into a laundry development. These developers have provided great resources for the Northern Territory and we are not ashamed that we made a commitment to rent office space in that particular building. It is just a matter of finding the right department to go there.

When I was minister responsible for the Public Service Commission, I even thought about putting the Public Service Commissioner's office into the Beaufort. After considering the training facilities required by the Public Service Commissioner's office, we decided that it would not be an appropriate

location. I now understand that the Department of Transport and Works is assessing...

Mr Smith: They are the suckers who must go there.

Mr DONDAS: Somebody must go there. I am not ashamed about that. I think it is terrific. If I could find someone else to invest $100m in a Darwin development, I would rent a couple of hundred square feet of office space from him too.

Mr SMITH: Mr Chairman, the Deputy Chief Minister has just spent 10 minutes avoiding my question. I will ask it again in a slightly different way. Is it true that the Northern Territory Development Corporation and other government departments have expressed considerable reluctance to move into the office accommodation which the government has contracted to take at the Beaufort?

Mr DONDAS: I find it very difficult to answer that question because I do not know the thinking of other departments. The only thing I can say is that the Northern Territory Development Corporation had made a decision to move into that area.

Mr Smith: Then why didn't it?

Mr DONDAS: The Chairman of the NTDC approached me and said that he preferred to stay where he was. I agreed but we have a commitment to find another government department or instrumentality to rent that space. I can really only speak about the NTDC and the Public Service Commissioner's office. I cannot speak about any other department. The reason for the Public Service Commissioner's change of mind related to the cost of moving training facilities to the Darwin centre. It was considered better to leave them where they are. I do not know whether other government departments want to go there or not, but eventually we will find somebody because we have that commitment.

Mr TUXWORTH: I was involved in a discussion the other day with the Secretary of the Department of Transport and Works. He was looking at that space in the Darwin centre. A division within his department may move there. There are several units within government departments which could move to the Beaufort. If he wants to know which ones they are, I can tell him in the morning.

Mr SMITH: Mr Chairman, I cannot give the precise figure, but the subdivision which deals with the corporation's superannuation scheme indicates a significant increase. What are the details of the superannuation arrangements for the contract employees?

Mr DONDAS: Mr Chairman, the answer that I have been given was originally addressed to the Treasurer. The information has been passed over to me. The scheme is operated on NTDC's behalf by the AMP. The employer contribution is 5%. The employee contribution is 5% plus 4% to 5%. Administrative costs are payable to the manager of the fund, which is the AMP. The benefit is a lump sum - not a pension - and the level of the lump sum is calculated as a multiple of the years of service up to 6 times the final average salary of 30 years.

Mr SMITH: Mr Chairman, debt-servicing charges have doubled from $714 000 to $1.5m. What is the explanation for that?

Mr DONDAS: I was forewarned of this question. The answer is that there was an error which was not detected until it was too late. There has been an increase in debt-servicing costs of only $148 000 as opposed to the $792 000 shown in the budget papers. This increase of $148 000 was due to an increase in semi-government borrowings during 1984-85. The error in the 1985-86 estimate was as a result of a late decision not to allocate certain semi-government borrowings to the NTDC. The NTDC was expected to borrow $4m more than it actually borrowed in the 1984-85 financial year. Late loan repayments and income to the NTDC removed the need for this.

Appropriation for division 22 agreed to.

Appropriation for divisions 24 and 29 agreed to.

Appropriation for division 34:

Mr EDE: Mr Chairman, my first question relates to the overall budget appropriations. The allocation for energy is up by 41%, which I understand relates to the pipeline executive unit. The Mines Division, however, is down by 30% on last year's figures. What is the explanation for that?

Mr DONDAS: Mr Chairman, in the absence of the Minister for Mines and Energy, I will assume responsibility for the mines and energy portfolio. I need to take that question on notice. I will endeavour...

Mr Bell: That is not satisfactory.

Mr DONDAS: If the member had provided some advance notice of his questions like the Deputy Leader of the Opposition did...

Mr Ede: The minister was not here.

Mr DONDAS: He could have advised me. I will find out and provide the information tomorrow.

Mr EDE: Mr Chairman, I will continue with my questions. If I had known that the minister would be away at this time, I would have provided the questions in writing. If the Deputy Chief Minister had advised me that he was accepting those responsibilities, I would have seen him about them. However, in the absence of a mind-reading facility, I shall continue to ask my questions.

I note that the contract with the Central Land Council for the Palm Valley pipeline lease, worth $6000, was indexed last year for inflation. No index has been made in the current year. Will he please advise why?

Mr DONDAS: Mr Chairman, I will provide the member with that information as soon as possible.

Mr EDE: Mr Chairman, my next question relates to the transfer of personnel and certain departmental laboratories to Andel. I am unable to find in the budget any allocation of the moneys which would have accrued to the government for the transfer of these laboratories. I ask for some details of how much was paid.

Mr DONDAS: They will be provided as soon as possible.

Mr EDE: Mr Chairman, salaries for administrative activities increased by 17% and administrative expenses are up 22%. The reason given for both increases for the full year is the transfer of water resources function to the Department of Transport and Works. However, an examination of actual expenditures indicates that the costs prior to the transfer were included in the expenditure for 1984-85. Therefore, the 1984-85 figures already include the full year costs of the transfer of the water resources function. It is rather strange that the costs increases have now been attributed to that particular function.

Mr DONDAS: I will provide that information as soon as possible.

Mr SMITH: Mr Chairman, this is developing into a farce. The Minister for Mines and Energy takes great pleasure every time we raise the very important question of a public accounts committee in saying that we should use question time in the committee stage of the Appropriation Bill, and he is not here. I do not want to get into the question of why he is not here but I would have thought that the government would have had the courtesy of offering us the opportunity to talk to the minister and ask the minister the questions on this particular matter. As the government does not have the courtesy to provide us with that opportunity, I move that we report progress on this division to give us the opportunity to debate this matter when the minister is here.

Mr TUXWORTH: Mr Chairman, I will take up the point that the Deputy Leader of the Opposition raised. He said that the government should have made available to him an opportunity to have his questions answered. Perhaps that is true, but it is just as possible for the opposition to extend the same courtesy by saying: 'Look, I have a dozen questions that could be a bit tricky. I will give you notice of them'. Those questions could have been given to me . Some of the questions that the member for Stuart asks are quite easy whilst others will require time to answer. I went to the trouble of asking the Deputy Leader of the Opposition to give me some notice of his questions so that I could respond to him tonight. He did that and it made it easy, except for 1 or 2. The same opportunity is available to the member for Stuart and to any other member in the Assembly who has a question about the appropriations. To sit there and say the opposition has not received courteous treatment by the government is just not right.

Motion negatived.

Mr EDE: Mr Chairman, I shall persevere. I make the point that the minister did not advise me before he left for Canberra that he intended to do so. I was not advised that he would be away and therefore it would have been impossible for him to talk to me about giving him notice beforehand of the questions that I intended to raise. The Deputy Chief Minister did not come to me and say: 'I have taken responsibility for Mines and Energy. Would you provide me with your questions?' I naturally assumed that we would not be proceeding with the committee stage today and, if we were going to proceed, I presumed that we were not going to proceed with this particular part of it. I find it completely ridiculous.

I note that a 20% increase in other services is included in the allowances for increased payments to the Central Land Council. The amount is offset by receipts from Mereenie, Palm Valley and the Granites leases. What sorts of receipts are they and why are they used to offset expenditure rather than be included in general revenue?

Mr DONDAS: Mr Chairman, the reason why the government did not support the motion is that the situation would have been no better tomorrow when the Minister for Mines and Energy returns. By asking his questions this evening, I can provide the answers that he needs tomorrow. If we were to wait until tomorrow afternoon for the questions to be put to the Minister for Mines and Energy...

Mr EDE: He is not going to know either.

Mr DONDAS: So you will not get your information anyway tomorrow.

Mr SMITH: Have you ever thought that he might be on top of his job, unlike you?

Mr DONDAS: As the Chief Minister said, some questions are easy to answer but some require the answers to be dug out. The questions that the member has asked me need time for the answers to be dug out. If he gave us his list of questions, I would endeavour to have the information provided to him tomorrow.

Mr EDE: Mr Chairman, I am very disappointed that the Deputy Chief Minister did not undertake to give me an answer to the question I just asked. I hope that goes without saying.

My next question relates to an expenditure item of $240 000 to set up a working group which is to realise the Northern Territory's gas potential. Reference was made in the Chief Minister's speech on page 5. I have not been able to find any appropriation of that amount in the budget. I note that the committee's role will be ongoing for 3 years so we have in effect a $750 000 study. As I said, I cannot find an appropriation for that this year. I would ask that I be provided with the information.

Mr TUXWORTH: Mr Chairman, I can answer that part of the question for the member. The short answer is that it is in the Treasurer's advance. It has been set deliberately in the Treasurer's advance this year and it will be in the mines portfolio in the next financial year. We had no idea of what the exact expenditure for this group would be in this financial year. The figure was a notional one but we thought it was reasonable.

Appropriation for division 34 agreed to.

Appropriation for division 35:

Mr EDE: Mr Chairman, my first question relates to a 29% increase in projected sales which apparently reflects a progressive increase in the tariff rates. However, I note that street-lighting revenue is only up by 15%. Have the differential rates been struck for street lighting as against the rates being struck for ordinary commercial and domestic consumers?

Mr DONDAS: I acknowledge the question.

Mr EDE: Mr Chairman, my next question relates to miscellaneous income which has been reduced by 18% or $113 000. Can some explanation be given for this very substantial drop?

Mr DONDAS: I acknowledge the question.

Mr EDE: Mr Chairman, I note that there will be an estimated 8% reduction in the current work force. Does the decrease in the work force reflect a decrease in services?

Mr DONDAS: Mr Chairman, from memory, there will be a decrease. As we move into the gas-fired operation, employees of the power-station will be able to transfer to other government departments and statutory authorities. At the same time, they have been able to apply for jobs interstate. I think there has been an arrangement between the government and the unions for a very ordinary reduction of manpower in that area.

Mr EDE: Mr Chairman, I note that the increase in sales is not due to any increase in the provision of services and that there is an estimated nil load growth for 1985-86, as borne out by the fuel increase explanations. Is this simply being conservative in the budget process or is there something behind what is quite a remarkable estimate?

Mr DONDAS: Mr Chairman, I acknowledge the question.

Mr EDE: Mr Chairman, I note that travel has increased by 44%. There are 3 areas to which this is related, and one is the expenses required for the provision of electricity to Aboriginal communities. However, I note also that, in that area, sales figures will not increase accordingly. Does this bear out my earlier concern that NTEC itself will not take on the sales but instead the Department of Community Development will become involved in something that is not its function?

Another argument for the increase in travel was the maintenance and servicing of an ever-expanding reticulation network. As I said, we have been told the sales figures will not increase. I would like some details of the ever-expanding network and the anticipated increase in the cost of air fares and travel allowances. I would not have assumed that these would have increased by more than the inflation rate - certainly not by 4%.

Mr DONDAS: I acknowledge that very simple question, Mr Chairman.

Mr EDE: Mr Chairman, I refer to the increases in the costs of maintenance. For the external services maintenance agreement and repairs to plant and equipment, there has been an overall 44% increase in this component. Is the plant and equipment of the commission deteriorating at a rate more rapid than inflation? Increases in maintenance costs are not sufficient explanation for expenditure increases above the rate of inflation. I would ask why the real maintenance costs are increasing in the commission's plant.

Mr DONDAS: I acknowledge the question, Mr Chairman.

Mr EDE: Mr Chairman, insurance has increased by 188% from $416 000 to $1.2m. Part of the explanation is that $334 000 for 1984-85 was charged against provisions established in 1983-84. That makes me wonder at the type of accounting system we have. It sounds to me to be part accrual and part cash accounting. However, the balance of the difference is attributed to higher premiums. There is an increase of $450 000 or 37.5% in the premiums. Does NTEC go out to tender for its insurance or is it required to go to TIO, and is this a form of subsidy to TIO?

Mr DONDAS: I acknowledge the question.

Mr BELL: I have a question I wanted to put to the Minister for Mines and Energy as minister responsible for NTEC. What is the impact of Palm Valley gas on generating costs in Alice Springs?

Mr DONDAS: I acknowledge the question.

Appropriation for division 35 agreed to.

Appropriation for division 36 agreed to.

Mr DONDAS: Mr Chairman, I would just like to take a few moments of the committee's time to acknowledge the assistance provided by the members opposite. It is regrettable that the minister responsible is not in the Assembly today but I have given an undertaking to provide the information that is sought as quickly as possible. Hopefully, that will be tomorrow.

Appropriation for division 41 agreed to.

Appropriation for division 46:

Mr SMITH: Mr Chairman, 10 new positions are planned to be created in the Department of Youth, Sport, Recreation and Ethnic Affairs. What are those positions? The Northern Territory Interpreter and Translator Service is planned to be expanded. What are the details of the expansion and the overall costs for that expenditure?

Mr HANRAHAN: Mr Chairman, 10 new positions have been created in the department and, as announced in the budget speech, they relate to new initiatives. Four of them, with additional staff, are involved in the management of the coaches-in-residence scheme. There has been a youth development officer position created at Nhulunbuy. Alice Springs and Darwin will have an Aboriginal development officer. Tennant Creek, Katherine and Jabiru will have additional youth workers. That really covers most of the staff.

The Interpreter and Translator Service is being expanded in conjunction with the Commonwealth government. I do not have the full breakdown of the costing or the increase but it is quite significant. I think it includes 4 or 5 additional staff in that service. We are matching the funds that the Commonwealth has provided. I would be quite happy to provide exact details to the Deputy Leader of the Opposition tomorrow.

Appropriation for division 46 agreed to.

Appropriation for division 51:

Mr SMITH: The subdivision entitled 'schools central funding' has been cut by 47.5%. This unit is comprised of Aboriginal education, equal opportunities policy advice and analysis and monitoring. Why has that huge cut been made to those 2 important areas?

Mr HARRIS: Mr Chairman, I can assure the Deputy Leader of the Opposition that there has not been a reduction in the overall services that have been provided nor on the emphasis in those particular areas. After the total review that was carried out within the Department of Education, a number of positions were abolished and some positions were created. All we did was to rationalise the situation. The emphasis on equal opportunities is still there

and the work that was being carried out before will still be carried out with the staff that is in place within the Department of Education.

Mr SMITH: Mr Chairman, as a result of the recent staffing review carried out by the Department of Education, most subject areas ended up with a PEO and an EO. From memory, the exception is the science area which ended up with a PEO only. In the opinion of most members, the science area would be at least as important as other areas of the curriculum. Why was the decision taken to engage only half as many science curriculum advisers as are engaged in other subject areas?

Mr HARRIS: Mr Chairman, I repeat that the areas are covered and are able to be carried out effectively. I am unable to answer the question that has been put to me by the Deputy Leader of the Opposition at this time but I can obtain the information for him. The review includes extensive documentation and it will take until the beginning of next year for its findings to be fully in place.

Mr SMITH: Mr Chairman, the 2 truancy officers have been in place for some time. What are the broad costs associated with their employment and would the minister favour us with a brief account of how successful he thinks their operations have been?

Mr HARRIS: Since the truancy officers have been in operation, they have been successful in returning students to school. In fact, within a week, a number of favourite haunts were marked by the absence of truants. If members would bear with me, I will obtain further information in relation to the truancy officers.

Mr SMITH: Mr Chairman, this question would be of particular interest to you. There has been no increase in the grant provided by the Department of Education to the Northern Territory Isolated Children's Parents' Association, which means that there has been a real reduction in its level of funding. On behalf of the member for Victoria River and the opposition, we would appreciate an explanation for this.

Mr HARRIS: Mr Chairman, I often speak with people from the Isolated Children's Parents' Association. I can assure you that any areas in relation to that association in which we can assist have been addressed. I have made sure that any changes in the allocation of any funds have been made after discussion with that particular association. I guess it is the same as COGSO and other groups. When you are unable to meet their requirements totally, you find they are not very happy about it but, in many cases, they accept what you are trying to do. In the case of the Isolated Children's Parents' Association, we ensure that the secretary of the department and myself attend its conferences. We also ensure that we are available on all occasions to discuss any matters with it. If it raises issues of concern, and more funds are available, then the department and myself will consider those particular issues. The money that has been allocated to it is satisfactory at this time. If it has any further requirements, all it needs do is to come to the department or to myself and we will examine the matter.

Mr BELL: Mr Chairman, bearing in mind that this division reflects savings because of the removal of the 50 positions that were the subject of a question on notice, would he provide a rationale by which he can justify the removal of the particular 50 positions and the classes from which those 50 positions were removed?

Mr HARRIS: The issue goes back some time and I have addressed it on another occasion. When we took over the functions of education back in 1979, much work needed to be carried out. We had to set our curriculum and our directions. Those were very big tasks and many people were required to carry out those particular functions. As time went by, many of those jobs were no longer necessary. It was generally accepted in the community that the old PSB was a big fat tick. I have said that on occasions. People were saying that people were sitting in the big tower out there but little was coming out of it. Much good work came out of it. This review has put those people into positions where they can work effectively and carry out activities which will further improve the education system.

The same applies to the bilingual programs and other areas. We have not tried to cut back on the overall programs. All we are trying to do is rationalise the total situation to ensure that people work effectively in areas where work is needed. We have reached the stage where those original functions are no longer required.

Mr BELL: Mr Chairman, the development of core curriculum and various other curricula organisation processes that were consequent upon education becoming a responsibility of the Northern Territory government after 1 July 1979 may be an acceptable justification for some of the curriculum development positions being removed. However, I have received representations from Friends of Bilingual Education which is concerned about 2 linguist positions that nowise could be said to have been the result of particular sunset activities. I accept the minister's general argument but I hasten to point out to him that, in this case, the removal amounted to 40% of the linguist positions in the bilingual education program.

I probably give linguists a bad name but I hope the minister will not hold that against them. I want to place it on record that the minister's explanation for axing at least those 2 particular positions that I happen to be aware of will not wash. If it will not wash with those 2 particular positions that have been the subject of representations to me, I wonder about the overall justification he has given and just how many positions his sunset justification applies to.

Mr HARRIS: Mr Chairman, we need to remember that much work had been completed in relation to the bilingual program. The work carried out by the linguists related to programs for schoolchildren. Some linguists were involved in research work in relation to those programs. I am not saying that that research work should not be carried out. No doubt the university college will involve linguists in postgraduate research work on anthropology. What I am saying in relation to the linguists themselves is that the work is still able to be carried out. Many of the programs were in place and we will be monitoring the situation very carefully.

In relation to the review, there were concerns about cutbacks for drama in education. I would like to read into the record a letter to the President of the Western Australian Association for Drama in Education. Letters were received from a number of people concerned about cuts in their particular areas of interest. The letter reads:

> 'I refer to your letter of 4 September in which you expressed your association's concern at the abolition of the senior education officer, drama position, in the Northern Territory Department of Education. As I am sure you are aware, recent federal budget cuts

have necessitated the reappraisal of state education funding priorities. In the Northern Territory, all areas of the Department of Education were required to accept some of the burden of the cutbacks and drama was no exception. I must point out to you, however, that the Department of Education continues to retain the 4 positions that form the theatre in education, drama in education, TIE DIE team. I believe this provides a clear demonstration of the Northern Territory's commitment to drama in education.

Furthermore, there is room for reconsidering the position of the senior education officer, drama, in the forthcoming third stage of the Northern Territory Department of Education's ongoing review and its own organisation services provision. I have no doubt that the Northern Territory Association for Drama in Education will be making an appropriate submission in this matter when the time comes next year'.

There was further concern in relation to preschools. I sent a letter to the Ludmilla-Maranga Preschool Association. The letter reads:

'I refer to your letter of 20 September 1985 in which you expressed concern with regard to the future of some advisory positions in the area of preschool education. The recent review of the Department of Education resulted in the abolition of one early childhood position and the transfer of another to Tennant Creek'.

Mr Smith: How long does he get?

Mr HARRIS: Mr Chairman, in one breath they are saying that we are not answering the questions and, in the next breath, they are interrupting when I am trying to answer as fully as possible.

Mr Smith: Don't let us stop you.

Mr HARRIS: If members listen, I will continue the letter:

'In addition, a new position was created at the assistant superintendent level and one of the qualifications sought in respect of that position is early childhood teaching experience. A continuing advisory service in this area will be provided. Therefore, the review has resulted in each region having an officer responsible for providing advice on early childhood education'.

I might say that some people view that as a definite advantage, particularly in the southern area. The government has been complimented on that move. The letter continues:

'Additionally, the department has commenced the early literacy in-service course project in 1985 which will provide a strong support base for language and literacy activities in early childhood education. I believe this information should allay your association's concerns'.

In all cases where there have been cutbacks within the department, we have tried to respond to the concerns of the people as they have been raised with us. All I can do is reiterate that the review is a continuing one. We are not trying to disadvantage any area in particular. Any concerns raised by the various associations and groups will be examined.

Appropriation for division 51 agreed to.

Appropriations for divisions 53 and 54 agreed to.

Mr HARRIS: Mr Chairman, I was unable to obtain the information for the Deputy Leader of the Opposition in relation to truancy officers. I will provide it to him later.

Appropriation for division 59:

Mr BELL: I have a series of questions. I am aware that certain sections of the minister's department have been doing some homework on them. My first question is in relation to the summary of appropriations by subdivision. Most of my questions relate to percentage increases for which I was hoping to obtain some explanations. Why have 'other services' increased by 55%? I refer the minister to page 2 of the budget paper.

Mr MANZIE: Mr Chairman, the member for MacDonnell has provided me with the information that he will query this evening. It should make this particular segment flow reasonably smoothly. In relation to 'other services' in the summary of appropriations by subdivision, the 55% increase relates to an amount of $5.5m that has been provided for the purchase of water and sewerage services at Yulara. I explained that in the second-reading debate.

Mr BELL: I will return a little later to the question of the $5.5m for the acquisition of water and sewerage facilities at Yulara. I will continue to go through the summary of appropriations by subdivision. Why has the budget for the Water Division increased by 27%?

Mr MANZIE: Mr Chairman, in general terms, the increase is attributable to the purchase of the water supply and sewerage systems from the Yulara Development Corporation and to operational costs for the systems in 1985-86. Those costs are $5.5m, as pointed out in relation to 'other services', and $603 000 for the operation of water supply and sewerage systems for 1985-86.

Mr BELL: I refer the minister to page 3 - the appropriation for the Government Printer. Why has that decreased by 20%?

Mr MANZIE: Mr Chairman, in 1984-85, the Government Printer's capital works program for new and replacement equipment totalled $363 000. In 1985-86, it is limited to $198 000 which is for a programmed replacement of motor vehicles and equipment. It relates to that. Obviously, there is not a complete replacement every year. Equipment tends to last for a while but occasionally there must be a rather large outlay. Presumably, that was the situation last year.

Mr BELL: I refer the minister to page 4 of the budget paper. Can he provide details of the figure of $918 000 incurred by his department as the government's contribution towards the upkeep of services at Yulara, which is being transferred to the Department of the Treasury? I had no idea that his department had anything to do with Yulara in 1984-85.

Mr MANZIE: Mr Chairman, the amount of $918 000 represents costs incurred by government in the operation and maintenance of water and sewerage and emerging essential services which relates to fire and communications assets to be purchased at Yulara during 1985-86.

Mr BELL: Can I just have some more details on that? That relates to expenditure in 1984-85, not projected expenditure for 1985-86.

Mr MANZIE: Mr Chairman, it relates to maintenance of certain assets and emerging essential services. Obviously, the appropriate area for the amount to be placed is in the Treasury and not the Department of Transport and Works. That is why that transfer has been made. If members will just bear with me, I will just see if I can find the appropriate details of that particular amount. If I cannot, I undertake to get details and provide it to the member at a later stage.

Mr BELL: I accept that undertaking. The minister will accept that, under the circumstances, sundry expenditures in relation to Yulara are quite rightly the subject of invigilation by the opposition. I sincerely hope that, given the fact that they appear et passim, as it were, throughout this particular budget paper, that information will be made available.

In relation to the public works activity, I refer the minister to the capital items appropriation on page 7, which has been increased by 74%. I refer the minister to page 8 of the explanations. The only justification that appears in the budget paper is that it provides for the programmed replacement of plant, vehicles and equipment to the value of $724 000. Given that that represents an increase of 74%, it is difficult to see how it can be a programmed replacement.

Mr MANZIE: Mr Chairman, I will endeavour to eliminate the difficulty the member has in understanding this item. The initial public works division approved capital program for 1984-85 was $490 000. Only $416 000 was spent due to government expenditure restraints in the mini-budget that was introduced. Of that, $373 000 was on vehicle replacement and $43 000 on drafting and computer equipment.

The 1985-86 allocation is for $724 000 for capital items of which $481 000 has been set aside for vehicle replacement and $243 000 for other purchases valued at more than $2000 each. These purchases include: $70 000 for a replacement plan printer in the radiographics section; $30 000 for replacement photocopiers; $63 000 for replacement computer terminals, which are to cater for the new government accounting system; $50 000 to upgrade the Remington word processor system; and $30 000 in miscellaneous purchases such as radios, drafting equipment and scribing machines. The increase of $108 000 in 1985-86 against 1984-85 for replacement vehicles also reflects the aim of upgrading the vehicle fleet and thus implementing a 2-year replacement program which is being carried out in response to a recommendation made by the Auditor-General in 1983-84. The increases are offset against additional Territory government miscellaneous revenue.

Mr BELL: Mr Chairman, the only acceptable part of that explanation was the indication from the minister that the allocation for 1984-85 was $490 000 whereas actual expenditure was only $416 000. If we take the 1984-85 allocation figure, there is still a more than 40% increase from $490 000 to $724 000. The rest of the explanation given by the minister seemed to relate to implied programmed works. Really, he has not given an explanation. What added expenditure has been required?

Mr MANZIE: Mr Chairman, I thought I gave a rather detailed account. Obviously, the member must have had a slight problem with his hearing at one stage. I will just go through it again. This involves capital items.

Obviously, we do not repurchase items year after year for the sake of it. We can purchase some items that have a life of a year or 3 years or maybe even longer. Other items need to be bought each year.

I will run through it again as slowly and as concisely as I can. $481 000 was set aside for vehicle replacement. Vehicle replacements are being carried out now under a 2-year program as a result of recommendations made by the Auditor-General in 1983. $243 000 remains for other purchases costing in excess of $2000. Amongst the larger purchases, which are normal replacement purchases, $70 000 is allocated for a replacement plan printer, $30 000 for replacement of a number of photocopiers, $63 000 for replacement computer terminals to cater for the new government accounting system, $50 000 to upgrade a word processor system, and $30 000 for replacement of radios, drafting equipment and scribing machines. That explains reasonably comprehensively the 74% increase under discussion. The increase amounts to some $300 000.

Mr BELL: Are these then one-off purchases rather than programmed purchases?

Mr MANZIE: Mr Chairman, capital items are purchased on a replacement basis. However, it is not a replacement that is programmed for a regular period. Such items are replaced when necessary due to wear and tear or because they have broken down, are obsolete or unable to perform the function for which they were purchased.

Mr TUXWORTH: Mr Chairman, may I contribute to this for the benefit of the member? While I am not across the exact items of plant that the member was talking about in terms of replacement, something that is common to all departments when replacing equipment like vehicles is that, where they are replaced on a 3-year, 2-year, 30 000 km or 60 000 km basis, there is a cyclical hump in the budget every 2 or 3 years. The $700 000 that the member is talking about this year may, in fact, tail away to $200 000 or $300 000 in the next 2 years and then increase again. In the Department of Health, we found it an extremely difficult problem to deal with because, every 2 or 3 years, this enormous payout was required for plant replacement and there was no way around it. It was not possible to say that so many vehicles would be purchased each year and leave it at that.

Mr BELL: I thank the Chief Minister for his comments in that regard. I will accept that this 40% increase is part of a programmed replacement. That is fine.

The property management subdivision of public works activity has increased by 22%. After subtracting from the overall figure the $1.385m for new initiatives outlined on page 9 of the budget paper, an overall increase of 14% remains and requires explanation.

Mr MANZIE: As the member pointed out, $1.385m is indicated on page 9 for new initiatives. $0.7m is for increased electricity charges and $0.993m for additional new lease initiatives.

Mr BELL: Mr Chairman, why is there an increase of 61% for capital works relating to water activity?

Mr MANZIE: The major increase is the value of the Water Division's capital works program for essential water projects, which were accorded a higher priority this year.

Mr BELL: Can we have some reason why those projects were accorded a higher priority this year?

Mr MANZIE: It involved the augmentation of the Alice Springs sewerage treatment disposal facility, the Nightcliff-Coconut Grove-Rapid Creek-Millner upgraded water supply and sewerage services stages 1 and 2, and the Katherine-Tindal water supply and sewerage headworks stages 1 and 2. I think that gives a pretty reasonable idea of the sorts of projects we are talking about.

Mr BELL: The 'other services' category for the water activity represents an increase of 610%. The minister said earlier that that related to the so-called purchase of water and sewerage facilities at Yulara. I say 'so-called' because, quite obviously, these funds are being transferred from the department's budget to the Yulara Development Company which, of course, is a Northern Territory government instrumentality. I want to place that on record in this Assembly. I think I probably did so during the second-reading debate but let me ask the questions that I passed across to the minister. Firstly, how is the figure of $5.5m calculated for the acquisition? How does the cost compare with what it would have cost for the department to construct the facilities? What charges will be levied now that these facilities have been acquired and how will the charges be calculated?

Mr MANZIE: Mr Chairman, the $5.5m is the value of assets taken from the Yulara Development Company assets register. This register reflects the completed cost of water and sewerage systems at Yulara, including such assets as pumping stations, tanks, control systems, desalination plants, buildings and amenities, evaporation ponds, pipework bores, reticulation and waste water retreatment plant.

Mr BELL: How does the figure compare with what it would have cost had the department built these assets?

Mr MANZIE: Mr Chairman, my advice is that the construction costs resulted from competitive tendering. There is no reason to believe that these costs would have been significantly different if water and sewerage system infrastructures had been constructed by the government through its normal competitive tendering processes.

In relation to the last question which concerned the charges that will be levied, water and sewerage charges are being negotiated between the department and the Yulara Development Company.

Mr BELL: Mr Chairman, I have 2 further questions. Will either the minister or the Chief Minister make available to me the assets register of the Yulara Development Company to verify those figures? On what dates or at about what time will possible charges for my constituents at Yulara be decided by the government?

Mr MANZIE: I will answer the second question first. I will undertake to contact the member when the negotiations have been finalised and those charges have been worked out. In relation to the assets register, I do not have it so I am unable to supply the honourable member with that information. However, I undertake to obtain some detail of where the member can obtain the information and let him know later.

Mr TUXWORTH: Mr Chairman, in response to the member for MacDonnell, the assets register can be made available to him if he would like to sight it.

Mr BELL: Mr Chairman, I thank the Chief Minister for his willingness to cooperate in that regard.

Again, in the Water Division, there is a 28% decrease in the allocation for repairs and maintenance. Why has this decrease occurred and will that provide for an effective program of repairs and maintenance necessary for the preservation of government-owned assets as mentioned in the explanation on page 11?

Mr MANZIE: Mr Chairman, this relates to the transfer from the Department of Transport and Works to the Department of Community Development of responsibility for the provision of essential services to Aboriginal communities. Funding for these services is now incorporated in the Department of Community Development's appropriation.

Mr BELL: I would point out to the minister that, if there had been a transfer of functions and that transfer had affected the figures in this particular allocation, there should have been an explanation in the budget paper.

Under administrative and operational expenses on page 17, there has been a variation of $112 000 'as the result of the cost of providing services and maintenance at Connellan Airport, Yulara, being transferred from the Public Works Division to the Transport Division'. Is this amount provided under the Commonwealth government's Aerodrome Local Ownership Plan and, if so, what are the details of this arrangement?

Mr MANZIE: The $112 000 was transferred to cover normal property management functions. I will detail them: $64 000 for land rates payable to the Yulara Development Corporation; $20 000 payable to NTEC; $3000 for water charges payable to the Yulara Development Corporation; and $25 000 staff housing rental. Of these amounts, only water and electricity charges amounting to $23 000 are eligible for a 50% refund under the Commonwealth government's Aerodrome Local Ownership Plan. At this point in time, the Commonwealth Department of Aviation does not recognise either land rates or staff housing rents as refundable under the ALOP.

Mr BELL: The total appropriation for the capital works function is $111.66m - about 10% of the annual budget. I have specific questions on public works. I will take them one by one. Why is the provision of the remote transmitter station included as new works for 1985-86 when it was included as new works for 1984-85?

Mr MANZIE: That sounds like a very good question. The item was included in the 1984-85 capital works program as an allocation for $85 000 but it was one of the programs deferred in May this year because of the mini-budget. At that time, Treasury advice was that the item would be considered in the context of the 1985-86 capital works program and so it was. However, now it is at $125 000. There has been a cost escalation to commital in October 1985 and, secondly, the need for air-conditioning and emergency power, amongst other things, emerged as the design work progressed and the complexity of the project became apparent.

Mr BELL: I draw the minister's attention to the Public Works Division's 1984-85 budget authorisation for $7.36m. If we take from that works in progress in 1985-86, at $5.53m, the value of works completed in 1984-85 is shown at $1.84m. Why was only 25% of the Public Works Division's capital works budget authorisation expended in 1984-85.

Mr MANZIE: Mr Chairman, an amount of 25% was not spent. The member for MacDonnell's calculations do not reflect necessary programs during the year. Projects may be admitted or amendments made to existing projects in the capital works program after Budget Paper No 5 is produced. Full expenditure on the amendments or new projects may be achieved prior to the end of the financial year. If that occurred, it would not be reflected in the following year's Budget Paper No 5. Normally, it would be shown in the Treasurer's annual financial statements contained in the Auditor-General's report.

The 1984-85 capital works program figure of $363.874m mentioned by the member does not reflect an increase of $2.7m made during the year, and the public works expenditure for its own capital works program for 1984-85 totalled almost $4.5m against the final 1984-85 program of approximately $9.7m - in other words, about 46%.

Mr BELL: I will check those figures in Hansard tomorrow. I pass on to the Transport Division's capital works program. Why is the capital works appropriation for that division being cut by 91%.

Mr MANZIE: Mr Chairman, in comparing the proposed new works for the Transport Division in 1985-86 with those in 1984, it must be remembered that the responsibility for marine transport was transferred to the new Ministry of Ports and Fisheries in December 1984. In 1984-85, capital works for marine transport made up 82% of all capital works for that division. Hence the substantial drop in capital works appropriation for the division.

Mr BELL: I do not believe that that explanation appears in Budget Paper No 4. I would like to place that on record. It is a matter of concern if there has been a shift of allocations that have caused those decreases. Perhaps the minister can direct me to where they appear in Budget Paper No 4. I was unable to find any mention.

Why is the Katherine weighbridge facility included as proposed new works for 1985-86 when it was included as proposed new works last year?

Mr MANZIE: I presume that the member refers to the Katherine weighbridge. On 2 April, all uncommitted works on the 1984-85 program were deferred due to the mini-budget. Therefore, the Katherine weighbridge facility was placed on the 1985-86 capital works program.

Mr BELL: I point out 2 things to the minister. If it was deferred, it presumably should appear as works in progress. Also, I am interested in the rationale for the deferral of various capital works projects as a result of the mini-budget. What were the priorities? Were they technical priorities or were they political priorities? Were particular electorates of concern in that regard? What was the justification for deferral?

Mr MANZIE: Mr Chairman, I think that it is probably not worth my while going over in detail what was discussed in this Assembly regarding the mini-budget, the reasons it had to be introduced and the cuts that had to be made to our expenditure in the Territory. But I will say that the member has

full knowledge of the financial assault on us by his colleagues in Canberra and the resulting hardship that it caused to a number of people in the Territory. The government had to set priorities in relation to what it considered were the most needy projects and most beneficial projects in relation to the development of the Territory and employment in the Territory. After having set those priorities, certain aspects of our capital works program had to be cut off. As members know, there were a number of areas which we most certainly would have liked to continue with many new initiatives which we would have been very pleased to start but which had to be put aside. Obviously, it caused some hardship to many Territorians. The member for MacDonnell is certainly well aware of the reasons for those constraints. I can assure him that members of the government were most unhappy about the steps they had to take.

Mr BELL: It is a dreadful shame that the minister did not answer my question. I am well aware of the financial constraints that were placed on the Northern Territory. I too have made my comments in this Assembly on those constraints that have been placed on the Territory by the federal government and the financial constraints that have been placed on the Territory government as a result of its own mismanagement. But the question I asked the minister was: on what basis were particular projects deferred? It is a theme that I will return to but I will not press it here and now.

My next question was to be: have all the other proposed new works from the 1984-85 program been completed? I was working on these questions while the Minister for Transport and Works was giving his second-reading speech. He drew my attention - rather unfairly I considered - to the annual report of the department. He chastised me for pig ignorance because I did not consider the department's annual report in the context of the capital works program. He said that I made invidious comparisons between the format of the capital works program in Budget Paper No 5 with the Commonwealth government's corresponding budget paper. To the extent that the information is available, I resile from my criticisms. Lest the minister take this for a total backdown, let me point out that this information can hardly be regarded as readily accessible. I have not yet had the opportunity to go through the headings in the back of the annual report, put it beside this year's capital works program and compare it with the information available in the corresponding Commonwealth document.

Let me rephrase my question in relation to proposed new works in 1984-85. Is everything that appeared on the 1984-85 capital works program in the yellow appendix to the annual report?

Mr MANZIE: Mr Chairman, I certainly accept the apology of the member for MacDonnell in the spirit in which it was tendered. Even though it was qualified, it was certainly very pleasing to hear him accept that he was a little out of order at one stage.

If the member goes through the orange section of the annual report, he will find all the proposed new works for one program that did not go ahead. I refer to the Casuarina bus interchange which was scheduled for 1984-85 at a value of $100 000. That has been deferred. However, the interchange will be substantially upgraded utilising funds from the urban public transport component of the Bicentennial Road Development Program. That will be going ahead this year, next year or the year after, depending on what sort of response we get from the federal government on funds from the ABRD. Our contribution will be the same amount of money.

Mr BELL: Mr Chairman, while I am specifically on the yellow appendix to the annual report, as the member for MacDonnell, I have a particular interest in the provision of the additional teaching space and residence at Harts Range. The Minister for Education might like to chip in on this. According to the orange pages, authorisation of $150 000 appeared in last year's capital works program. It indicates that a demountable has been purchased and the balance deleted. The expenditure in 1984-85 was $46 000, presumably for that demountable. In the works in progress on page 15 of Budget Paper No 5, there is a figure of $103 808 which I presume is the balance after the $46 000. Is this year's capital works program right or is the orange page right?

Mr HARRIS: Mr Chairman, my understanding is that there was still some problem about site relocation. I understand that this item was deleted and is presently on the Schools Commission program.

Mr Bell: It has been deleted?

Mr HARRIS: No, it is presently on the Schools Commission program.

Mr Bell: Right. Therefore, the orange pages are not right?

Mr MANZIE: Mr Chairman, I would not doubt the validity of the orange pages at all. However, I could point out to the member that the demountable has been purchased, which is obvious from the orange pages of the annual report. However, as the department acts as a client of the Department of Education, and there are some problems in relation to the site at Harts Range which have yet to be resolved, when all those matters have been resolved, the appropriate buildings will be placed there. I can find out exactly what the situation is for the member and I will supply him that information.

Mr BELL: Mr Chairman, just to set at rest the minds of both the Minister for Transport and Works and the Minister for Education, in case they are deeply concerned about the cognitive development of the youth of Harts Range, the excision arrangements at Harts Range are complete. The minister may be relieved to know that his department has expended a sum of money in providing a water supply there. In terms of the lease, there is no difficulty for expenditure to go ahead.

I am curious about a statement from the Minister for Education. I am prepared to accept that there are certain aspects of budgeting that even pass my understanding. I presume this school will be funded from Northern Territory government funds and not from Schools Commission funds as the Minister for Education suggested.

I now want to pass on to appropriation for roads. This was a subject of some interest to me and I mentioned it in my second-reading speech to this bill. Why has the capital works program for the Roads Division been reduced by 20%? It has been reduced from $85.89m in 1984-85 to $68.37m this year. Before the minister leaps to his feet and blames the Commonwealth government, I would like to point out that this 20% reduction is particularly surprising when the actual capital works expenditure proposed for 1985-86 is only 12% less than the previous year. It was $545m in 1984-85 and it is $478m this year. Why is there a 20% decrease when the actual capital works expenditure proposed is only decreasing by 12%?

The second reason why the 20% reduction appears to be so surprising is that Commonwealth funding for roads in the Territory was cut, as the minister

reminded us, but it was cut by only 8%. The general purpose payments from the Commonwealth have increased by nearly 25%. Under those circumstances, it would appear - and I do not think I can be accused of ascribing malign motives to either the minister or any of his fellow Cabinet ministers - that there can be no justification for this 20% reduction in roads funding.

Mr MANZIE: Mr Chairman, I am remaining very calm and I shall try to explain as lucidly as I can some of the problems that the member has raised and possibly some of the reasons behind them. First of all, the member is talking about a 20% cut and this in fact is not so. Then, he spoke about a 12% cut. I almost lost him, but I still think he did not have it quite right. The 1985-86 capital works program is an amount of $56.025m...

Mr Bell: The which program?

Mr MANZIE: The 1985-86 capital works program - $56.025m. That is a reduction of $6.2m, or 9.9%, from the 1984-85 program of $62.246m. I think the member was confusing works in progress with proposed new works. I explained before that there are overruns, underruns and changes. One must refer to the annual report and the capital works programs in budget papers to be able to work out the exact amount. I agree with the member that it is certainly not an easy job, but I am sure that next year he will do it extremely well because he has been through the intricacies of it this year.

I will remain calm but I must reiterate that the reduced capital works program for roads has been forced on us by reduced funding from the Commonwealth government. The Northern Territory has previously received Commonwealth roads funding under 2 programs: the Australian Bicentennial Roads Program and the Roads Grants Act which has now become the Australian Land Transport Program. Under the Australian Land Transport Program, we received approximately $1m less than we would have received under the old RGA. In addition, an Accelerated Stuart Highway Program was introduced in 1984. Again, I do not wish to harp on this but the member is fully aware of the problems that we have had in relation to this program, and he is also fully aware of why it was introduced. Unfortunately, a commitment of $27m over 3 years was completely cut off after 1 year of operation. We expected to receive $8.6m in 1985-86 but we did not receive anything. I am pretty sure that the member is fully aware of this and I would be quite happy to send him copies of my correspondence with both the federal minister and Senator Robertson.

It is necessary to understand that reduced general funding impacts on our ability to inject Northern Territory funds into capital works arrangements involving Commonwealth road funding. We must meet a quota, especially in relation to the ABRD, and, although we have kept above that quota by as much as $6m, the general decline in Commonwealth road funding has certainly caused problems. It has meant that we have had to decrease our expenditure on roads. I would just like to emphasise to the member for MacDonnell that roads in the Northern Territory need a tremendous amount of work.

Mr Ede: Especially in Stuart.

Mr MANZIE: As the member for Stuart says, 'especially in Stuart'. I could say the same about all electorates: 'especially in MacDonnell; especially in Victoria River'. For 70 years, we have had a Commonwealth government which has expended very minor amounts on Territory roads. If it were not for the Second World War, we would still have a dirt road from here

to Alice Springs. In the last 6 or 7 years, there has been a tremendous amount of work and large amounts of money expended, and the Commonwealth has certainly played its part with the ABRD program. However, we certainly get what could be colloquially referred to as the raw end of the prawn because, whenever the Commonwealth engages in cost cutting, we go first. I think all members would acknowledge that we certainly should get much more than we do because we have a tremendous amount of catching up to do. I think any imputation from the member for MacDonnell that the Territory government is not spending an appropriate amount on roads, or not spending to the best of our ability, would be inaccurate. I think he would agree that the amount spent on Territory roads certainly goes a long way. It services a large area of the Territory.

Mr BELL: I must go through this step by step, and I do apologise for that. Has Commonwealth funding for roads to the Northern Territory been cut specifically? If so, in percentage terms, by how much?

Mr MANZIE: Mr Chairman, I cannot indicate the percentages of but I can give the figures. The Accelerated Stuart Highway Program has been cut. We had $2.7m in the first year. There was an unfulfilled allocation of $24.3m. This year, we expected to receive $8.6m but the program was discontinued. The Road Grants Act has been replaced by the Australian Land Transport Program. This year, we received $1m less than the amount we were due to receive under the Road Grants Act. In dollar terms, it was about $400 000 more than last year's amount. This is an 8% or 9% drop in real terms. We received the amount of money we expected from the ABRD program. I cannot remember the figure off the top of my head but I think it was around $10m. We have had a definite cut in road funds this year. The total amount of money we received from the Commonwealth last year was $43m. This year, we received $39m which is a cut of $4m.

Mr BELL: I thank the Minister for Transport and Works. We have a $4m cut from $43m to $39m. That is about a 10% cut. I remind the minister of the figures I quoted before. I can dig them out again from his department's capital works program if he wants them. In 1984-85, it was $85.9m. This year, it has gone down to $68.37m. That is a 20% decrease. Can he explain why the Territory roads budget has decreased by 20% when the Commonwealth funding for roads decreased by only 10%?

Mr MANZIE: Obviously, the member for MacDonnell did not listen. He has misconstrued his figures. I do not know where he is getting these figures. I will just go through it again. The 1984-85 program was $62.246m. The 1985-86 capital works program for roads is $56.025m, a reduction of 9.9% on last year's program. I will not change my mind on those figures but I would be quite pleased to arrange a briefing for the member for MacDonnell. We can go right through it and he can see what the figures are, where they come from and where they go. That will save us a lot of time tonight.

Mr BELL: I am sorry but, as we have been reminded in debates about public accounts review committees, this is the only opportunity we have to invigilate the government's expenditures. I refer the minister to page 42 of last year's Budget Paper No 5 and page 29 of this year's Budget Paper No 5 - the capital works program. I am prepared to filibuster for 30 seconds while he finds them. Even given the lateness of the hour, I do not think I can be regarded as being particularly testy when I, with scant resources by comparison with the minister...

Mr Manzie: If you don't want them and if you want to go on like this, I would be quite happy.

Mr BELL: I provided the questions for the minister. I do not mean to be critical of him by any means. But, as has been pointed out in the context of this debate before, we do not have adequate means of expenditure review in this Assembly. That is not something with which I am berating the minister, but we have only this opportunity to do it. I will not say any more about it except to refer him to the figures I have already quoted of $85.9m on page 42 of Budget Paper No 5 for the 1984-85 capital works program and $68.37m from page 29 on the equivalent program this year. I do not know how you do your arithmetic, Mr Chairman, but, in my book, that is pretty close to a 20% decrease. We get beaten over the head time and time again about the Commonwealth government's shortcomings. I am the first to do it. But let us make the criticisms accurate. On the basis of the information that has been presented to us, that criticism with respect to road funding in the Territory is not accurate.

Mr MANZIE: Mr Chairman, I am just stunned and amazed with the outpourings from the member for MacDonnell. He touched on this earlier and I explained that the annual report must be read in relation to capital works programs. I do not have last year's capital works program. For the information of members, I will just refer to the figure that the member for MacDonnell is talking about - the $68 367 408 relating to this year's budget which he claims is the expenditure. It is a total made up of works in progress and proposed new works. Obviously, works in progress and proposed new works total $68m in this appropriation, but it does not talk about an expended amount for the year; it talks about works that are in progress from last year and proposed new works that will be commenced this year. The amount of money for the 1985-86 program is $56m. The amount of money for 1984-85 was $62m. I am not talking about money that was running into the year and money that was running out of the year, which is what is written down in the capital works program.

The member must read the annual report. He must do a little bit of work. The member finds it a great joke. I can carry him along and help him as much as he wants to be helped but, when he denies that he needs any help and he insists on sticking to the same old ideas in his questions and not accept the answers, that is fine. I am quite happy to brief him, to explain to him how it works and to carry him through step by step but, if he does not want to accept it and understand it, we will have the same problems next year. It does not worry me but I thought that the member would be pleased to get across it so that next year he will be fully au fait with the whole of the capital works program, how it works and how to read it. Possibly he would be able to contribute a little more positively instead of going over the same old story, denying the answers and running through his own scenario.

Mr BELL: I do not propose to make further comment upon the roads program. That will no doubt cause some satisfaction to the minister.

Mr Manzie: I am quite happy to keep on going, Neil.

Mr BELL: I would adjure his colleague, the Minister for Education, perhaps to arrange a short course at one of his technical and further education institutions. They are the sum total of the questions I wanted to ask in respect of this particular division.

Mr EDE: Mr Chairman, I would like to address a point in relation to the Threeways bypass road which had an amount of $3.9m attached to it. How was this amount justified and is it true that it is simply a political project with the figure somehow pulled out of the air? Is it highly overfunded and, if so, will he use some of the money - money that I have heard on the grapevine will be left over - to carry out work on more worthy projects like the Tennant Creek to Lajamanu road and the Yuendumu road?

Mr MANZIE: Mr Chairman, the member for Stuart again amazes me because I know he knows the answer to this question. I have written letters to members of the Tennant Creek Labor Party. I have spoken to the member's electorate secretary. Possibly, he does not talk to her or she does not talk to him. I do not know. However, if he insists on wasting time, we will run through it.

Mr Chairman, the amount in the budget is $3.9m. It is not a cash appropriation but an amount of money in relation to a project. It was an incorrect figure and it related to 1 of 3 scenarios that were being looked at in relation to a road joining the Barkly to Tennant Creek. The correct figure was $0.5m. The concept involved is the surveying and building of a gravel road. I forget where it actually starts but it goes through to the Peko road. The idea is to develop it over a number of years. Obviously, this government is a progressive and forward-looking government. Looking to the future of Tennant Creek, I think most people would be of the opinion that it would be advantageous to a community of 3500 people.

The member does not agree because he seems to be making a great fuss about it. Obviously, the people who live in Tennant Creek - particularly the young people who attend school there and who one day will work there - want a future in the Territory and a future in their town of Tennant Creek. It makes sense to anyone who thinks about it that, eventually, a quality road that runs off the Barkly to Tennant Creek would be of great advantage to Tennant Creek. By the same token, the amount of money required to build a road straight off is quite large. Obviously, there are other priorities in relation to the expenditure of money.

However, if the program is started, over a number of years this government will build a sealed road through to Tennant Creek from the Barkly Highway. It will divert traffic through to Tennant Creek, allow Tennant Creek to develop and allow the future growth of industry. I hear some inane grumbles from over there. It is certainly disappointing. The member comes from down that end of the Territory but he obviously believes the government should not do anything in relation to development in that area and that 3500 people should all move out as the place dries up.

I can assure the member that this government is not like that. We plan ahead and we are looking to the future. An amount of $0.5m will be expended this year in relation to the development of a dirt road that will bypass the freeways and move off from the Barkly Highway. I have heard the member mumbling and talking to people around the place. I have heard from other people that the member has been passing the word around that the government intends to scrap the Barkly Highway. That is ridiculous. The Barkly Highway is the Barkly Highway. It is part of the national highway system.

Mr EDE: Mr Chairman, fortunately, I have a bit more faith in Tennant Creek than the minister. Obviously, he believes that he must divert the road and that people who have driven over 2000 km from the east will not to go to Tennant Creek because it is an extra 9 km. I am glad the $3.9m will not be spent on that. I hope it will be put into a more worthwhile road.

However, given the fact that far more people live on Aboriginal communities than on outstations and on pastoral properties, how does he justify the allocation of $1m for pastoral access roads as against an allocation of only $200 000 for access to Aboriginal communities?

Mr MANZIE: Mr Chairman, I would share the member's concern if I had the understanding that he obviously has. However, pastoral access roads also act as access roads to remote communities right across the Territory. The expenditure of $1m relates to the grading of pastoral access roads which are also roads to remote communities and remote Aboriginal settlements etc. The member is aware of that because, obviously, he drives on many roads to outlying communities in his electorate, which also act as pastoral access roads. If he does not, he is not visiting the pastoralists in his electorate.

Mr EDE: Mr Chairman, if pastoral roads provide access to Aboriginal communities and communities on cattle stations etc, and if roads that do not fit under that category must somehow come under access to Aboriginal communities, I ask him for some idea of what the community development roads refer to.

Mr MANZIE: Mr Chairman, obviously, there are some roads to some communities that do not provide access to pastoral leases as well. If we looked after only those roads that also provided access to pastoral leases, there would be a number of communities missing out. I am sure the member would not want that to occur. Therefore, there is an amount of money provided to upgrade and maintain the access to those communities.

Mr EDE: Mr Chairman, I will allow the minister to take the first question on notice if he finds it a little difficult. I noted in the explanation for the change in administrative and operational expenses in the water activities of the Department of Transport and Works this statement: 'The variation of $39 000, attributed to additional operational costs, mainly in the form of increased electricity charges and maintenance of water and sewerage assets at Yulara, is partially offset by the transfer of Aboriginal essential services in the Department of Community Development'. Does this indicate that the costs of administration of Yulara water and sewerage are similar to the total cost of the Aboriginal essential services program?

Mr MANZIE: Mr Chairman, I am afraid I do not understand the comparison in the question. I will try to work it out and endeavour to get the information that the member requires.

Mr SMITH: When does the minister expect to open the Rapid Creek pedestrian bridge?

Mr MANZIE: Mr Chairman, it will open when it is completed. The bridge is on this year's program and tenders will be let this financial year.

Appropriation for division 59 agreed to.

Appropriation for division 60:

Mr BELL: Mr Chairman, there are some very wide variations in the summary of appropriations by major heads of expenditure for 1985-86 by comparison with 1984-85. I refer the minister specifically to capital items which are down 66%, acquisitions which are up 81%, maintenance which is up 30%, principal and interest repaid which are up 12%, new loans to borrowers which

are down 49% and 'other services' which are down 30%. What is the explanation for those wide variations?

Mr MANZIE: Mr Chairman, capital items are down 66%. This is partly attributable to a one-off cost in 1984-85 for the purchase of a word processing system and partly attributable to a reduction in the purchase of motor vehicles and other capital items that achieved savings in the administrative costs this financial year. Acquisitions are up by 81%. That refers to the acquisition of the Yulara assets. The maintenance item is up 30%. On page 32 of Budget Paper No 4, there is an explanation. It reflects a conscious addition to the previous year's expenditure to preserve adequately the commission's assets which are ageing and increasing in total. As the years go by, the maintenance costs on buildings increase. The commission would be most remiss if it let the valuable asset of its houses deteriorate in any way whatsoever.

In relation to principal and interest being up 12%, that is a normal increase which reflects an accumulating debt. It reflects an increase in funds that have been borrowed to allow the commission to carry out its job.

New loans to borrowers are down 9%. Of course, this relates to the Northern Territory Home Purchase Assistance Scheme which is working extremely well. Although the Northern Territory Home Purchase Assistance Scheme loans are down by 30%, actually there was an increase of 30% in total loans for owner-occupied housing in the Northern Territory last year. The figure actually rose to $138m which shows that the government's Home Purchase Assistance Scheme is working extremely well and that private institutions are playing their part to the tune of increasing home ownership loan expenditure by 30%.

The last matter the member requested information on was in relation to 'other services' which are down 30%. This is good news. It reflects a decrease in lease payments through the purchase of Yulara assets.

Mr BELL: I am absorbing that last comment. If 'other services' are down 30% because of lease payments associated with the acquisition of facilities...

Mr Manzie: Previously, we were leasing them.

Mr BELL: So you do not have to pay in 1985-86? That is fine. I am very interested in those figures on the number of borrowers, particularly after conversations I had during the week with real estate agents.

Mr Manzie: You were talking to the wrong ones.

Mr BELL: Right, probably they were tape-recording the conversation for you, were they?

Mr Tuxworth: We will sell it back to you.

Mr BELL: No, it is all right. I had mine too.

Mr Chairman, regardless of the position either of myself, as shadow minister for housing, or the real estate agents, quite obviously, the real estate agents are very close to the housing market in the Northern Territory. Certainly, they painted a pretty gloomy picture for me.

However, following on the minister's comments about the overall number of borrowers, if the overall number of mortgages being organised in the Territory is increasing - and that is demonstrable if banks and building societies are taking up where the Housing Commission is leaving off - that is fine. However, I ask the minister to provide the source of those figures for the $138m of private finance in 1984-85.

Mr MANZIE: The total home loan lending?

Mr BELL: From what source does that figure come?

Mr MANZIE: The Housing Commission, banks and building societies.

Mr BELL: Further wide variations are detectable in the summary of allocations by activity on page 27 of Budget Paper No 4 for the Housing Commission. I would like the minister to explain the wide variations in those allocations. Home construction is said to have increased by 17%. Maybe we can cop that but the home purchase scheme is down 30%. I would be interested to hear the minister's explanation regarding these variations. I make the general point that really it is very difficult to make head or tail of these accounts when there are very wide and unexplained variations in these allocations. I think that I am doing my job in seeking some sort of explanation for them because, unless there are explanations that I happen to have missed in Budget Paper No 4, the information would not be made available if it were not for a debate like this. Home constructions are up 17%, the Home Purchase Assistance Scheme is down 30%, home sales to the general public are up 95%, home sales to staff are up 335%, minor capital works and property management are down 60% and the mortgage and rent relief schemes are up 87%. Probably, we should do these one by one. Hostels management is down 16% and the agency allocation is down 29%.

Mr MANZIE: Mr Chairman, I will try to remember all those and take them in the order in which the member raised them. He provided me with prior notice of the areas that concerned him and on which he required information. I am pleased that he did so because it enables me to provide the information.

The Northern Territory Home Purchase Assistance Scheme is down 30% but, as I said before, the character of the scheme is such that it is designed to generate private sector activity and, even though we are up 30% in total loans for owner-occupied housing, it is interesting to note that a great deal of concern has been expressed by normal, average wage-earners about the impost of the possible increase in interest rates. Some concern has been expressed in regard to the abolition of the negative gearing and also the proposed capital gains tax. Many actions by the federal Labor government will make it harder for the average person to own a house. Probably we are doing more in the Territory than any of the states in relation to home loans and, hopefully, through the NTHPAS, people in the Territory will be able to continue to purchase housing. However, I hope that the federal government's actions in relation to the money markets do not create the sorts of problems that occurred in New Zealand where, I read the other day, interest rates have risen to 30%. That is too horrendous even to contemplate.

The rise in home sales to the general public by 95% relates to a one-off payment which was due to the Commonwealth in 1985-86 as a repayable subsidy under the Commonwealth States Housing Agreement. It had to be repaid this year. That is shown at page 35 of Budget Paper No 4. The amount of $222 000 in the principal and interest repaid causes that variation on page 35.

The member referred to page 32 but I will turn now to page 36. Home sales to staff increased by 335%. This is bound up in the principal and interest repaid, which was moved as from last year. At page 32, members will see $19.338m for 1984-85 expenditure. The allocation for this year is $15.381m. $4.821m has been transferred from that area to principal and interest repaid in the home activity section under 'home sales to staff'. That amount shows a transfer which has created the bulge in percentage terms. Also, there has been an increase in the home sales situation. We expect it to rise by 35% this year due to a sunset clause in the home loans scheme.

The minor capital works and property management reduction by 60% relates to capital items at page 37. It goes back to the first area that the member asked about, which was related to the one-off cost for a word-processing system and a reduction in the purchase of motor vehicles and other capital items. The member asked that question twice.

Mr Bell: I should have asked these questions one by one. I will know better next year.

Mr MANZIE: You should have done so.

The next question concerned the mortgage and rent relief scheme which the member noted was up by 87%. The funding provided for this scheme in 1984-85 represented an estimated expenditure for a full fiscal year whereas the scheme could not be commenced until part way through the year. By agreement with the Commonwealth, $120 000 in saving was committed but not expended in that fiscal year for the purchase of 2 houses for crisis accommodation. The 1985-86 figure includes the deferred amount of $120 000 from 1984-85 which distorts the apparent variation by a factor of 2 to indicate $240 000.

The next question related to hostels management which was down by 16%. This reflects the one-off costs of fire alarm systems, safety, lighting and work on sewerage lines in 1984-85.

The last matter he requested information on related to the agency item being down 29%. Again, that reflects reduced lease payments for Yulara and an increase in capital works on behalf of the sponsor departments.

Mr BELL: Mr Chairman, the minister was saying that the 335% increase in home sales for staff on page 32 is offset by the decrease in the rentals to the general public under the principal and interest repaid head of expenditure. Can he explain once again why those 2 particular variations should be related?

Mr MANZIE: Mr Chairman, this is bound up in the principal and interest repaid which is being moved into the $19.338m total of rentals to the general public at page 32 of the explanations. The figure concerned is $4.104m which, if added to the $717 000 gives a total of $4.821m. The consequent variation for 1985-86 is only ...

Mr Bell: Where is this $4.821m?

Mr MANZIE: On page 32, there is an amount which relates to the $19.338m. We then take $4.821m off that, transfer it across to the 1984-85 principal and interest paid and add it to the $717 000. That is where the transfer occurs. Then, we are only $1m short. If we add the 35% increase expected in home loans in the staff area, we then come up with the correct amount.

Mr BELL: Funds have been transferred from rentals to the general public to home sales for staff?

Mr MANZIE: That is right. There is no change in money - just a transfer from page 32 to page 36. The home sales are not increased by 335% as stated by the member; they will increase by 35%. The amount of money shows an increase of 335% but that does not relate to the increase in home sales to staff.

Mr BELL: I cannot accept the minister's explanation in that regard. I will not pursue the matter any further. However, I really cannot see why those amounts should be transferred between 2 very different activities.

Mr MANZIE: That is where the change has been. It is a big minus in one area and a big plus in the other.

Mr BELL: I have further questions to ask in relation to the 81% increase in the home construction activity under 'acquisitions'. The minister pointed out that most of this was for the contentious purchase of public houses at Yulara at a cost of $14.2m. In his second-reading speech, he said that 171 houses were bought at an average cost of $83 000 per house and that this was really a steal because the construction costs by comparison with Alice Springs were 100% more - so, in fact, we saved something like 60%.

Mr Manzie: It should be 30%.

Mr BELL: Okay. It is fairly difficult to accept that way of doing sums. As the opposition has said, these are essentially interest payments for the Yulara development. Quite clearly, the minister has taken an interest sum, divided it by the number of houses at Yulara and achieved his $80 000-odd for the average cost. Are the 171 houses that he refers to at Yulara comparable with Housing Commission stock in Alice Springs or Darwin or wherever?

Mr MANZIE: Mr Chairman, I do not think I referred to them as 171 houses. They are accommodation units which relate to everything from a house down to a unit. The average cost was $83 000. I have not actually seen them so I am unable to indicate what they look like. However, at some future date, I will look at those units and I will be able to give that information to the member.

Mr BELL: Mr Chairman, I think that it is worth placing on record that the arithmetic that the minister used during his second-reading speech is certainly not objective. I am sure that, since the minister is unaware of what sort of units they are, the figure of $83 000 for each unit really is a deception. The average cost is essentially meaningless, particularly when the minister extrapolates from the average cost of $83 000 that it is only 30% more than the cost of building a house in Alice Springs. In fact, that is not really relevant.

I think the minister answered my concerns about rents for my constituents at Yulara. They are paying the same Housing Commission rents as people in Alice Springs. That means that the reality of the isolation that those people endure at Yulara is not taken into account.

Mr Manzie: It is a reality of Tennant Creek, Katherine, Alice Springs and Borroloola too.

Mr BELL: There is a 5000% increase in the appropriation for 'other services' under the home construction head and the explanation is that it is funds provided by the Commonwealth in relation to specific housing assistance. I would be interested in the details of the specific housing assistance, particularly in view of the fact that there were no major increases or changes in the estimated specific-purpose capital payment to be received from the Commonwealth.

Mr MANZIE: The figure of 5000% as an increase in home construction certainly sounds tremendously high. However, it represents an amount of $200 000 which was held over from the previous year under the internal funding trust account variation. The 5000%, therefore, does not refer to a great sum of money.

Mr BELL: Why has it been necessary to increase the allocation for maintenance by 33%? I think the minister said that housing stock must be protected, but can such a large increase be justified this year?

Mr EDE: Mr Chairman, obviously the minister was not interested in replying to the last point raised so I would like to raise a point with him. I refer to the money that the Northern Territory government receives from the Aboriginal Development Commission and from the Commonwealth Welfare Housing Program, also designated for Aboriginal housing, which is actually spent through the Northern Territory Housing Commission. I ask him to explain how the money is distributed between rural housing - perhaps I should call that 'rural shelters' - and urban housing. I ask him how he ensures that the houses built from Aboriginal funds in urban areas are allocated to Aboriginal people and how they are maintained for the use of Aboriginal people. I also ask him how much the Northern Territory government contributes from its own sources towards that program.

Mr MANZIE: The member for Stuart certainly does not leave any stone unturned in his attempts to make snide, almost racist, remarks such as his comment about shelters and his insinuation that substandard housing is being built for Aboriginal people in outlying areas.

The government receives $9.5m from the Commonwealth as a specific-purpose capital payment for Aboriginal housing. Of that, $4.86m is used for Aboriginal housing in remote areas. That money is expended after consultation between the Department of Aboriginal Affairs, the Aboriginal Development Commission and the Housing Commission which then talks to people in Aboriginal communities. The people on the communities make the decision as to what sort of housing they want and, if they want shelters and they ask for them, they are entitled to have them. The member for Stuart should not be using his standards to determine what sort of houses these people are to live in. That sort of attitude has caused many problems for these people in outlying areas. They want to make their own decisions, but the member for Stuart does not want them to. He wants to make them do it his way. It is about time he left them to make their own decisions because they are quite capable of doing so.

The same goes for urban accommodation. What is all this about special housing for urban Aboriginals? Does he think that they deserve different housing? If they want to live in a Northern Territory Housing Commission house, that is their entitlement. It does not need to be different from any other housing. The Housing Commission ensures it is not different. The member's insinuation that there is some underhanded business with housing for Aboriginal people in the Territory is ridiculous and I will not stand for it.

The member is hinting that the Housing Commission does not adequately look after Aboriginal people in urban areas. I can tell him that at least 40% of houses in Darwin are allocated to Aborigines because that is how our community is made up. We do not have any discrimination whatsoever and I refute any remarks or any insinuations the member might make on that subject.

Mr EDE: Mr Chairman, that was quite an amazing outburst. My question concerned the proportion of funds spent in urban areas. We have been told that $4.86m of the $9.5m received from the Commonwealth is spent in remote areas. I asked what proportion was then spent in urban areas. I asked what the Housing Commission did to ensure that houses built from funds for Aboriginal people remain in the hands of Aboriginal people. I have not received an answer to that question.

Mr MANZIE: He had better read the Hansard tomorrow because I gave him an answer.

Mr EDE: I have not at any stage made any remarks which could be construed as a complaint about housing standards, but the minister did make the amazing remark that nobody had any right to decide what standard of housing would be built in the urban or rural areas.

Mr Manzie: Nobody except the people themselves.

Mr EDE: Has he not heard of the Building Board? I do not know whether he is responsible for it but ...

Mr Manzie: Read the Hansard tomorrow before you make a bigger fool of yourself.

Mr EDE: The Building Board sets certain standards which must be complied with in the construction of housing. You cannot build a house in an urban area without a shower. You cannot build a house without running water in it ...

Mr Manzie: Why don't you listen to what I said? Read Hansard tomorrow and then ask me a question in question time.

Mr EDE: If the minister wants to get into that particular area, maybe he can explain how he justifies the construction of houses with no water, no showers and no washing facilities at all. Before he says that that is the people's choice, let me explain to him how the people's choice is arrived at.

In a community where nobody has any housing, the people are told that there are so many dollars available. They are told that, if they elect to have glorified garden sheds, half the people will get accommodation that year. On the other hand, they are asked if they would prefer the top of the line house which costs about $30 000, is made of brick and has a shower, toilet and open fireplace. In the face of that, people are often forced to take the cheapest housing because it helps to spread the number of houses throughout the community.

Mr Chairman, you and I know that there are very substantial health considerations. Over the years, those health considerations were developed into Building Board requirements for the delivery of water, sewerage, shelter etc to try to remove the incredibly high health problems that we have in Aboriginal communities. If the minister wants to carry on about some form of

reverse racism - it was quite an amazing outburst and rather hard to follow - if he wants to carry on with that, I will accommodate him. However, I would like him first to answer the question which I put to him: how much of the $9.5m goes into urban areas? I will let him off with the other part of it. How much money is contributed from the Northern Territory government's own purse to this program?

Mr MANZIE: Mr Chairman, $4.8m is allocated to remote areas. The remainder is spent in the urban area in conjunction with our general public housing program. I do not know how many people who refer to themselves as Aboriginals are residing in our houses because we do not keep records. We do not ask people if they are Aboriginal or not; people are treated as people. We do not keep a record of it. We do not say we will only put 50 people in these houses because we only built 50 houses. People are entitled to houses when they go on the Housing Commission list and they get those houses. I can assure the member that the number of Aboriginal people living in Housing Commission houses far exceeds the number that would be living in them if we allocated only housing that was specifically paid for by Aboriginal grant money. We would have a waiting list of Aboriginals a mile long.

For the member's benefit, far more Aboriginal people are housed. It is not Aboriginal welfare housing. If he is referring to moneys from social security etc, that is another issue. This money is provided under the Commonwealth States Housing Agreement which relates specifically to housing. All expenditure is under that agreement. It is also done in conjunction with the Department of Aboriginal Affairs and the Aboriginal Development Commission.

Mr LEO: My question is very simple and I am sure it can be answered very quickly. Is the accommodation purchased by the Housing Commission at Yulara administered by an office down there? Can any resident of Yulara go on a general public housing list and obtain accommodation?

Mr MANZIE: I presume that there is no problem about anyone in Yulara going on the Housing Commission's general housing list. I could not answer whether we have a new office or whether we have somebody acting as an agent, which we have in a number of other areas. Obviously, there would be some means for the general public to make contact with the people who are responsible. I will get that information for the member.

Mr BELL: Mr Chairman, I have further questions which I do not think were answered previously. The explanation for the variation of 87% was that it provides for short-term assistance. The figure includes committed projects not expended during 1984-85. I said in the note I sent across to the minister that, apart from the fact that projects are usually carried out and not expended, it is difficult to see how projects could be included in a mortgage and rent relief scheme. I am curious to know to what projects this refers.

Mr MANZIE: Mr Chairman, it refers to the purchase of a rape crisis centre and a youth refuge which were committed for purchase in 1984-85 through savings by agreement with the Commonwealth. That has transferred across for the purchase to be made this year. The money was left over as a result of the demand in that area. The Commonwealth agreed that this would be an appropriate way to expend it. That is what was done.

Mr BELL: Under the 'hostels' heading on page 39, the explanation for a 30% decrease in the maintenance allocation for hostels referred to increased costs. Can he explain that?

Mr MANZIE: Mr Chairman, I will go back to a question the member asked me earlier in relation to this. It relates to a one-off cost in 1984-85. There was an actual decrease despite increasing costs. There was a one-off cost relating to fire alarm systems, safety, lighting and work on sewerage lines etc. There has been an increase in maintenance costs but there has been a decrease in some one-off costs in relation to the hostel maintenance. Even though maintenance is generally higher per unit of work, the figure is down.

Mr BELL: Similarly, why is the 49% increase under the 'other services' head explained with the same words as the 6% decrease? I refer the minister to the budget explanation for the previous year. Last year, there was a decrease of 6% and this year there is an increase of 49%. The explanation is exactly the same in both cases: 'provides for service charges, rates and taxes charged by local government authorities and charges levied by the Nabalco Corporation under an ex-Commonwealth agreement'. Why should that be so different? Why should there be an increase of 49% this year and a 6% decrease last year?

Mr MANZIE: Mr Chairman, I need to obtain precise details for that. In general terms, it is possible that we own more property or that we own less property. I do not know.

Mr BELL: The reference is page 21 Budget Paper No 4 of 1984-85 and page 39 in the equivalent paper for 1985-86. The basic argument is that there was a decrease last year of 6% and an increase this year of 49%. That is under the 'other services' head. The explanation for both years is exactly the same.

Mr MANZIE: We left an etc out of one of them.

Mr BELL: Okay, I will leave that with you. I turn to the apprenticeship scheme subsidy. I seek an explanation from the minister as to why this has been decreased by 25% from $80 000 in 1984-85 to $60 000 in 1985-86. I do not think I need to fulminate on the virtues of apprenticeship training but, quite clearly, that decrease of 25% requires some explanation.

Mr MANZIE: Mr Chairman, obviously, a superficial look would cause some concern. I can assure the member that it will not mean a decrease in the number of apprentices. Apparently, it is a result of the fact that the apprenticeship scheme level rises and the apprentices become far more productive. In capital works projects, the cost selects. That is the information I have been given. As the apprentice becomes more skilled, his productivity and, therefore, his work rate and his achievements in relation to our capital works programs become more effective and the cost is less. An example is the first houses that the apprentices built in Alice Springs. They cost almost twice as much as a normal house. Their skills are improving and, therefore, the costs are being reduced.

Mr BELL: I am so pleased that the minister is able not to report a 25% decrease in his government's commitment to the apprenticeship scheme but rather to report a 25% increase in their capability.

The next matter of concern is under the 'agency' head. The 1984-85 budget made an allocation of $2.249m for a contribution towards the cost of a total of 206 general accommodation units at Yulara after taking account of rental charges. Why was the actual expenditure in 1984-85 81% higher than the appropriation for that year?

Mr MANZIE: Mr Chairman, actually the Chief Minister referred to this earlier today. A payment was due on 1 July 1985 which was inadvertently processed on 30 June 1984. Therefore, it artificially distorted the figures. If we look at page 40 of Budget Paper No 4, we see that, under 'other services', there is a nil amount for 1985-86. That is the amount that would have been there if it had not been spent the year before - one day earlier.

Mr BELL: I will take the minister's word for it that the payment was paid in the previous year. If I was being zealous, I would ask for documented evidence of some sort.

To turn to the capital works for the Housing Commission, I note that the government has budgeted for a 25% decrease in the number of housing units to be built in 1985-86 - down from 991 in 1984-85 to 742 for 1985-86. This has been a matter of some debate. With some justification, I remain sceptical. I do not believe that the demand for accommodation in the Territory has fallen that much. We are still posting big population increases. I appreciate the arguments put forward in relation to private finance. As I said when I asked for the source of the minister's figures, I would like to see them in a closely argued form.

I am very interested to find out what has happened with demand for Housing Commission accommodation. Are waiting lists decreasing for Housing Commission accommodation? What is happening with vacancy rates on the wider housing market in the major centres in the Territory? In Alice Springs, effectively, we have a nil vacancy rate. The real estate agents whom I spoke to seem to think that the vacancy rate is increasing markedly in Darwin. On that basis, a reduction in the Housing Commission building program may be justified. To what extent does this represent cost cutting by the government and to what extent is it the basis of a realistic assessment of demand for housing?

Mr MANZIE: Mr Chairman, it does relate to the demand for housing. Last year, the waiting time in Darwin reduced to a period of 7 months for a 3-bedroom house. It was reaching a stage where visiting itinerants would start using our Housing Commission houses as holiday homes. There has been a tremendous effort by the government over the last 5 or 6 years in carrying out a pretty heavy building program to cater for the lack of development which had occurred. There has also been a concentrated effort to involve the private sector. The private sector's building response now has reached a stage that, for every 3 houses built, 2 are built by the private sector and 1 by the public sector. In comparison with what occurred 3 or 4 years ago, that is certainly a fair increase.

In relation to Alice Springs and Katherine, the waiting lists are coming down slightly but there is still a long way to go. Even so, the waiting lists are way below any equivalent waiting lists elsewhere in the country. We should be quite proud of the fact that we were able to achieve that. There have been problems with land in both Katherine and Alice Springs. The Minister for Lands is certainly working very hard to solve them. Certainly, there will be some vast improvements in the availability of land down there. To answer his question, notice has been taken of the vacancy rates and the waiting lists in relation to commission activities.

Mr BELL: Mr Chairman, I really must make a couple of comments. I have been doing this for about 4½ years and I do not want to start a heated debate this evening. The member for Leanyer interjected earlier in the sittings about tourists, itinerants and hippies taking advantage of our housing

accommodation if waiting periods became too short. Obviously, the Housing Commission is not in the business of providing tourist accommodation. I quite accept that argument. The minister refers to a waiting period of 6 to 7 months, which is very low by comparison with Alice Springs figures. Of course, Tennant Creek figures are much lower again - 3 or 4 months.

Evidently, the point must be made time and again about comparisons between waiting lists in the Territory and down south. This really has to do with the different structure of the housing market in northern Australia, not just in the Northern Territory. The housing authorities are not just in the business of providing welfare housing like the government housing authorities down south. Housing is not really a subject for intense political partisanship but I really cannot let the argument go by that the housing situation here is so much better than down south. If one wants housing accommodation from the Victorian Housing Commission, one probably waits 5 years. However, one must look at the structure of the market down there. A small percentage of the market is being serviced by the Housing Commission and there are very high vacancy rates in comparison with, say, Alice Springs. If vacancy rates get down to 2% in Melbourne, Sydney or Adelaide, they start to shiver and shake about the plight of private sector investment in housing.

The basic point is the availability of housing for people. I have a question on notice about the government's assessment of the demand for caravan park accommodation and the demand on the part of caravan park dwellers for more suitable accommodation. People are knocking on our doors because mum and dad and a couple of kids are going crazy in the caravan park. Both the minister and I should be concerned rather than say that we are terrific because the waiting lists are that much lower.

I have one more question in relation to minor new works under capital works. Is he able to provide more detail for the allocation of $2.276m for minor new works which, in addition to the normal maintenance requirements, seems to be a fairly large figure?

Mr MANZIE: Mr Chairman, of the $2.27m allocated to minor new works, we have $200 000 for landscaping and site works, $1.2m for general northern region activities and $500 000 for southern region activities. Typical application of this funding includes things like floor coverings, security lighting, security doors in complexes such as pensioner flats, conversion of flats to 2-bedroom configurations, replacement of hopper windows, replacement of garbage enclosures etc.

Appropriation for division 60 agreed to.

Appropriation for division 65:

Mr BELL: Because of the lateness of the hour, I will endeavour to be brief. Why did expenditure in 1984-85 exceed the allocation by 38%? As indicated in my notes to the minister, it is appreciated that the excess expenditure includes funds expended by the Department of Transport and Works and the Palmerston Development Authority. However, even after this expenditure is deducted, the total expenditure incurred is still $5.3m in excess of the allocation. That is 27% more.

Mr HATTON: Mr Chairman, it is because we decided to buy more land and meet commitments.

Mr BELL: Why has there been a 51.6% increase in the property management category?

Mr HATTON: This increase is attributed to a large buy-back of land program, totalling $14.531m.

Mr SMITH: I want to ask a follow-up question. It concerns 2 things which may not necessarily be connected. We are talking about a fairly dramatic increase in the buy-back program, yet the Housing Commission has dropped its building starts by about 25%. Is there anything wrong with my logic in linking those 2 phenomena?

Mr HATTON: I will pre-empt another question to save the member for Millner asking his next question. There are a number of buy-backs that are already subject to contractual arrangements for buy-back, and the funds have been allocated to me to meet those commitments throughout the Territory.

Mr SMITH: Are all the buy-backs for the Housing Commission and will they end up in the construction of houses?

Mr HATTON: Yes, the objective of buy-back is to buy back land for the Housing Commission. Eventually, houses will be built on the land. That is correct. I should mention that much of the buy-back is in Alice Springs and Katherine.

Mr BELL: I refer the minister to the 51.6% increase in property management. What is the explanation?

Mr HATTON: The total cost of subdivisions amounts to $15.248m. Total Palmerston buy-backs proposed for 1985-86 will include: Woodroffe area A - 100 lots at $16 000 totalling $1.6m; Woodroffe area B - 80 lots at $16 000 totalling $1.28m and 120 lots at $12 000 totalling $1.44m; and Woodroffe area C - 60 lots at $16 000 totalling $0.96m. That gives a total for that area of $5.28m. Alice Springs buy-backs total $3.9m: Larapinta stage 1 - 50 lots totalling $0.7m; Larapinta stages 2A and 2B - 150 lots totalling $2.7m; and Larapinta stage 3A - 30 lots totalling $0.54m. Katherine east contains some items which are a revote from 1984-85: 54 lots at $20 000 - $1.08m; and, at Katherine east, 192 lots at $22 036 - $4.231m. The Katherine total is $5.311m. Overall, the total is $14.531m.

Mr BELL: Mr Chairman, I will have a look at those figures in the morning. I have a series of questions in relation to the land development activity. Obviously, this is the most contentious area of the department's activities.

In the last couple of days, I received a letter from the minister about the way the government is or is not monitoring the private development of land. My concern is not just with Katherine but to make sure that, on a general basis, the people of the Northern Territory obtain a fair return for Crown land that is subdivided. I am sure that is fairly boring to the member for Koolpinyah because she is fairly safe and secure out there as a new pioneer. However, as shadow minister for lands, I do not really think I am wasting time in committee by seeking detailed answers to my questions. Obviously, the answer to the question about the expenditure on land development in 1984-85 exceeding the allocation by more than 900% is the same as the answer to the first question: the government allocated more money to develop more land. Similarly, there is a 38% increase in the allocation over the previous year's expenditure. I ask the minister to provide details of the

large buy-back of land program, including numbers of blocks purchased, value of each block or parcel of blocks, location of same and the name of each developer from whom they were purchased.

Mr HATTON: I will provide the price per block and the builder. The member can then link that with the other information I just gave on the buy-backs: Woodroffe area A is White Constructions NT at $16 000 per lot; Woodroffe area B is Interconstruction Enterprises - 80 lots at $16 000 and 120 lots at $12 000; Woodroffe area C is White Constructions - 60 lots at $16 000; Larapinta stage 1 is Henry and Walker - 50 lots at $14 000; Larapinta stage 2A is Tarry Pty Ltd and 2B is Floreat Plumbing Pty Ltd - 150 lots at $180 000; Larapinta stage 3A is Henry and Walker - 30 lots at $18 000; Katherine east is Henry and Walker SBS Constructions - 54 lots at $20 000; and the same group at Katherine east - 192 lots at $22 036. For further details, I refer the member to the explanations during our multi-evening debate on Katherine east subdivisional developments.

Mr BELL: What percentage of the total acquisitions program is represented by the buy-back program? I presume from the answer he gave to the member for Millner that there are no acquisitions on top of that.

Mr HATTON: The percentage of the total acquisitions program represented by the buy-back program is 95.3%.

Mr BELL: In the case of each of the stages in the developments referred to above, what was the value of the Crown land used in each stage, how many blocks were developed, what were the development costs and what was the return to the developer in each case?

Mr HATTON: Mr Chairman, this is getting ridiculous. This is the second sittings of this Assembly that we are debating the issue of returns to developers. Nonetheless, I will try once again to give the member what information it is practical and reasonably feasible to provide. The value of the Crown land subdivided in these developments can best be equated with the purchase price attracted when the land was released. The 4 stages of the Larapinta Valley residential development in Alice Springs have attracted purchase prices totalling $3.4m. The suburb of Woodroffe in Palmerston attracted a total purchase price of approximately $3m. The Katherine east suburb attracted a purchase price of $10m. I have already provided a detailed explanation of the specific reasons for this at the last sittings of this Assembly. I do not propose to repeat the explanation other than to say that the member can refer to Hansard for the explanation if he so desires.

It is anticipated that the number of blocks that will be developed during 1985-86 will be as follows. In Alice Springs, there is a total potential yield of 719 blocks under construction, with 639 anticipated to be turned off from that yield of the current subdivision for this year. Palmerston has 1016 as a potential yield. In 1985-86, it will be 759. Katherine has a potential yield of 490. In 1985-86, it will be 338. In regard to development costs and returns of the business to the private developers, I do not have that information.

Mr BELL: Mr Chairman, in the 'other services' appropriation, I note an 88% decrease over the 1984-85 expenditure. The explanation for this decrease is that the 1984-85 expenditures were of a one-off nature. What were those expenditures in 1984-85 and what is the expenditure of $88 000 under planning and building under this subdivision?

Mr HATTON: All plans in this subdivision were for the return of land to the department or for compensation related to land development matters. I might say that all payments made for land in this area were of an ex gratia nature.

Mr BELL: In the policy and administration area, there is an explanation for the variation in administrative and operational expenses of $111 000. Is that as a result of across-the-board cuts following the mini-budget of May 1985? How were those across-the-board cuts determined?

Mr HATTON: A major part of the across-the-board cuts were made in official travel and related costs, about $17 000, and the consultants program, $35 000. The remainder is made up of general reductions in most items. The cuts were made in those areas over which the department could best determine and control expenditure levels. For example, cuts were made in travel where the department could restrict the level of staff movement, and not in utility costs such as electricity, telephones etc. The reductions in the consultants program meant the listed Mapnet projects were restricted to maintenance and not development. These were unfortunate developments that we had to live with as a consequence of the rather savage cuts that occurred in the Northern Territory government's budgetary allocations earlier this year.

As I mentioned in the debate on our mini-budget earlier this year, it has had the effect of our having to keep a tight rein on the administrative and operational costs within the Department of Lands. Administrative costs were reduced by 1%. As a result, some temporary staffing could not be continued, overtime was reduced etc. Inevitably, services provided by the Department of Lands slowed down this year. That was predictable. By cutting back the Department of Lands' administrative function, its response time was reduced.

I am pleased to say that the Department of Lands can be very proud of the amount of work it is doing. I recently completed an analysis of the department since 1978. It has only 10 extra staff now compared to its 1978 staffing levels and yet its output has increased by 400%. That is the result of significantly increased efficiency over the period since self-government.

Mr BELL: The last query I have relates to the land development activity which presumably relates to the land management activity in the 1984-85 budget. Why was only 35% of the 1984-85 appropriation expended? The expenditure for 1984-85 was $2.152m when the appropriation for that year had been $6.152m.

Mr HATTON: Again, we are delving into last year's budget, which is not particularly helpful in dealing with the 1985-86 budget. The land management activity was created at the finalisation of the 1985-86 budget in May-June this year. The 1984-85 expenditure figures in Budget Paper No 4 are a result of a combining of the land administration branch and the land administration activity with the land allocation branch of the land development and allocations activity. More detail is required to be able to furnish an answer. No appropriation was made to the land management branch per se in 1984-85.

Appropriation for division 65 agreed to.

Appropriation for division 66 agreed to.

Appropriation for division 71:

Mr LEO: Mr Chairman, at the bottom of page 2 of the explanation to division 71 against 'other services' beside an asterisk is written: 'included in this amount is a total for 1984-85 expenditure of $13.8m for the Brucellosis and Tuberculosis Eradication Campaign'. How much is proposed to be allocated out of 'other services' in the 1985-86 expenditures for B-TEC?

Mr HATTON: Mr Chairman, it is in the order of $17m. I addressed that in my budget speech. I refer the member to my second-reading speech in that debate.

Mr LEO: Mr Chairman, under division 71, activity policy division on page 79, and again in the explanations, $1.025m is allocated in 1985-86 for B-TEC. This comes under 'other services'. Could the minister provide some explanation as to how a policy division - which basically is a provision of extension services, including coordination of departmental policy, extension services meetings and symposiums - would get through $1.025m?

Mr HATTON: Quite easily, Mr Chairman. It is a shame we do not have more money. We would be able to meet the needs of the industry a lot better if we had a bit more money to allocate to policy. It is easy to think that it is a great deal of money to spend on policy but, in regard to brucellosis and tuberculosis, this division includes management and all finances, so it has all accounting functions associated with B-TEC. It has the economists who are responsible for property assessments, the preparation of destocking and compensation agreements, and determination of the approved programs with B-TEC. It has the Chief Veterinarian Officer and senior veterinary staff associated with management of the B-TEC program, the administration of the B-TEC policy and planning committee and the organisation and running of B-TEC throughout, other than the actual physical in-the-field work. The entire operations of B-TEC work through that policy unit. That represents some one-fifteenth of the expenditures on the entire program and includes most of the work in avoiding the problems of going too heavily in destocking, and ensuring that properties are not sent bankrupt by way of B-TEC. It is an area that we have beefed up quite considerably this year to meet those sorts of objectives and the sorts of complaints that were raised by government and members of the opposition in previous years.

Appropriation for division 71 agreed to.

Appropriation for division 72:

Mr LEO: Mr Chairman, in the explanations at page 13, there is a summary of appropriation by subdivision, and one of these subdivisions is 'other services'. This is for ADMA. Of course, within that section, 'other services' appears again. 'Other services' have yet 'other services'. It is less than clear as to what the 'other services' within 'other services' do but I notice that they have copped an almost 50% cut in their budgetary allocation. Perhaps the minister could explain that.

Mr HATTON: Mr Chairman, page 17 deals with farm development. Page 18 refers to other works and other services of $596 000. By adding those 2 figures together, he will find the figure he was looking for.

Appropriation for division 72 agreed to.

Appropriation for division 77:

Mr LEO: Mr Chairman, on page 8 of the explanations, under 'activities and management services', the first explanation relates to salaries and payments in the nature of salaries. I will read through the explanation provided:

> 'Provision is made for salaries for 6 new employees in the Territory and allowance for overtime payments and other allowances totalling an estimated $231 000. The increase is due to the additional positions and a newly-formed management services activity and a full-year effect of increases granted in 1984-85'.

Perhaps the minister would care to explain these newly-formed management services activities.

Mr HATTON: Mr Chairman, I am quite happy to do so. Today I outlined in a ministerial statement the activities and organisation that have taken place in the Department of Ports and Fisheries, and went into some detail on the structuring of this new department. If one is to create a new department, some guiding direction is required within that department in its central function. In this case, it was necessary to bring together the Fisheries Division from the Department of Primary Production, the Marine Division from the Department of Transport and Works and the expansion of services in the redevelopment, operational and other activities. It needs to give some direction to the increasing industry. I might say it has been quite successful. This central division includes the necessary staff to carry out such works as payroll which, until this financial year, were carried out by the Department of Primary Production which was carrying between itself and its Department of Transport and Works most of the basic administrative costs. It provides for the staffing of senior managerial positions such as the secretary and the senior executives within the Department of Ports and Fisheries. That covers a total of 6 people. It is a tight but very effective unit and it provides a vehicle to give direction to the other people further down the line. I think such direction has been lacking in previous years.

Appropriation for division 77 agreed to.

Appropriation for division 78:

Mr LEO: Mr Chairman, the Darwin Port Authority funding has increased by 100%. The increase is attributed to increases in normal operational costs. Why is there such a large increase?

Mr HATTON: Mr Chairman, I refer the member to page 13 of the explanations to the Appropriation Bill. There is a reference there to the point that he is making. In particular, I refer the member to operational expenditure which indicates that increased costs were due principally to the rehabilitation of Stokes Hill Wharf and the upgrading of the iron ore stacker reclaimer, which I have referred to previously, certainly publicly. Substantially, they are the elements that make up the significantly increased operational funding for this year to bring the port up to scratch and extend the life of Stokes Hill Wharf for a further 10 years - in fact, towards the year 2000 - and to bring the stacker reclaimer into operation which has enabled us to attract 70 000 t of cargo from the Woodcutters Mine per annum.

Appropriation for division 78 agreed to.

Appropriation for division 83 agreed to.

Appropriation for division 88:

Mr LEO: Mr Chairman, I have asked the minister for a breakdown of the 1984-85 expenditure and the 1985-86 allocation within community services for the subactivities of heritage, archives, womens affairs and consumer affairs.

Mr COULTER: Mr Chairman, the member for Nhulunbuy and the member for Stuart asked for a breakdown of 2 substantial areas which are in the budget papers. I have undertaken to supply that information to them. I said that we would not break it down community-by-community because we have done that in other areas; for example, town maintenance, public utilities and so on. However, to give a fuller explanation of those appropriations, I am prepared to give details on a regional basis.

Mr LEO: Could he give details about the increase of 2% in local government allocations?

Mr COULTER: Is the member referring to the 2% personal income tax sharing amount or simply asking for more details?

Mr LEO: My notes refer to an increase of 2% in payments to local government. I do not think it refers to moneys involved with personal income tax.

Mr COULTER: Mr Chairman, if the member likes to give that question to me on notice, I will deal with it at a later stage.

Mr LEO: I will get it to you.

Mr EDE: Mr Chairman, I am happy that the minister has given an undertaking to provide me with more breakdown of the subdivisional section of 'Aboriginal field services' which stands at $47.5m. I am rather disappointed that more breakdown was not provided in the papers but I am prepared to accept that undertaking from him. My point relates to the disappearance of $9m between the 1984-85 and 1985-86 programs. We believe it is due to the stopping of all works other than those related to the supply of power. The programs which were not carried forward include: water supplies - $3.5m; toilets and ablution blocks - $170 000; sewerage - over $800 000; internal roads and drainage - nearly $1.5m; and others, including airstrips - almost $1.5m. The total is almost $7.5m. These projects were outstanding from works in progress carried through to 1984-85. They were not expended during that period and do not appear anywhere for expenditure during 1985-86. Meticulous investigation does not reveal to us what has happened to approximately $7.5m worth of programs specifically related to services in Aboriginal communities. It appears to have completely disappeared from the system.

Mr COULTER: Mr Chairman, I am delighted to be given a opportunity to examine the research material which has been put on record here this morning by the member for Stuart. There have been some widespread changes in capital works programs, town maintenance and public utilities. NTEC has become the agency by which power supplies were transferred to communities throughout the Territory. I believe that the commitment to provide those services to Aboriginal communities has been maintained throughout that period. I will provide the member with the answers to his questions on the alleged disappearance of $7.1m which I think was the allocation for those works.

Appropriation for division 88 agreed to.

Appropriation for division 91 agreed to.

Appropriation for division 96:

Mr LEO: Mr Chairman, on page 6 of the explanations, there is an increase in expenditure on capital items from $8000 to $186 000. The explanation is that the allocation provides for normal replacement of plant and equipment and 5 motor vehicles. Those 5 motor vehicles would not amount to $186 000. It leaves quite a considerable amount for plant and equipment. What is the plant and equipment?

Mr COULTER: Mr Chairman, I will provide the member with a detailed list of those capital items. Some of them include equipment for catering facilities etc. I will provide him with a detailed list.

Appropriation for division 96 agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill reported; report adopted.

Mr TUXWORTH (Treasurer): Mr Deputy Speaker, I move that the bill be now read a third time.

Mr EDE (Stuart): Mr Deputy Speaker, I rise very briefly to mention a couple of fairly major points. I will not canvass them at length. I will, however, refer once again to some problems that I had during the course of my attempts to find out what is going on in the Department of Mines and Energy. I regret that I was unable to obtain answers to questions which would have allowed me to develop further my analysis of the expenditure in that area.

I point to an area which, while it may seem minor within the total context of the budget, is indicative of the way in which this government tends to miss out on certain very substantial savings. As an ex public servant, I recall the shenanigans that public servants used to get up to as they attempted to partition, repartition and partition again the offices that were allocated to them. Various power games were played out within the department as people tried to move closer to windows and gain more space etc. The total allocation in this year's budget is not an inordinate amount. I have checked it out. It is fairly common for amounts of this magnitude to be spent year after year. This year, $1.5m will be spent on office partitioning. The figures are $70 000, $80 000, $120 000, $250 000 for the Northern Territory Development Corporation, $250 000 for the Darwin Institute of Technology, $500 000 for Health House etc. When we are talking about savings, we are talking about a tight money budget. This government is putting a lot of pressure on people who can ill-afford to contribute further towards its coffers. I find it reprehensible that the government does not tighten up on internal operations such as this particular public service game which is played out year after year and which results in an enormous amount of money being wasted annually.

Mr TUXWORTH (Chief Minister): Mr Deputy Speaker, I rise to touch on 2 points before we conclude the passage of this legislation. The member for Stuart raised his concern about partitioning in buildings. I can well remember the debates in the first Legislative Council and the enormous disagreements with the administration at the time about the amount of money spent on partitioning. We were told how it was so expensive but it could not be avoided. We used to say that that was baloney and that you could build a

house for the amount of money spent on partitioning. It did not take us long to find out that that was indeed the truth. The cost of partitioning is outrageous but, try as we might to reduce it, it is one of those costs that we just cannot get to the levels that we want. I sympathise with what the member says because we have said it ourselves. There are costs that the government must face - and private enterprise too - that cannot be brought down to the desirable levels. We are stuck with those costs.

In conclusion, I would like to pay tribute to those staff in the Treasury of the Northern Territory, Dr Madden and all his willing workers, who have put in thousands of hours in the preparation of this year's budget. There is no doubt that all members who sought a briefing from Treasury and who had a briefing from Treasury have come away satisfied that they have had very good treatment and that they have understood the issues well. I think it is a reflection on the people themselves. They are a great credit to the government and I am most grateful for the role that they have all played.

Motion agreed to; bill read a third time.

## ADJOURNMENT

Mr ROBERTSON (Leader of Government Business): Mr Deputy Speaker, I move that the Assembly do now adjourn.

I move the motion with a lot of sympathy for the Hansard staff and their families and I hope everyone else here has the same degree of sympathy.

Mr EDE (Stuart): Mr Deputy Speaker, members will recall certain questions I raised this morning during question time. I wish now to express my utter disgust at the callous and offhand manner in which the Chief Minister avoided calls from the combined Aboriginal organisations of central Australia for a judicial inquiry into the Ti Tree shooting.

I asked the Chief Minister in question time today whether he would appoint a judicial inquiry given that his government had agreed to settle compensation for the fatal shooting by police of one Aboriginal man and the serious injury of another rather than have the case go to court. I asked if the Chief Minister would set up such an inquiry to investigate the events of July 1980, particularly the criticism by the coroner of the police forensic examination and suggestions that the investigation was not conducted in accordance with proper police practice. As he is wont to do on issues of this nature, the Chief Minister ducked my question by claiming that matters referred to in a telex from those Aboriginal organisations yesterday may have been defamatory and therefore may be subject to legal action.

It was with considerable anger that I picked up tonight's edition of the NT News and read a report referring to this case headed: 'No Judicial Probe'. That report noted accurately that the Chief Minister refused to answer questions in this Assembly this morning. It went on to state, however, that he had confirmed in a press release which was subsequently issued from his office that there would be no inquiry. The Chief Minister has displayed arrogant contempt for this Assembly which should not be tolerated by any member and would not be tolerated in any parliament conducted under the Westminster system. The Chief Minister had a clear duty to report in the first instance to this Assembly on this important and delicate issue. It will be to his eternal discredit that he did not do so.

The Chief Minister was quoted in the media earlier this week as having referred this matter to the Police Commissioner. With all due respect to the Police Commissioner of the Territory, I submit that he would be the last person that a sensible and responsible government would take advice from in this situation. Such action creates the potential to make the Northern Territory government and the Northern Territory Police Force a laughing stock among those Australians who believe in the administration of justice in Australia. The question of police investigating police is at the very essence of the serious matters raised by the Aboriginal organisations in this case. I might add that I find myself forced to express my disgust at the nature of comments attributed to the Police Commissioner in today's article on this case.

I feel compelled to point out tonight that I do not seek to bring down the system of justice. I feel compelled to say this because the Chief Minister appears to have made a point of levelling this charge against anyone who dares to speak out on such issues. The proposition that questions on such issues are an assault on the administration of justice is absurd. It is an emotional response, unworthy of anyone holding high public office and a sad reflection of his inability to cope with the very real problems which are bound to crop up from time to time. I uphold the right of any citizen of the Northern Territory to question our system of justice. I am not here to argue the rights and wrongs of this case. The opposition takes the view that the matter should be settled by an independent judicial inquiry.

In his findings on this case, the coroner was moved to say: 'The forensic examination in this case is not of sufficient standard ... There appears to me to be a complete lack of liaison between the investigating officers in the field and the forensic section which appears to me to be a fault within the system'. How can a government put that question to rest by referring it to the head of the police force? The maintenance of law and order in the Territory as elsewhere is contingent upon the police force having the faith and trust of the people. The Northern Territory Police Force is held in high regard but serious questions have been raised in this case. I submit that those questions need to be answered not by the police, not by the government, but by an independent member of the judiciary.

In the telex released yesterday by the Aboriginal organisations, calls were made for a judicial inquiry and an Ombudsman's inquiry. The combined Aboriginal organisations of Alice Springs stated in the telex:

> 'Unless these inquiries are held, all people in the Northern Territory, both black and white, will fear the worst about police investigating police. How can any of us have any confidence in the police if alleged misconduct by members of the Northern Territory Police Force are not properly investigated?'.

I submit that most members of the Northern Territory Police Force would support that view. There has been a bloody history of violent dispossession of Aborigines in central Australia. It is well documented and well-known by many in the Centre. It is perhaps not as well-known in the Top End. Given that history, it is perhaps understandable that emotions can run high in this area. I do not condone such emotionalism. However, I can understand it. This case has been sub judice for 5 years. I think the Chief Minister of the Northern Territory owes his constituents a lot more than they were given in here today. The issues I have canvassed can be separated from any proposed defamation proceedings.

I would remind the Chief Minister, who has responsibility for police, that an exhaustive inquiry and public debate has been and is still under way in respect of the Chamberlain case. That case, as I am sure all members will be aware, is also subject to defamation proceedings. To suggest that such matters are a trumped-up assault upon the police and the administration of justice and impugn the rectitude of Territory society is, in my view, arrant nonsense.

Mr BELL (MacDonnell): Mr Deputy Speaker, there are a couple of matters I wish to address in this adjournment debate. Because of the lateness of the hour, I will endeavour to be as quick as I possibly can. The only reason I raise these matters now is because of the scant time that is available to us. I understand that I will not have the opportunity on Thursday night because of preparations for the sitting on Friday morning.

I want to corroborate the comments made by my colleague, the member for Stuart. I want to make 2 particular points by way of corroboration. The first point is to corroborate his assertion that there is a crucial issue involved here in the confidence that Aboriginal people have in the administration of justice in the Northern Territory. Members will recall my account of young fellows who were held up at gunpoint because they were, and quite wrongly, drunk in a motor car on a public road in the bush. But they were held up at gunpoint under quite reprehensible circumstances. I still have misgivings about what happened as a result of that - the subsequent inquiry and so on. I am satisfied in my mind that justice was done but I really have misgivings about whether the young men involved are satisfied that justice was done.

That is a relatively minor example. The example that the member for Stuart raised in the adjournment debate this evening and in question time yesterday was of an entirely different streak. I can recall hearing of this particular shooting in 1980. I have still ringing in my ears a comment by the classificatory brother of the chap who was killed. He was a very gentle man. He was entirely bewildered by this particular occurrence. He said: 'It looks as though we are going to have to carry guns around with us too'. Nothing demonstrated to me more clearly the sort of insecurity that people have about the extent to which they are protected. We have no doubts about the extent to which we are protected but the relatives of that bloke who was killed - and they extend across central Australia - really doubt that they are protected in the same way as we believe we are protected. For those reasons, I want to corroborate the comments of my colleague this morning. I think that the attitude that the Chief Minister took in this regard, by feigning some sort of legal barrier to his answering the question, was to treat it in a manner that was undeservedly trite.

I wish to raise the issue of the community service groups which occupy the old library in Alice Springs. There are now 2 family day-care schemes in Alice Springs because of the popularity of that particular scheme of child care. There are the Central Australian Community Toy Library, the Childbirth and Parenting Education Association, the Central Australian Playgroup Association, the Alice Springs Kindergym and the Alice Springs Spastic Council. I have received representations, as have many other local members of the Legislative Assembly and the local council.

It is a matter of serious concern to me that, with the prospect of the boom being lowered on these groups in the form of the old library being razed to the ground, no alternative accommodation will be found for them. The

situation has been going on for several months without resolution. It is for that reason that I rise to speak about it. It seems to me that all these groups are self-help organisations which are doing a wonderful job in providing a community service that would not be provided otherwise. The sort of public sector support that they have received seems to me to be eminently worth while.

I am concerned that they seem to be falling between the stools. On the one hand, it appears that the Alice Springs Town Council is saying that it is the Northern Territory government's responsibility and, on the other hand, the Northern Territory government, through the agency of the Minister for Community Development, seems to be saying that it is not its responsibility either. I am not sure that I am in a position to make a judgment either way but I believe that it is worth raising in the context of an adjournment debate in the hope that we can get some sort of response in this Assembly from the Minister for Community Development. I do not want to see a public slanging match between the minister and the town council like we saw a week or so ago. I think that some resolution needs to be found to accommodate these community service groups. I understand that last evening they held a public meeting in Alice Springs. I certainly want to place on record my support for their cause. In closing, I hope that the minister will take up that particular issue and ensure that some provision is made for them one way or another.

Mr HATTON (Lands): Mr Deputy Speaker, I rise tonight to respond briefly to some comments by the member for MacDonnell in the adjournment debate last Thursday 14 November. He raised a number of matters dealing with the Department of Lands.

The member referred to problems associated with blasting in respect of some developments in Alice Springs. I responded to the member on 1 November this year outlining the history. I do not intend to deal with it much further tonight except to remind the member of what I advised him in the letter: whilst the Department of Lands is responsible for providing serviced land at an affordable price, it is the responsibility of the Department of Mines and Energy to ensure that such works as may be required are carried out in a safe manner. I would remind the member that I suggested that, if he had any queries on that, he should refer them to my ministerial colleague, the Minister for Mines and Energy. I take it from his comments last Thursday that he has not. Perhaps he was satisfied with the explanation that I gave him in the correspondence of 1 November.

The member for MacDonnell also referred to draft planning instrument K68 in respect of Katherine. That is currently on display in Katherine until 28 November. K68 seeks to rezone areas in Katherine east from a special instrument zone to residential zones. The existing special instrument over the lots allows detached dwelling to be built without further application to the Planning Authority. Thus, any building of detached houses on the lots in question is currently entirely within the planning requirements. There has been some construction of detached dwellings in line with this already approved purpose.

The 4 lots that are being rezoned for residential 2 development - that is, lots 2166, 2167, 2170 and 2171 - have had tenders invited by the Housing Commission. However, building cannot commence until the Planning Authority formally approves the rezoning and until the building permits are issued. I can also advise that, following discussion with the Department of Lands, there are applications for building currently on lots 2157, 2158, 2159, 2163

and 2164. The building permits, however, will not be issued over these lots until DPI K68 is finalised. Early work on 2 other lots - and not lots in the vicinity of the Surplices that the member referred to last week - was stopped as soon as this was noticed. Apparently, some preliminary plumbing work was under way at the time. The Housing Commission has let tenders for R2 lots near the Surplices but no building is to start until, firstly, the K68 is finalised and building permits are issued.

I turn my attention to the most substantive part of the comments made by the member dealing with a particular battleaxe block owned by the Surplices and the rezoning proposals at the time that they negotiated with the Northern Territory Housing Commission to buy that block. The member said that they had been told by officers of the Housing Commission that parkland would be retained in the rear of the Surplice family block. I responded to the member. The member said:

> 'I think that any intelligent person would perceive how sophistic that comment is - sophistic because the minister points out that the Surplices were aware that there would be 5 separate blocks created with fence lines common to their property. Yes, they certainly were aware that there would be 5 properties but they were also acting on the belief that one of those blocks was rezoned for parkland and would not be resumed for building purposes for residential accommodation. I believe that they have been treated rather harshly'.

Those are fine, stirring words. Perhaps we ought to review some of the facts. The Surplices live on lot 1668 Forscutt Road, Katherine east. That lot was allocated to the Surplice family by the Housing Commission in October 1983. Application to purchase was lodged on 9 November 1983. An offer by the Housing Commission was made on 14 January 1984. Mrs Surplice wrote to the Housing Commission on 16 January 1984 highlighting that her lot shared a fence line with 5 blocks and seeking assurances that the valuation had taken that into account. I quote from the letter:

> 'Now we find our fence line will be common to 5 separate blocks. Your department has possibly taken into account the abovementioned but before signing I would like to be reassured. Obviously, a house on this type of block will have a lower resale value and it will be harder for us to sell if work opportunity forced us to leave Katherine ...'.

Quite clearly, the residents were aware that there were 5 blocks and that those blocks were zoned for housing. Before accepting the offer of title for the block, they checked to ensure the valuation had taken into account the fact that their particular block would be surrounded and that the price properly reflected that particular situation. The Valuer-General took this into account and it was confirmed to the Surplices on 3 March 1984. After receipt of the valuation report, the Surplices accepted the Housing Commission offer. Mrs Surplice did not complain to the department about the problems associated with her battleaxe block until 6 September 1985, despite being aware of the problem at the time of purchase some 20 months before.

It is not good planning practice to have battleaxe blocks totally surrounded by houses. Unfortunately, in this situation, it had been allowed to occur. Whilst I had been able to rectify a problem in another situation brought to my attention earlier this year, I have not been able to do anything

in respect of these blocks because housing construction is already well advanced on the blocks that are surrounding the Surplice property. This complaint about the parkland is coincidental with the exhibition of K68 seeking rezoning to R2 of a block which comes to the corner of the Surplices' block and of which the Surplices are one of the objectors. Amongst other things, the objectors are raising the issue of that particular block having been zoned as open space. I suggest that the complaints from the Surplices have more to do with an objection to having flats built near their place than they have to do with having houses built near their place.

One must look at the timing and the history of the particular determination of the purchase of the block by the Surplice family. In October 1983, when the Surplices were being shown the blocks, which were on display in Katherine and, I assume, advertised in the local newspapers, there were particular zonings associated with the block that the Surplices intended to purchase. I have a letter from Mrs Surplice that in fact confirms that she said she did not notice them.

Whilst I recognise that it is poor planning to surround a battleaxe block by housing, with no open space access in any corners, unfortunately, the situation is such that I cannot reverse it in respect of that block because commitments have already been made. The rezonings in respect of blocks 2166 and 2167 are currently subject to planning approvals and they will take their course through the normal planning and objection processes. I point out that all the evidence, including correspondence from the Surplices, indicates that they were well aware of the circumstances when they purchased their block of land.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took the Chair at 10 am.

## PETITION
### Mining in National Parks

Mr DONDAS (Industry and Small Business): Mr Speaker, I present a petition from 639 citizens of the Northern Territory relating to mining in national parks. Mr Speaker, the petition bears the Clerk's certificate that it conforms with the requirements of standing orders. This petition has been presented in terms similar to a number of other petitions and I do not propose to move that the petition be read.

Petition received.

## MINISTERIAL STATEMENT
### Alice Springs to Darwin Railway

Mr TUXWORTH (Chief Minister): Mr Speaker, in August this year, I reported to the Legislative Assembly on progress with the Alice Springs to Darwin railway. I did so because it is my intention to keep the Assembly and the people of the Northern Territory as fully informed as possible on this important project. I am pleased to do so again today and to table the final report of Canadian Pacific Consulting Services entitled 'Review of the Economic Viability of the Extension of Standard Gauge Rail Service from Alice Springs to Darwin'. This report provides a comprehensive and expert assessment of the railway and, as such, I am sure it will be read with great interest by all members. When members have had an opportunity to read and consider the findings of the report, I look forward to interesting and constructive debate. I believe that debate will continue for some time.

The CPCS report is a vindication of the Northern Territory government's position on the railway. It demonstrates that the Hill Report findings, on which the federal government based its decision not to proceed with the railway, are insupportable. Canadian Pacific is a major north American railway company of world-wide reputation which carries 85 million tonnes of traffic per annum. Its expertise is unquestionable and, most importantly, it makes a profit. By contrast, the railway authority of which Mr Hill is chairman loses $800m per annum and relies on Commonwealth funds for its survival.

Canadian Pacific concludes that, in strictly economic terms, the railway extension is viable for a broad range of traffic forecasts. In 1985 dollars, using a 7% discount rate and over a 50-year economic life of the project, the financial projections show that the railway could provide a real return of between $54m and $264m to this nation. This variation in return is related to the traffic projections which show best and worst case scenarios.

The savings of between $54m and $264m identified by Canadian Pacific reflect a national saving of the resources that would otherwise be committed to a road transport system in the absence of an Alice Springs to Darwin railway. By contrast, the Hill Report claims that, over a 40-year period, the same Alice Springs to Darwin railway would show losses exceeding $340m in present value to the nation regardless of the traffic volume.

The differences between the CPCS figures and the Hill Report figures in cost savings terms are as follows. Between $97m and $177m, depending on the traffic volumes, will be saved by other state and federal railways and road

authorities because of the completion of the Alice Springs to Darwin railway. These savings will be generated by additional railway traffic on the Australian National and state government railway systems and reduction in road maintenance costs since road freight traffic will be transferred to rail. $109m to $141m will be saved by modifying the track design and reducing the construction schedule to about 4 years. $40m will be saved by eliminating passenger services from the evaluation of the railway's economics. $30m to $40m road maintenance savings over and above those identified by David Hill will be obtained by Territory and state governments by diverting road freight to railway. Between $13m and $32m can be recovered by disposing of track-laying equipment and welding plant at the end of the construction period. $8 to $11m will be saved in labour costs by using 2-man crews rather than 3-man crews. Mr Hill adopted a 3-man crew as a cost base but, by the time the railway is completed, crews in Australia will be reduced to 2 men.

Canadian Pacific believe that cost savings of an additional $246m will be effected by using CPCS traffic forecasts and freight assumptions instead of those adopted by Hill. It is of the view that Hill's figures were unreasonably conservative. Adding substance to this proposal is the finding by CPCS that the railway will save some 2000 million litres of diesel fuel over 50 years. This massive saving to Australia in fuel bills over the project life alone will exceed the initial construction cost of the railway.

Honourable members will note that the Canadian Pacific assessments are based largely on Alice Springs to Darwin northbound traffic. Revenue projections do not take into account the substantial southbound freight volumes that will be generated by the development of Darwin as a major port of entry for imports to Australia. Revenue derived from this source will greatly enhance the viability of the project. We are talking about a project of immense national significance. It will see the completion of a rail link that will join Darwin with the rest of Australia - a project that will do more for the development of Australia's north than any other. It will transform the economy of the Northern Territory's towns and hinterlands, open up hitherto undreamed of opportunities in trade, shipping and industry, improve the viability of mines, agricultural and pastoral enterprises and create thousands of jobs, directly and indirectly. It will ease considerably road transport pressure on the Stuart Highway, making it vastly cheaper to maintain and safer to drive on. It will enable the diversion of precious national fuel resources from transport to other sectors and it will have major defence implications for Australia.

Mr Desmond Ball, head of the Strategic and Defence Study Centre in Canberra's ANU, has argued most forcibly that the existence of the railway would provide a powerful deterrent to the development of any significant military threat to Australia. In the event that an attack against the north eventuated, the railway would be essential to Australia's defensive actions. Mr Ball concludes the preface to his study by saying:

> 'The Alice Springs to Darwin railway project is a project which warrants strong national endorsement. There is no excuse for any further delay in proceeding with the project'.

This, honourable members, is from a report that does not assess the social and developmental benefits of the project.

The history of the north-south rail link is well known and I do not propose to canvass it here. However, in January 1983, a federal Liberal

National Party coalition government made a commitment to build the railway by 1988. In the subsequent election campaign, the Leader of the Opposition, Mr Hawke, gave his party's commitment to this schedule of construction of the railway from Alice Springs to Darwin. It is a matter of history that this promise was abandoned and subsequent events and statements have made it clear that the present federal government has no commitment to it. Of course, such absence of commitment was based upon the Hill Report which, as has been demonstrated now, was unreasonably conservative and pessimistic.

The federal Minister for Finance, Senator Walsh, has branded the present proposal as 'pie in the sky'. These are the same words that the same senator used to describe the Amadeus to Darwin pipeline about 15 months ago. Territorians prefer to subscribe to more constructive attitudes as expressed in Robert Kennedy's immortal injunction: 'Some men see things as they are, and ask why. I dream of things as they never were, and ask why not?' My government is left with no option now but to seek to build this railway utilising private ownership, operation and funding. Make no mistake, Mr Speaker, that that is what we intend to do and it will be Australia's first economic railway.

It has been suggested that we should wait until there is a government in Canberra more favourably disposed towards our aspirations. We reject this view because this project is of national significance and it should have bipartisan support from state governments and the federal government because, as much as the Northern Territory itself, they will be principal beneficiaries of this project. Defence benefits, savings in fuel costs, savings in road maintenance, greater intrastate rail freight volumes, and greater national economic prosperity - these are benefits that will not be confined to the Northern Territory alone. For that reason, my government will never falter in its efforts to persuade the federal government to contribute to this project. Such contribution can come directly or indirectly but, either way, it will enhance the project. I will return to that aspect shortly.

With the CPCS report, I also table 2 further preliminary reports from CIBC Australia Limited, which is the Territory government's financial adviser on this project, entitled 'Financing the Alice Springs to Darwin Railway'. Close examination of the CIBC reports demonstrates that the Alice Springs railway is viable economically under a range of conditions. Two examples mentioned in the first CIBC report demonstrate a range of financial outcomes. Both are based on a construction schedule of 3 years.

The first example assumes a future real interest rate of 4% per annum, which is a return to more realistic levels than we have at present, an inflation rate of 8% per annum and a revenue rate of 5¢ in 1983 dollars per net tonne kilometre. Under these conditions, the project would be financed entirely by accumulated borrowings, peaking at around $1450m in the year 2002. They would be extinguished in the year 2010.

The second example is significant in this context. It assumes interest, inflation and revenue rates, the same as those I just mentioned, and a cash contribution of $20m per annum for the first 10 years of construction. Under this second set of conditions, peak debt of $770m would be reached in 1996 - much earlier than the first example - and extinguished in the year 2003.

The first example provides for what would be quite a substantial financing risk. The second example illustrates the improvement to financing risk

generated by interest free loans or government equity in the project. Every $50m of equity would reduce the peak debt figure by around $200m. A close reading of the CIBC reports will reveal a range of financing calculations modelled on different debt equity ratios and revenue assumptions.

I stress that these calculations are only indicative at this stage but demonstrate amply the possibility and feasibility of private project financing, and illustrate a further benefit of government equity contributions. I must emphasise the Northern Territory government's position that it does not have the capacity to make long-term, low-interest or interest-free loans, nor does it have the financial ability to provide operational subsidies similar to those provided by the Commonwealth government to the states for losses on the state government railways. As I have said previously in this Assembly, $3000m was set aside by the federal government in this year's federal budget to pay the states for losses they incur on uneconomic railways.

However, the second example I referred to earlier postulated a $20m contribution every year for 10 years. Such a proposal would have a tremendously beneficial impact on the financial viability of the project, reducing the peak debt by almost $700m. While a contribution of this magnitude appears very onerous for the Territory, honourable members should bear in mind that, once the railway is in place, enormous savings will become available from maintenance and reconstruction of national highways in the Territory. $25m to $30m a year is spent on maintenance and reconstruction of these highways and the bulk of those funds is provided by the Commonwealth.

It is obvious that there will be significant savings when the railway becomes operational. It would be a very good investment in the Territory's future to transfer not only those savings but some portion of the current Commonwealth roads allocation for the Territory. In fact, the mechanism for this already exists within the Australian Land Transport (Financial Assistance) Act. While the actual figures that I have mentioned are hypothetical at this stage, it is clear that any contribution by the Territory will only enhance the viability of the project and give confidence to investors who are likely to be involved. It would also facilitate the government's industrial development policies by ensuring that the necessary transport infrastructure is in place.

In giving consideration to any Northern Territory equity involvement in the project, it is important for honourable members to be mindful of the Territory government's development thrust. Considerable effort has been expended in establishing the Northern Territory Trade Development Zone and this must continue. The commitment of the Northern Territory government to the major development of the Darwin port and its future use as a port for fishing to and from Australia is well known. The determination by the Northern Territory government to see the Adelaide to Darwin railway used as a part of a land bridge from Australia to Asia is also well known. As this railway is the key to these development proposals, it is most important that the government be involved as a participant in the railway company so that other investments and developments can be closely related to the railway company's policies.

Currently, the government is involved in exploratory discussions, using our experiences with the pipeline project as a model. The success of the pipeline project provides confidence to the government, a confidence which is increasing as the pipeline reaches inexorably southwards. An efficient

financing package will be essential. At this point, there is no commitment to a particular structure or approach. The need to maintain flexibility remains. I assure the Assembly that the government has no intention of participating in or encouraging a project that is not soundly based. We will seek and take advice widely but we will not be daunted by adverse or critical reaction unless that reaction is based on a sound understanding of the facts.

The government now intends to move on a number of fronts simultaneously. Firstly, a task force of officers from the Chief Minister's Department, Treasury and Transport and Works, working to a steering committee of the heads of those departments, will be responsible for progressing and coordinating this work. Secondly, further assessment will continue on the data used in evaluating the project. This will need to be tested by an independent disinterested consultant in due course, in the same way as the Royal Bank of Canada assessed the gas-fired electricity project. Thirdly, discussions will continue with possible consortium members and expressions of interest will be sought as widely as possible. Talks will be held with road transport operators on the diversion of Stuart Highway road freight to railway. Fourthly, the route survey work will continue.

A vigorous public information program will be needed to overcome the ill-informed view resulting from the Hill Inquiry. It is hoped that observers will forsake antagonistic comment until they have had a chance to study the CPCS report. I believe a tight timetable is essential to ensure this project does not languish any longer. That is why I have announced 1 January 1987 as the starting date for construction. This is feasible if all the necessary decisions are taken, including those by governments as well as those related to the financial package. Based on the CPCS report, construction should take 3 to 4 years. Minimising the construction period is essential to minimising costs. The task ahead is challenging. The government has not been turned aside from its goal by the difficulties of recent years. We will continue to pursue innovative approaches to the challenge still ahead of us by bringing the project to a successful conclusion.

As outlined earlier in the report, the federal government appears to maintain its objection to contributing financially to this project, despite its earlier promises to build the railway completely and a subsequent offer to fund the railway on a 60:40 basis with the Northern Territory government. The Northern Territory government still maintains that the federal government has a responsibility to support this project. My government will pursue this argument in all forums available to it for such responsibility is not just financial, but social and economic. It is a moral responsibility. The federal government has a duty in which the interests of the wealth and security of this country must be placed above day-to-day, party-political or ideological considerations.

Given that this project goes ahead as an economic and private project, there are a range of options available to the Commonwealth to honour its commitment. In the normal course of events, a private railway would enjoy tax benefits. In addition, the Commonwealth can contribute through guaranteed tonnages to defence projects in the north, an equity participation matching any Northern Territory participation in the project and special assistance and cooperation by Australian National Railways in the completion of the project. Given the Commonwealth's involvement in Qantas and AUSSAT, I ask honourable members if it is unreasonable to expect this sort of assistance. Moreover, the Commonwealth should undertake to leave the Territory free to make its own decisions to assist the project without fear of further financial reprisal.

The case for a Commonwealth contribution is overwhelming. The Commonwealth has had a legislative commitment to build the railway since 1911. The railway is a national project which would complete the north-south link and it would complete the national rail network. Clearly, it could contribute substantial benefits to the rest of Australia by providing a land bridge with Asian markets. The defence implications have been clearly enunciated. Moreover, the report demonstrates that many of the benefits in terms of cost savings will occur outside the Northern Territory.

I have been disappointed to note that federal government ministers have already made negative statements on the findings of the CPCS report before they have even seen it. When they have had an opportunity to read and digest the report, I trust that good sense, good judgment and consideration for the wider national interest will prevail.

Once again, the Territory government will make this project happen. Like statehood, it will happen because it is viable, logical and just. It is a part of our destiny. As with other great challenges that we have faced in recent years, we will apply our creativity, our energies, our persuasiveness and our vision to bring this project to a successful conclusion.

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

Mr SMITH (Millner): Mr Speaker, on occasions like this, the Chief Minister normally adopts a statesmanlike stance and delivers a statesmanlike speech. Once again, he proved during question time this morning that he is not a statesman's bootlace. For any Chief Minister, who has consistently said that he is seeking bipartisan support on a major issue of national importance to benefit all Australians, to turn around and hop into the Premier of South Australia in the way that he did this morning is nothing short of an absolute disgrace. John Bannon, the Premier of South Australia, has the runs on the board in the railway debate. He has been a consistent supporter of the railway. He has worked consistently with this government in attempting to revive the original proposal. He was one of the South Australian delegation who accompanied the joint Northern Territory-South Australian delegation to meet the Prime Minister to discuss this very issue. He has consistently supported it. To put the Premier of South Australia offside in the way that was done today is not statesmanship but gutter politics, particularly when you realise that the Premier of South Australia today will be the Premier of South Australia after the election.

We now know the reason why it has taken so long for this report to be given to us. We, in the Northern Territory and in this Legislative Assembly, have been the victims of Liberal Party politics. This report has been withheld from us, despite the fact that the government has had it since September and despite the promise made before this sittings that we would receive it during this sittings. It has been withheld from us until today so that it fits in with the election plans of the Leader of the Opposition in South Australia. That is a pretty despicable state of affairs and it certainly detracts, as I said in another context yesterday, from the gloss that the Chief Minister is trying to put on it. Because he cannot act like a statesman, he has put this project behind the 8-ball this morning with 2 or 3 minutes of careless language.

I want to make the point that, if the Chief Minister wants a constructive debate on this proposal as it develops, he owes it to this opposition to provide it with more information on a regular basis at the same time as he

provides it to his mates in Canberra and South Australia. He should provide it in such a way that we have the chance to absorb it before contributing to the debate.

We are at roughly the same stage on this project as we were with Yulara a number of years ago. We had the initial feasibility studies. We all know about the problems this government now faces with its huge actual liabilities of almost $700m in the next decade. The experience of Yulara explains why it is the intention of the opposition to ensure that each step of the railway proposal will be carefully scrutinised.

Let me restate the opposition's broad position. We have always supported the extension of the railway from Alice Springs to Darwin. We believe that it will contribute significantly to the development of the north. It will play a very important role in the defence of Australia. It will provide the last link in the transcontinental rail network. We believe the proposal outlined by the Chief Minister deserves the full scrutiny of every Territorian. If this proposal stands up to the intensive scrutiny of the opposition and others, we will be pleased to support it, and we will do everything in our power to ensure that it is successful. Our major task today is to examine the report in the best way we can, given the time we have had to assess it. We do have many criticisms and questions in relation to the reports. These comments are not made for the sake of being critical but because a thorough analysis needs to be made if the proposal is to stand up commercially.

Let me start with one almost philosophical point. Essentially, this is a proposal to build a second-class railway. It will be built cheaply and to a lesser standard. It will have a limited freight task, albeit probably sufficient for the first 50 years, and it will carry no passenger trains. The important point is that a second-class railway now will be a second-class railway in 50 years time, probably in 100 years time and possibly forever. It may be that the only option is to have a second-class railway, but we should be aware that this is the conscious choice we are facing. We should consider not only the implications of that decision now, but the implications for future generations of Northern Territorians and future generations of Australians.

If we are to talk about a private railway, we must deal in the reality of the marketplace. The Canadian Pacific report was not designed to do that, and it does not. Its essential conclusion is that, and I quote, 'in strictly economic terms, the railway extension is viable for a broad range of traffic forecasts'. There is a significant difference between 'economic terms' and 'commercial terms'. In other words, a proposition can be an economic proposition, but it may not necessarily be a commercial proposition to a private investor. The key element in any commercial proposition is that it must return a profit. I submit that, in this case, 2 essential ingredients of a profit are secure tonnages and a competitive price.

It is a fact that many of the savings in resource costs indicated in the summary of the Canadian Pacific report and repeated in the Chief Minister's speech are simply irrelevant to the question of commercial viability. For instance, the $97m-$117m saving in resource costs in the other states is irrelevant to the commercial viability of the railway, as are the proposed savings in road maintenance and fuel costs. This point is borne out by the assessment of the Canadian Imperial Bank of Commerce since it dismissed these factors from its assessment as it had dismissed the concept of resource cost factor adjustments.

The essential criticism of the Hill Report was its failure to measure resource savings outside the Alice Springs to Darwin corridor. That is irrelevant to a private railway because there is no way in which a private railway can collect directly on benefits that accrue outside the system. The only way such benefits can be accrued is for each of the political units outside the Territory, which benefit from the railway, to make some contribution to its development. There is no indication in the Canadian Pacific report of how much other political units would save or just how they might transfer part of that saving to the Northern Territory.

At this stage, it is also worth considering that the opposite of this argument may well be offered by those political units. It is possible that the states and the Commonwealth may take the view that, in paying the capital debts of their systems, they are providing sufficient subsidy to the very large benefits the Territory will reap from using those systems.

To assess the viability of the project, I would like to focus now on what I believe may be the most logical scenario to deal with. I refer to those projections in the CIBC report which are numbered 1.4.2015 and 1.4.2010 which have the characteristics of 8% inflation, 4% real interest rate, CPCS initial cost construction, a tonnage of 9.929 million in 1990 escalating at 3%, 4¢ per net tonne kilometre and a grant of $20m per annum for either 10 or 15 years. I argue that these are logical assumptions because they give us the most conservative situation to deal with. In other words, it is the most favourable situation to the proponents of the proposal. Let me deal with those assumptions.

Firstly, the inflation rate is not significant but the real interest rate obviously is. It can be seen from any of the CIBC projections that a shift from a real interest rate of 4% to 7% would have a significant effect on the peak debt and on the date at which the debt would be extinguished. Although it is historically true in Australia that the real interest rate has run at between 4% and 4.5%, it is also true at present that the real interest rate is significantly higher than that. I am concerned that the projections insist on using a straight line estimation of the real interest rate rather than a higher estimate in the first few years, which our current circumstances might indicate as prudent.

The significant feature of the CPCS report is the development of comparatively low construction costs against those proposed by Australian National Railways. These savings result from a 3-year construction period, a narrower road bed, steel sleepers and less ballast. It is interesting to note, however, that, following a meeting on 25 October 1985, CIBC practically abandoned the idea of a 3-year construction period and is now working on the base case of a 4-year construction period. This decision alone added $54m or 10% to the construction costs. It is unclear from the CIBC letter to the Chief Minister if this change simply relates to the change in the construction period or a total abandonment of the lowest initial cost case. We make the point not to be critical of the CIBC or anybody else but to demonstrate that, as more research is done on both the Canadian Pacific report and the initial CIBC findings, we could well find that some of the initial assumptions will not stand up. In that particular case, it appears that the initial assumption for the construction period is unlikely to stand up.

There are, however, further cost problems such as the seemingly unaccounted cost of replacing wooden trestles within the 50-year life of the project. We can see that, from the further preliminary report of CIBC, the

change in the construction period has increased the peak debt by $200m - that is, from 3 to 4 years - and lengthened the period of indebtedness by 2 years. The effect on the projections I have referred to is likely to be greater.

On the issue of initial tonnages and the anticipated growth rates, I remain sceptical. It is interesting, at this point, that in the draft Canadian Pacific report, there was a quite specific reference to the need to go back to the major prospective suppliers of materials for carriage on the railway line to check out the figures. To the best of my knowledge, that has not been done. The Canadian Pacific report in terms of the expected tonnages and the anticipated growth rates is still relying on projections that were developed 2 or 3 years ago by a number of people: the Northern Territory government, ANR and the Hill Report. It is essential that we check those initial tonnages to ensure that they are still correct. For instance, a reduction of only 5% in the initial anticipated tonnage rate could produce a $2m drop in revenues in each year of operation. The honourable member for MacDonnell will deal with this section in more detail.

The projection I used here is based on a tariff of 4¢ per net tonne kilometre. I have chosen that rate for a number of reasons. Firstly, it offers the lowest revenue estimate on the worst case revenue projection which is essential to test the robustness of the whole project. Secondly, it is a prudent conclusion from the CIBC letter of 4 November 1984 which stated: 'The transport industry participant provided information suggesting a rate in the vicinity of 5¢ per net tonne kilometre'. Thirdly, we should not forget that one of the key justifications of the railway was its effect on the price level in Darwin. I presume that this is still a goal of government.

I turn now to the very significant area of the unspecified grant or equity contribution. The range of projections for this grant equity contribution range from $150m over 3 years to $300m over 15 years. What I mean by this equity contribution is the anticipated government contribution. We have not had a close look at this but I suggest that, in terms of impact on the budget and in the interests of inter-generational equity, we would favour the longer-term payment if the payment had to be made.

This is an area where the idea of a private railway comes into direct conflict with the often-floated benefits of the railway; that is, lower prices in Darwin. We see that the best option for avoiding any Northern Territory government contribution is to charge the highest tariff. In other words, there is a direct conflict between a fully private railway and the interests of consumers in the Northern Territory. What we are saying is that, if you have a private railway with no government contribution, your tonnage rates will necessarily be higher on the figures that have been supplied to us and this, in turn, will flow through to the consumer.

The question of direct government contribution raises questions of recouping these payments after all debts are extinguished. This is not addressed by the CIBC but should be in the future. It also leads us to the matter of guarantees which may be offered in respect of private loan raisings on the railway. Yesterday, the Chief Minister touched on certain liabilities faced by the government of Western Australia. Let me tell the Assembly that the debt facing the Western Australian government, which was agreed to by the former Liberal government, on its take-or-pay arrangements for the North-West Shelf is $7000m or about $3500 per capita. If we provide guarantees on this rail project to the sort of peak debt levels I have been referring to, we may face liabilities of up to $850m or about $4250 per capita on the estimated population at the year 2000.

Considering the Territory's existing contingent and actual liabilities, this is an area where we need to advance slowly and where we will need strong Commonwealth support. It is my understanding that Queensland has lost its first-class or triple-A rating as a borrower and that the Western Australian problem of contingent liabilities actually threatened Australia's overall rating as a borrower on the international market. Certainly, that is not a situation that we would want to get into in the Northern Territory.

I now turn to 2 final issues on this statement. The first is that the CPCS report proves just how much time this government has wasted on the railway project. A few years ago, when it looked like someone else would build it, there were no worries about savings. It is only when we are under pressure that sanity and the necessity for a cost-effective exercise prevails. Of course, it is a particular type of sanity that we are talking about. Remember a few years ago that the Australian National proposal was considered great because of all the jobs it would create around Australia. The new proposal is now all the rage because it will save millions of dollars and obviously quite a few jobs. Let me remind members that those millions of dollars were being described in terms of thousands of jobs yesterday.

The last issue relates to the question of passenger services. From the Chief Minister's statement yesterday, there seems to be an attempt to refuse to run passenger services but to demand that Australian National step in and run such services on the same basis as it runs them elsewhere. One can never accuse the Chief Minister of not having any gall. In essence, what he is suggesting to Australian National is that it can operate its passenger trains on our railway but we will not let it near any of the action that might make a profit, such as freight services, so that it can cross-subsidise its losses against its wins. We expect Australian National to plough up and down our little piece of railway line on a pure loss basis. It does not take a genius to recognise what the response of Australian National would be to that particular offer.

It appears then that we will not at this stage have a passenger train service. That would indeed be very unfortunate. I hope that, in the discussions that will take place within the next few months, we will tease that out and, if at all possible, have a passenger train service. I think the person who has best put a case for a passenger train service was the former Chief Minister, the Hon Paul Everingham, in a debate in this Assembly on Wednesday 16 March 1983. I can do no better than to quote him:

> 'Transport costs have played an increasingly significant part in the tourist industry recently. Australia has seen tourism suffer because of high fuel prices. Trends in the industry are towards cheaper, more efficient methods of travel. The family car, coaches and railways are all increasing their importance as a means of tourist travel. In this context, the Alice to Darwin railway will significantly boost the number of tourists coming to the Territory. The passenger use of the Alice to Adelaide rail service has far outstripped expectations.
>
> Mr Speaker, think of the horizons that the railway will open up for the budget-conscious traveller. Let us face it, who is not a budget conscious traveller these days? On one holiday, people will be able to witness the panorama of Ayers Rock and the red Centre and then visit the contrasting Top End and the waterways of Kakadu. Packages will be put together offering the tourists alternatives of rail, road

and air travel. The railway will place the Territory in a comparable position with the states in offering a range of transport modes to the tourist. Indeed, the rail link will be a much more exotic proposition than rail journeys in other parts of Australia'.

What is of concern in this whole debate is that, from the time that the Canadian Pacific people arrived here, they never seriously discussed or examined the prospect of a passenger train service. That has been a compromise that this government has been prepared to make right from the beginning of Canadian Pacific's involvement in analysing the results of the Hill Report. If members do not believe me, I refer them to the initial draft Canadian Pacific report where they will see a quite specific comment from the consultants: 'In the exercises that we have done, we have not considered the passenger train component'. I think it is a great shame that Canadian Pacific was not instructed to evaluate the passenger train component and to see if it were possible to come up with a system that would enable passenger trains to operate. I can assure members that, to the people out there, much of the gloss will go off this project when they realise it will be dirty, smelly, freight trains only and that there will not be any passenger trains.

In conclusion, let us not kid ourselves any more that we are talking about a private railway. What we are talking about is a project that may be operated by private enterprise. It is interesting that the Chief Minister did not touch on that part of it at all. It will depend on a major government contribution, either directly or indirectly, to get that railway off the ground. As discussions on this proposal continue, it is important that the government be very frank on the extent of its commitment and, most importantly, the bottom line of its commitment. This deal is not like the gas pipeline deal. There will not be a monopoly situation and the government will not be the end user. Instead, we will have a project that will be operating in a competitive environment, with many variables, some of which will be outside the province of the end operator and the Northern Territory government. I will mention 2: interest rates and commodity prices. There is nothing that we can do about those 2 matters, and we want to be very careful in our planning so that we are covered for those contingencies.

For our own credibility and the health of the exchequer, we cannot afford another open-ended commitment similar to that in place for Yulara. We must know the bottom line from day 1. Similarly, as the Chief Minister said, the Commonwealth has a valuable role to play and should be encouraged to play it. The forms that this could take are varied and have been outlined to some extent by the Chief Minister.

This support will be much harder to achieve if the government continues the attacks that it has been making on the federal government and, particularly, if the Chief Minister cannot restrain himself during question time and in debate when talking about potential supporters of this new project. What is past should be water under the bridge. It is time to move on to gain the best assessment of this project and the best deal for it that we can.

The opposition has outlined a number of genuine concerns that it has. Obviously, in the days ahead, the opposition and others will have more concerns and questions which we will continue to put unflinchingly in order to get to the bottom line on this project. I ask that the Chief Minister adhere to the promise he made in the last sittings to circulate this report as widely as possible to allow the fullest debate within the community.

Mr MANZIE (Transport and Works): Mr Deputy Speaker, it is with a sense of vindication that I rise to support the Chief Minister's statement. Certainly, the final report of Canadian Pacific is an excellent piece of work, both in its high professional standard and its positive findings in favour of the railway. The report supports the Northern Territory government's position, that, in economic terms, the railway is a viable project which would offer substantial savings to the Australian community over the lifetime of the project. Along with this conclusion must be considered the clear social, developmental and defence benefits.

The Assembly is familiar with the very sorry story of Commonwealth promises on the Darwin to Alice Springs railway which stretch back over 70-odd years. The most dismal and disappointing chapter must surely be the so-called Independent Economic Inquiry into Transport Services to the Northern Territory, known to everyone as the Hill Inquiry. The findings of this inquiry, which were released in February last year, amounted to nothing more than an exercise dreamed up and imposed on us by the Hawke Labor government to retract once and for all the promise that the railway would be built. Unfortunately, many people throughout the Territory and Australian community have accepted the Hill Report as a report of some substance. As the Chief Minister said, the Northern Territory government is not prepared to stand back and allow the project to be terminated.

After repeated requests for access to the working papers of the Hill Inquiry under the Freedom of Information Act, and considerable efforts by the Minister for Constitutional Development, the Commonwealth finally agreed to release the papers in March this year. An estimated 12 000 to 14 000 pages of material were inspected and more than 2000 pages were brought to Darwin for further analysis. Our scrutiny of the material confirms the findings of the Hill Inquiry as nonsense. The report uses forceful language in place of reasoned argument.

I want to make some particular points about the Hill Inquiry's decision to examine the costs and benefits of the project solely within the Alice Springs to Darwin corridor, rather than consider the national benefits. The only statement we could unearth was as follows:

> 'Both the projects to be investigated are in the Alice Springs to Darwin corridor. While the Stuart Highway is currently being upgraded in South Australia and the railway is sometimes argued as the local extension of the Tarcoola to Alice Springs railway, the investment relates to the transport infrastructure between Alice Springs and Darwin only. Because of the requirement to investigate net costs and benefits, the benefits must be associated with the cost of investments on the projects in the corridor. For this reason, the scope of the assessment will be confined to the Alice Springs to Darwin section of the highway and proposed railway'.

The Bureau of Transport Economics, when commenting on the Northern Territory critique of the Hill Report, said:

> 'Restricting the assessment of benefits to the Alice Springs to Darwin corridor would provide a reasonable approximation of benefits likely to be realised'.

In other words, the Bureau of Transport Economics supported the contention of the Hill Inquiry. The amazing thing is that this differs from what the

Bureau of Transport Economics espoused in its recent report on social audit and Australian transport evaluation. I will refer to page 41 of this document which was released in May 1985. The release date certainly is significant. It says:

> 'Because the development of the new line may involve substantial changes in demand for other modes and for connecting services, the analysis should relate to the whole journey being made as a result of the investment, and not simply to that on the new section of line'.

That was the Commonwealth's own transport research organisation discussing investment in new railway lines. It was saying that all factors were significant, not just the corridor. As I said, this report was released in May. It was, however, produced in August 1984. I wonder - and I think that by the time I have finished most people will wonder - whether there was a deliberate effort made to prevent this report being released until after the Bureau of Transport Economics commented on the Hill Inquiry and the whole affair died down. The 2 comments from the Bureau of Transport Economics contradict one another absolutely. Mr Speaker, would you believe that there were officers of the Bureau of Transport Economics working with the Hill Inquiry team? It would seem that Mr Hill made assumptions contrary to sound advice - such as that given in the social audit and Australian transport evaluation - or sound advice was not available or he made his own assumptions. It is certain that something very fishy and strange occurred at this point. The Commonwealth did not properly develop the logic of the railway; it simply rearranged its prejudices.

The analysis of the Hill working papers substantiates the Territory view that errors were made in the important area of forecasting. They failed to develop an appropriate framework in which to assess costs and benefits. I will run through some interesting comments which perhaps represent the thinking of the research team. Again, I quote...

Mr Smith: Do you dream of the Commonwealth government when you sleep, Darryl?

Mr MANZIE: Just have a listen to this, Terry. This was a briefing paper provided to the chairman prior to the South Australian hearings of the Hill Inquiry: 'The fast rate of growth of the Northern Territory has tended to draw resources away from the rest of Australia and might well be regarded as not desirable'. I will just go through that again. This briefing paper was obtained under the Freedom of Information Act. It was provided to the chairman prior to the South Australian hearings: 'The fast rate of growth of the Northern Territory has tended to draw resources away from the rest of Australia and might well be regarded as not desirable. It is notable that this growth has occurred without the railway to assist and that further growth might be expected if the railway is not built'. Good heavens, what will happen if the railway is built? The mind boggles. A briefing note was obtained under the Freedom of Information Act which said that rapid growth in the Territory might be regarded as not desirable.

Those comments went to chairman Hill. That sort of language is evident throughout the briefing papers and supporting notes written by people working for the inquiry. I have a statement from an economic consultant to the inquiry. He was employed by the New South Wales government. In September 1983, before the inquiry was announced publicly, he commented: 'The inquiry should try to draw strong conclusions. If the report is ambiguous or

says that results are close and depend on arbitrary assumptions, the report will either force the federal government into a wrong decision or lead to further investigations'. Who decided what the right decision and or wrong decision was? Obviously, somebody decided. In September, prior to the inquiry, it is obvious that it had been assumed already - and advice had already been given - as to what the right decision had to be. Advice was given to the chairman that the inquiry should draw strong conclusions or the report might either force the federal government into a wrong decision or lead to further investigations.

There definitely appears to have been a conspiracy in relation to the Hill Inquiry. Who determined what were the right or wrong conclusions? What about this one? It reads: 'Reply as far as possible on concrete examples. A negative net present value means there are better alternatives available. However, in public debate, the negative net present value seems theoretical and intangible. The report would be more forceful if it can give some cases of potentially better projects, more certain and larger benefits'. The mind certainly goes into action at this point. Is this the genesis of the notorious statement about 130 trucks and 20 buses doing what a railway could do?

Here is another corker - a note from the chief economic adviser to the inquiry: 'Our study has to be soundly based but, if the conclusions rely on technical points, we will not get the clearcut result we are aiming for'. What result were they aiming for and who told them to aim for it? It was called an 'independent' inquiry. A little inaccuracy sometimes saves a tonne of explanation. That seems to be the sort of thinking that occurred with the Hill Inquiry.

Mr Smith: Why don't you talk about...

Mr MANZIE: I think that this is extremely relevant. We are talking about an inquiry that was presented to the federal parliament. It shaped politicians' opinions and also the opinions of Australians. It probably had a fair bit to do with shaping the opinions of economic groups and financial institutions. I am trying to point out that the whole basis of this report was a sham. Information that we obtained under the Freedom of Information Act showed...

Mr Smith: Why don't you introduce the Freedom of Information Act up here? You would know about a sham.

Mr MANZIE: The member for Millner is becoming a bit upset because we have unearthed evidence to suggest that his leader, the Prime Minister, or his government may have been involved in a bit of shonky business. He has left the Chamber but I will not stop. He can read Hansard.

The inquiry's forecast on the traffic task was essentially based on a reworking and a downgrading of the Northern Territory forecast, with no consultation with the Territory government or any clarification or explanation. In the Canadian Pacific report, the base case finding is that, in economic times, the railway extension will result in a resource saving to the Australian community of $150m over a 50-year appraisal period. This is for the initial traffic demand to 1 million tonnes, growing at a modest 3% per annum to a maximum of 3 million tonnes. Importantly, Canadian Pacific reported on an impressive and extensive range of sensitive tests done as a part of its analysis. Most importantly, it concluded that, even for an

initial traffic level of 750 000 t, growing at 3% a year, the railway would be a slightly better than break-even proposition.

It would be wrong to use a single estimate of future demand. The strength of the Canadian Pacific analysis is that it demonstrates economic viability even for an initial demand as low as 750 000 t. That is 100 000 t below the Hill forecast. It is not the precise figures that are important in dealing with the future; it is the range of estimates of future demand, ranging from an initial traffic demand of 0.75 million tonnes to 1 million tonnes, which demonstrates the resilience and the strength of the Canadian Pacific analysis. It proves economic viability for any tonnage within this range.

Freight forecasts are another area where the Hill Inquiry obviously was looking for a set figure. Someone somewhere had obviously informed it what it had to look for. I will run through some of the past history. It is not so long ago. This is a July 1979 briefing note on the north Australian railway to the General Manager of Australian National Railways from the executive engineer:

> 'The peak of the iron rail haul occurred in 1970-71 when, together with coordinated road-rail freight service introduced to link rail services in the south with those in the north, rail transport reached a level of about 2.25 million gross tonnes annually over much of the railway. The service reached 15 round trips a week, plus 3 or 4 short distance round trips daily'.

2.25 million tonnes were carried on that railway in 1970-71. Australian National's comments to Hill on the north Australia railway are worth quoting: 'At closure, the physical condition of the railway, the track, was such that, with normal maintenance and with a continuation of the programs described, it could have sustained a level of business many times greater than that then existing'. A railway that was carrying 2.25 million tonnes annually could have sustained a level of business many times greater.

There was a copy of a telex from Australian National which stated: 'Tonnages, as transported on the Alice Springs line during the year to 30 June 1983, were in the order of 400 000 net tonnes which approximates 78% of northbound traffic'. With the growth rate that was being talked about, it would be close to 1 million tonnes by 1993. I do not think there should be doubt in anybody's mind that the levels of tonnages will be reached. In fact, even if a million tonnes per annum were reached now, it would still only be half what that railway carried in 1970-71. In my view, the Territory government should focus its attention on the Canadian Pacific report. As the Chief Minister foreshadowed, we should foster private development as a means of securing the railway.

I must refer again to the Hill Report because it had a significant bearing on what the Australian community thought about or thinks about our railway. Obviously, a predetermined result was envisaged by somebody. According to the papers we received under the Freedom of Information Act, information was fed to the chairman of the Hill Inquiry that required the reaching of a predetermined conclusion. The whole inquiry was a sham. The report was tabled in the House of Representatives on 29 February 1984. What sort of conspiracy was involved in rigging the results? Obviously, there was something and there are many papers that we still have not obtained. What was the object of the Hill Inquiry? Were attempts made to mislead the federal parliament and the people of Australia by going through that sham exercise and

tabling the report in the federal parliament? That is a question to which all Australians should be given an answer. In particular, Territorians deserve a firm answer very soon. I support the Chief Minister's statement.

Mr BELL (MacDonnell): Mr Speaker, as Labor spokesman on transport matters, I endorse the comments of the Deputy Leader of the Opposition. There can be no doubt about the support of the opposition for the construction of the Alice Springs to Darwin railway or the Darwin to Alice Springs railway, depending on where you start and where you stop.

Yesterday in question time, I prefaced a question to the Chief Minister on this subject by placing on the Parliamentary Record our support for that railway. There is no doubt that the construction project itself will be good for the Territory, as it will be for the country. For example, during this debate consideration has been given already to benefits for industry in South Australia. The railway may assist the transportation of bulk production from mining and agriculture and, in turn, it may also assist in the delivery of bulk inputs to those industries. In addition, the Chief Minister speculated on the ability of the railway to assist the Trade Development zone, and perhaps we should consider also the effect that it will have on the growth of the Port of Darwin. Of course, it would be false to be too carried away at this stage with these 2 issues.

I think it is worth while making a clear distinction between the quantifiable and the non-quantifiable benefits that will derive from the railway. The Chief Minister's statement raised matters both of quantifiable benefit and non-quantifiable benefit. Perhaps the most interesting and non-quantifiable benefit relates to the defence implications of the railway. I recently reread the book which was quoted by the Chief Minister. There can be little doubt that it presents a particularly forceful justification for the railway in terms of defence.

However persuasive the non-quantifiable benefits may be, it is the quantifiable benefits that we are particularly interested in. After all, it will take money to build this railway and there is nothing quite so quantifiable as money, particularly when you do not have very much of it or you owe a lot of it. In that context, it is necessary for us to do some very hard thinking about the implications of the project and the projections that have been tabled. No benefits are likely to arise without costs. It is a matter of concern that the projections provided by CIBC imply government contributions ranging from $150m over 3 years to $300m over 15 years. The peak debt projections range from almost $500m to a non-viable case of $3.6m. For those figures, I refer honourable members to the papers tabled with the statement.

As another area of concern, I suggest that we consider load factors. Where will the freight be coming from? How will the freight provide the sort of revenue that will justify the railway? That is a central issue. I do not offer this in a partisan sense. I have only the best interests of the Northern Territory and northern Australia at heart when I say that we have to be hard-nosed about this. For example, let me draw the attention of honourable members to the preliminary report by CPCS, at page 2, in relation to load factors. The preliminary report says: 'In this review, we make the use of the cost information included in the submission by the Northern Territory government to the Independent Economic Inquiry into Transport Services to the Northern Territory, the Hill Report, some additional costs developed from available data for rail operations in the range of 2 to

3 million tonnes and for semi-trailer operations and the forecast developed in the NT submission'. It goes on to say, and this is the crucial bit: 'No attempt has been made to verify those forecasts and further work should be undertaken in that area as the status of a number of resource development projects has changed since the last review some 12 months ago'. The preliminary report from the CPCS indicated a need for further study in that regard. To date, there is no real indication that this has been done.

If we look at the final report from CPCS and we turn to table 2.1, the summary of traffic profiles developed from the Hill Report, we note that, for 1993, the Hill projections are 864 000 t whereas the base case taken in this study shows 1.1015 million tonnes. The difference between the 2 is something of the order of 15%. However, we have no feasibility studies provided by the CIBC as to the impact of tonnages of the Hill range on the overall commercial viability.

If we look at table 7.7 in the Hill Report, which compares the freight task for the whole corridor, we can see that Northern Territory government predictions are more than 40% above those of the Hill illustrative projection no 1. That is on page 128 of the Hill Report. I draw the attention of members to the discrepancy in the non-bulk freight, for example. The Northern Territory government projection was 307 000 t; the Hill projection was 220 000 t. The NT government projection for the existing uranium mines is 160 000 t; the Hill projection 108 000 t.

Mr Coulter: ALP projection - nil.

Mr Vale: Minus 100.

Mr BELL: I pause for a moment to acknowledge those interjections. If those blokes want a bipartisan approach, I expect to be listened to. I am attempting to develop an argument; I think it is worth listening to. I am not carrying a particular brief for the Hill Report. I am not carrying a particular brief for any report; I am carrying a brief as shadow minister for transport and works in the hope that we can have a viable project.

Mr Speaker, I draw your attention to these figures. Comment has been made already about the alleged bias in the Hill Report. I point out that, in that particular table, there were some circumstances in which Hill's projections exceeded the Northern Territory government's projections. For example, Hill projected 150 000 t of unspecified mine output which was not included in the Northern Territory government's projections. Quite obviously, at the bottom of this, there is a situation where people are trying to do some crystal-ball gazing and that is never easy.

As I said, the particular downgradings in the Hill Report were compensated for by some higher estimates and some unspecified estimates for mining projects. This is the nub of the point I am trying to make. If these variations exist, they may alter considerably the amount of revenue derived from a project such as this. These projections of potential load on the railway will seriously affect the revenue that will be available to the railway to service debts or whatever.

I draw the attention of honourable members to projection number 1.5.2015. Let us consider for a minute what the impact would be if we varied downwards some of the load forecasts along those lines. If we varied the 1993 figure for the freight component from 929 t down to 700 t, it would mean that, in

turn, the net tonne kilometres would decrease from 996 to a considerably lower figure which, in turn, would mean that revenue could decrease from the projected figure of $49.8m to a projected figure of $37m. Quite clearly, if we took that over a 10-year period, we would be talking about a shortfall of $120m, and that is a great deal of money.

It is very important that we stop to consider all the possibilities in this regard. I think it should be done in an unemotional atmosphere. The Chief Minister was relatively objective. I cannot really say that the Minister for Transport and Works was particularly objective; I think he was letting his preconceptions run away with him. The Territory is in some strife because liabilities have been incurred with respect to certain projects that this afternoon will remain unnamed. I believe it is essential we ascertain the bottom line on the railway and that every member of this Assembly at least has a clear idea in his mind of what the best case and the worst case might be. It is not good enough to have a flag waving exercise which would not enhance such an important project as this. If the proposal can be approached in a bipartisan atmosphere whereby realistic assessments are made of things like the load forecasts and the problems of which I have attempted to outline today, I believe the railway would be a goer. Let me assure you, Mr Speaker, other members of the Assembly and Territorians of my support and the opposition's support for it.

Mr D.W. COLLINS (Sadadeen): Mr Speaker, on 1 October, I was in Calgary, Alberta, on my way to the Small Nations Conference in Regina. We had a 5-hour stopover so I took the time to go up to the Calgary tower which is a bit like the tall tower we have in Sydney. In the distance - I could not see them all that well because of the haze - were the Rocky Mountains and out of those mountains came a train with 4 diesel engines, pulling no fewer than 83 vans. They were not dirty nor smelly and they certainly were not a drain on the Canadian taxpayers. They belong to Canadian Pacific Railways. They make a profit. This profit-making company is also a private company with assets of something like $US11 300m behind it. I think the 2 terms 'profit' and 'private company' have a very good ring to them and, certainly, taxpayers would welcome that when one considers that, in Australia, $3000m is paid to prop up the public railways system. I would suggest that would be about 4 times as much as the Territory receives from the federal government.

The problem I see with the Australian railways system is that it is a producer-orientated monopoly which is out of touch with the consumer. It is designed for the employees and not for the public whom these public companies are supposed to serve. Each year, $3000m is taken out of taxpayers' pockets to prop up this system which is over-manned. The employees are very keen on their overtime. It used to be a standing joke in Alice Springs with the old Ghan. People coming up would say: 'We crossed over the border and we sat there for 3 hours. No trains came past. Suddenly, the train started up and we came on into Alice Springs'. If one studied the overtime patterns of the people running the train, one could perhaps get an inkling as to why that happened. There was no other sensible reason for it. It is something which is designed for the producers of the service and not for the consumer. I am sure that, if we could inject some competition into this particular system, we might be staggered by the results.

The opposition said it will study the report. That could be very important or it could be a sheer waste of time. The key people behind this are the potential investors. They will be the ones, if we can find them, who will have to make all the hard-nosed decisions which the member for MacDonnell

was talking about. They will be making the commercial decisions to go ahead or not to go ahead. As he indicated in a question yesterday to the Chief Minister, hopefully people can be found who, having studied this very carefully, will see that it is in their interests to go ahead without any government financial assistance. If that is the case, that would be the most important and most welcome situation that we could have. Let them build and operate the line without government money being invested.

The paper that the Chief Minister delivered this morning talked about ways of helping the project by guaranteed tonnages; for example, from the Department of Defence. I am not madly keen on guarantees because there are other methods of transport such as road transport and shipping. I would like to think that any railway we build would operate on a competitive basis with competitive prices and good service. That way, the federal government would need only to consider the choices available to it. It should not say: 'We have to prop up this shipping line which we know loses millions every year so we will use it'. I would ask the federal government to be fair.

If we achieve our goal, I envisage problems. Even if a private company were able to achieve the goal, there would be problems. For example, would the private railway have to stop at Alice Springs and unload its goods onto ANR to be railed to Adelaide and ports beyond? One would certainly hope not. The private company would need to be able to run its rolling stock on the public railways. Of course, ANR would have to be granted reciprocal rights; that seems pretty reasonable to me. That could really lead to competition! We would have 2 choices: a private company or a public company. Goodness, the consumer might even get a fair deal. Of course, they might enter into a collusion. In future, people might be discussing the 2-railway policy instead of the 2-airline policy.

I remind members that I have spoken about the monopoly of the British bus services between the major capital cities. When the monopoly was broken and private buses were permitted, suddenly the consumer became important. The private companies had to woo the consumers so that they could compete. They dropped their prices, they installed coffee machines and videos and they provided the sorts of things the consumers wanted. Consumers responded by travelling on those buses. It paid them to do so. They left their cars at home and did not have to worry about parking in the cities. If you have a good service, it is enjoyable. Consumers became important. Of course, the public buses in Britain had to respond to the consumers or risk courageous politicians saying: 'The public buses are not being used. We might have to get rid of them'. They responded to consumers and, lo and behold, they are now making profits and the taxpayers are being saved millions. It is amazing what a bit of competition can do for the consumer and how much money it can save the taxpayers.

Another problem would arise if a private company operated the Northern Territory railway. I would bet all I have that the transport unions would oppose it. I could imagine the attitude of our Canberra masters. It would be a bit like the Mudginberri situation where people acted outside of the law and still managed to cause disputes right across Australia. We cannot always do the things which we legally should be able to do. That situation could arise and there is no point putting our heads in the sand and saying that it would not. There is every possibility that it would happen.

Mind you, Mr Speaker, the taxpayer subsidises ANR every year to the tune of $3000m. If the railways around Australia were brought to a halt, that

might not be such a great loss. Certain people in Canberra might think so but, if it were explained to Australian taxpayers, I think they would realise that there are viable alternatives, especially road transport. In any event, we would ensure that our Alice Springs to Darwin railway would work. Some road haulage firms would have to transfer interstate. There would be some friction from them, but there are positive factors which would outweigh that. One of these is the opportunity for employees to become shareholders, not only in the private company which would operate our railway but also in ANR. At the moment, nobody would want to become a shareholder in ANR because it loses $3000m annually. The reaction might be surprising if ANR could be gingered up. Another area of potential would be for ordinary citizens to participate as shareholders. This would add to the level of interest in the railway and give it greater support.

If these ideas were taken to their logical conclusion, we would have a Northern Territory railway showing a profit. What an indictment that would be on the public railway system of Australia! You can bet your bottom dollar there would be those who would oppose us even if only behind the scenes. The little Northern Territory with its 140 000 people could show those people up. They would have a lot to answer for. This badly needs to be done.

The Deputy Leader of the Opposition made the important point that the venture may not be seen by private investors as being commercially viable even though it could be economically viable. There could be big savings on road maintenance costs. That would be in the interests of the Australian taxpayers, but would not represent any profit to the railway operator. It is certainly true that the huge road trains currently using our highways cause considerable damage. If they were fewer in number or ran less frequently, large sums could be saved on road maintenance. If the first option of total private ownership is not viable, we would need to consider the economic benefit of the savings the railway could offer in relation to other areas of government expenditure. There are several other things in the report which indicate this clearly but I will not discuss them now.

What are the options if the private group says that it cannot do it without some assistance from the government? I dare say there are many options. The Northern Territory government could become a shareholder with the right to buy more shares and sell shares. Likewise, the federal government could become involved. The Northern Territory government could give some guarantees. I am not madly keen on that and, given his question the other day, the member for MacDonnell would not be keen. I should not steal the thunder of one of my colleagues but another member of the opposition said that one of philosophical differences between us is that they are prepared to put government money into certain projects.

Another possibility is that, having very clearly looked at the whole situation and made it clear to the Australian people as well as Territorians that there are savings nationally which cannot be capitalised on by the private company, would it be so bad to make a gift of, say, $20m a year if it could be clearly shown that, by doing that, you would be saving the Australian people as a whole $40m to $50m or whatever the figure may be. After all, as has often been said, this really should be a national project, and governments should get the project under way. I would like to think that a private company could do it but the gift of $20m a year for 15 years would be necessary to evade high interest rates that apply today. The member for MacDonnell spoke with great clarity about it. We must be aware of what we are doing, why we are doing it and the logic behind any particular action.

I would like to pick up one thing that the Deputy Leader of the Opposition mentioned - the time to build the railway. I would remind him that we had a very excellent team which laid the standard gauge line from Tarcoola to Alice Springs. It completed the job 12 months ahead of time. When it finished at Alice Springs, that group laid a standard gauge line through from Port Augusta to Adelaide. At the time, it was my hope that we would be ready for it to bring its gear and lay a line from Alice Springs to Darwin. We know that that did not happen. However, that demonstrates that there are capable people in this country who could get that line through very quickly. Of course, we know that, once the line is operating, it can generate revenue. It is when the line is not open that interest rates bump up the costs horrifically and there is no revenue to defray them.

If the government can persuade private companies, as it has with the pipeline, to build and operate this private railway, it would be a very clear indication to the people of Australia that we in the Northern Territory are responsible and that we are mature and ready for statehood. Hopefully, such an enterprise can be arranged without government support although that may be necessary to some extent.

Debate adjourned.

## MINISTERIAL STATEMENT
### Pastoral Excisions

Mr HATTON (Lands): Mr Deputy Speaker, I wish to make a statement today in respect of the excision of Aboriginal community living areas from pastoral properties. On 18 April 1985, the Chief Minister addressed the Assembly with regard to the procedures to be adopted by the Territory to handle the negotiation of the excision of Aboriginal community living areas from pastoral properties. Honourable members will recall that the Chief Minister expressed confidence that, with goodwill on both sides, the vexed question of living areas could be settled by negotiation and through normal administrative procedures rather than by resorting to special legislation, expensive tribunals and the like. The government's objective was to provide Aboriginal groups resident on pastoral properties with secure tenure over land sufficient to meet their reasonable living and residential needs. This scheme was not intended to provide a new form of land claim.

The Minister for Aboriginal Affairs accepted the Territory's guidelines and stated his intention to review the situation after 6 months to determine whether the Commonwealth should proceed with legislation to expedite the granting of excisions in the Northern Territory. The purpose of this statement is to advise the Assembly of the progress achieved by the Territory government since the procedures and guidelines were implemented.

The Department of Lands was given the responsibility to administer the scheme and it established a small project team comprising staff who had a wide experience in land administration, the pastoral industry and Aboriginal affairs. The first task was to write to every pastoral lessee advising him of the government's guidelines. The Northern Territory Cattlemen's Association sent circulars to all of its members encouraging them to enter into negotiations in accordance with the guidelines.

A priority program of 24 excision proposals prepared by the Department of Aboriginal Affairs was accepted as the starting point. Initially, it was thought that there were some 70-80 excision proposals under negotiation but

many of these were vague proposals that were not even documented. As of 30 April this year, there were 59 applications of which 37 were subject to active negotiation. Of these, no agreement had been reached on 24, in principle agreements existed in respect of 6 and substantial agreement on 7. Six months later, the situation is as follows: there are 71 proposals, 56 under active negotiation, no agreement on 17, in principle agreement on 8, 1 outright rejection and formal agreement on 30.

Referring back to the priority list of 24 prepared by the Department of Aboriginal Affairs, I have approved grants of Crown leases to 14 communities and consented to a sublease on 1 property. Agreements in principle exist on 6 locations subject to such matters as survey, incorporation, fencing standards and location of adequate water supplies. One proposal involved the subdivision and transfer of privately-owned freehold land and no substantial progress has been made with the remaining 2 proposals.

In addition to the priority program, leases have been granted on 2 other pastoral properties and freehold grants have been approved to 3 groups associated with the Kings Canyon National Park. A further freehold grant of Crown land has been approved to a group disadvantaged by the grant of the former Wagait community to an Aboriginal land trust.

Many criticisms were made of the government's proposals to deal with living areas and these criticisms can now be shown to be unfounded. There was no formula for the size of a living area. The leases granted in central Australia ranged from 138.7 ha at Annigie to 5899 ha at Artatinga and, in the Top End, from 240 ha at Tree Point to 453 ha at Auvergne. Very few groups have pressed for the ability to run killer herds but consent was readily provided at Artatinga and Tobermorey. The Department of Aboriginal Affairs has acknowledged its funding obligation for fences and grids and, to date, the agreements concluded have resulted in the voluntary surrender of land without compensation for loss of land being sought by pastoral lessees.

The government will be criticised again because there are few title deeds in the hands of Aboriginal people. This is an involved process to be gone through after I have approved the grant of a lease. Some grants are subject to the surrender of the land from the pastoral lease. The surrender cannot be performed until a survey is carried out. Most, if not all, pastoral leases are mortgaged and the consent of each mortgagee is required before any dealings can be registered on the pastoral lease title. Further time is consumed by agencies assisting Aboriginal groups to sign the required documents and to incorporate the community organisations. As each lease grant has been approved, my determination under the Crown Lands Act has been published in the gazette.

It is clear that substantial progress has been achieved and the sincerity of the Territory government in this matter has been demonstrated. The exercise has not been easy and there is still a long way to go. Many people have contributed to and cooperated in the scheme, not the least being the pastoralists themselves and the Northern Territory Cattlemen's Association. The government is now reporting to the Minister for Aboriginal Affairs and, in my opinion, the Territory is now in a position to insist that the Commonwealth does not introduce specific legislation for the excision of living areas and to insist also that the Commonwealth should now proceed with amendments to the Aboriginal Land Rights (Northern Territory) Act that have long been sought by the Territory.

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

Mr EDE (Stuart): Mr Speaker, the minister began with a reasonably straightforward statement and ended up in the height of idiocy. We note that the Aboriginals have no guaranteed rights to excisions. It is not enshrined in legislation, but merely the subject of procedures and guidelines laid down by the government which can be changed at any time and which, on this government's own admission, are established after negotiations with only 1 party - the pastoralist. That admission was made by the Chief Minister.

Although, at first sight, the figures which the minister quoted may seem attractive, it should be remembered that the excisions which have been negotiated by his department to date are those excisions which, in most cases, have been in the pipeline for many years. Many of them have gone through lengthy negotiations with the land councils before the Department of Lands became involved. In fact, up until the heavy-handed involvement of this government, many of them were very close to being settled on terms which were far more advantageous than those which were finally negotiated by this government.

All of the excisions, with the exception of the Kings Canyon deal which was worked out hand in hand with the national park package, involved the initial grant of a Crown lease rather than freehold title. Initially, the government was proposing that Crown leases be for a period of 5 years, to allow Aboriginals to demonstrate good intention and faith, and that freehold would be considered after that time. In a number of cases, this involved a grant of a Crown lease over land for which the land council had already been negotiating and had agreement for a freehold grant. I refer the minister to the situation in relation to Tobermorey in my own electorate. Unfortunately, the negotiations do not take into account the fact that a number of the groups that have been granted leases have already lived in those areas for periods far in excess of 5 years. They are now being required to prove once again their attachment to the land that they have lived on all their lives.

I would like to point out a couple of contrasts which highlight the attitude of this government to various landowners. The Northern Territory has the highest level of foreign ownership of pastoral land in Australia. The Australian Bureau of Statistics showed in October this year that 18% of the agricultural land in the Northern Territory is owned by overseas companies. That is 40 times the rate in Victoria and it is 3 times the rate of the next highest, which is Queensland with 5.3%.

Another point that we ought to bear in mind when we are discussing this is that it has been the experience of the land councils that the largest property owners are very often the meanest. We have cattle stations larger than 9000 km$^2$ offering excisions of around 11 km$^2$. In my own electorate, Lake Nash with 8500 km$^2$ is offering 0.9 km$^2$. The government is always talking about the pastoralists being reasonable people and some of them are.

However, that is not the total story. A tally of the land so far offered and the grant of excisions is not terribly impressive. The total land offered so far is in the region of 1100 km$^2$, which is about 1% of the area of the pastoral properties concerned. This should be considered in the light of our proposed package which would have solved this problem. We asked for an area of 2% of a cattle station with a number of conditions to ensure that it was representative of the station's total land system. When one works with statistics, one can sometimes come up with some fairly strange answers. For

example, Bing Bong Station is owned by Mount Isa Mines which is trying to find a method of developing a lead, silver and zinc deposit. As part of a deal worked out with Aboriginal people in the area, it handed over half of Bing Bong Station to the people in return for their rights to mine on it whenever they wished. That was acceptable to the people. The total area handed over was some 889 km². The point I am making is twofold. Firstly, it did not represent a normal handover of land from a pastoralist in that the owner was not interested in running it as a pastoral property. In fact, it was quite handy for it to be able to hand over the control of a large area to an Aboriginal group which would then be responsible for the maintenance of the various conditions relating to B-TEC etc. The other point in relation to Bing Bong is that, if one subtracts the area to be excised from the total station area of 1100 km², one is left with 150 km². This means that the total area of land being offered for excisions drops from 1% to less than one-third of 1% of the properties involved.

This is supposed to be a fair and reasonable living and residential area. This is supposed to ensure that we are not developing rural ghettos. It is supposed to give these people an alternative so that their economic horizons are not restricted to their being a pool of cheap labour for the pastoralists. The Martin Report stated that 45% of the rural adult population was Aboriginal and 76% of the rural child population was Aboriginal. What sort of future is being offered to young black Territorians on these pitiful and pathetic pocket handkerchiefs or - as the people in my electorate call them - these match boxes? What happened to the Gibb, Woodward and Toohey reports with their recognition that excisions should be large enough to run killer herds? The pastoralists are not being fair and this government is not fulfilling its obligations. It is not standing up with sufficient force to the unrealistic negotiating positions of the pastoralists.

The minister referred to a couple of stations when he was talking about the size of excisions. He mentioned 58.9 km² on Artatinga and 53.4 km² on Tobermorey. Look at some of the others: Anningie - 1.38 km²; Derry Downs - 2.56 km²; Jervois - 2.5 km²; Lake Nash - 0.9 km²; Loves Creek - 11 km²; Napperby - 5 km²; and Rockhampton - 4 km². These are the areas around my electorate. I do not know whether the minister, given his previous remarks, really understands the economics of the Centre. I can tell him that those areas of land are not sufficient for anything beyond basic existence. That is the life to which he condemns the next generation of young Aboriginal children.

All the excisions negotiated to date have been straightforward cases where there was virtually no controversy. One of the guidelines laid down by the Chief Minister was that only 1 excision would be granted in respect of each pastoral lease. There are a number of situations where different groups are seeking excisions on the 1 pastoral lease. None of these controversial situations has yet been confronted by the Department of Lands. I feel that they are being pushed to the end of the line in an effort to try to win some early political points. I am extremely worried about what will happen when we near the end of the process, and we have to deal with the more difficult excisions. The government will then need to take some difficult decisions. It will have to confront the pastoralists and say that it wants to excise land which the pastoralist has not shown any indication of wanting to provide. From the record that we have to date, I do not hold out much hope.

There are several problems that have not yet been attacked. One of these is water. In my own electorate, an excision has been negotiated with the

people on Anningie. There is no water of any quality in the area. There is marginal water for stock. I will be very interested to see what happens at Anningie if the government decides that it cannot find enough money to provide a pipeline or devise some other method of providing water there. Another very difficult problem is that of compensation which has yet to be tackled. We have not tackled the problem of economic activity. In some areas where the pastoralist was previously willing to allow people to run killer herds, the approval was withdrawn. People were forced to go cap in hand to ask if they could indulge in a certain type of economic activity.

The last point that the minister made was quite ludicrous. The minister dressed up as some major victory what I would call an average to reasonable effort over a period of 6 months. It should be recalled that the first excision has yet to be actually completed. That point should not be forgotten. What we have is a progress report that talks about the various excisions that are in train. Before the minister has actually completed even 1 excision, he made this ludicrous statement. He stated that somehow this has demonstrated that the Commonwealth not only does not need to introduce specific legislation for living areas but also should proceed with amendments to the Aboriginal Land Rights (Northern Territory) Act that have long been sought by the Territory. What utter rubbish! No rights have yet been granted to Aboriginal people by this government. There is no procedure which guarantees them any form of security. The best that could be said is that, under pressure from this opposition, Aboriginal groups and the federal government, this is the best that this government could come up with.

It now asks us to agree to take away all the pressure from it and ask our federal colleagues to move back out of this area. They ask that Aboriginal people be willing to have their rights, powers and protection removed and, hopefully, we will have something better than what we have. Not a single excision has been negotiated yet somehow they believe everything will be all right. I have heard that story time and time again. People say: 'Everything used to be all right before land rights. Everybody used to know his place and we used to get on very well together'. I have heard that story time and time again and it is generally a complete cover-up for people being able to ride roughshod over the rights of others.

Obviously, that is the appeal that the minister is making now. He is appealing for the ability to remove any rights which remain to the most poverty-stricken and the most powerless group in our society. He is asking for those rights to be removed on the basis of what I have acknowledged as a reasonable level of achievement. We are supposed to turn around and say: 'If that is the best that you could do with all those pressures on you, we will take all the pressures off you and we will believe that you will continue to operate effectively'.

I recall an old Aboriginal person telling me once about a previous Minister for Aboriginal Affairs, the Hon Ian Wilson, who tried to convince him - and he was the chairman of an organisation of which I was director at the time - that, in spite of a series of attacks that had been mounted on that organisation by some of the honourable members opposite and some of their predecessors, he should turn around and believe that, this time, everything would be all right. The reply that the gentleman made to the minister was:'If I walk down a road 4 times and the same dog bites me, I do not walk down the road a fifth time'. That is the position that this government is trying to put people in - having bitten them 4 times, it wishes to be given a chance to have a fifth bite.

Debate adjourned.

MATTER OF PUBLIC IMPORTANCE
Incompetence of Minister for Education

Mr SPEAKER: I have received the following letter from the Deputy Leader of the Opposition:

'Dear Mr Speaker, I wish to propose, under standing order 94, that the Assembly discuss today, as a definite matter of public importance, the following: the continued incompetence of the Minister for Education which is resulting in the deterioration of education services provided by this government to the people of the Northern Territory.

Yours sincerely,
Terry Smith (Member for Millner)'.

Is the member supported? The member is supported.

Mr SMITH (Millner): Mr Speaker, it gives the opposition no pleasure to raise this matter of public importance but it certainly is very much a matter of public importance. Unfortunately, the performance of the Minister for Education...

Mr Finch: Has been fantastic.

Mr SMITH: ...has been fantastic, if you go back to the true origin of the word 'fantastic' which comes from the word 'fantasy'. The minister has lived in a fantasy world in attempting to administer his portfolio. Unfortunately, it is the people of the Northern Territory who are suffering as a result of this fantasy world that the minister apparently occupies.

There is so much that we could talk about in this debate but we have had to be selective. I will concentrate on recent activities at the Darwin Institute of Technology and a couple of recent activities in the schools area and my colleague, the member for Stuart, will concentrate on the question of Aboriginal education.

Turning to the Darwin Institute of Technology, we have a situation where all the fears that were expressed earlier this year by the opposition have been realised. Earlier this year, the government interfered in the operations of the Darwin Institute of Technology in a very blatant way and succeeded, in the words of the honourable minister himself, 'in running it like another government department' - and shame on him. We pointed out that that action would result in a crisis in academic confidence in the college, that it was clear evidence of politicisation of the operations of the college and that it would lead to very deep concerns over standards that prevail at the institute. All of those things, I regret to say, have come true.

We need look no further than at what has happened with academic staff at the institute since the activities of the minister earlier this year. More senior academic staff have left this year than in the previous 11 years of the institute. They are leaving in droves.

Mrs Padgham-Purich: We want more quality not quantity.

Mr SMITH: The member for Koolpinyah, who has always expressed a great interest in academic matters, says we want quality, and I agree. An interesting factor common to all these people who are leaving because they cannot stand it under this government is that they are going to better jobs elsewhere. The quality is there. They are being swept up by colleges of advanced education who welcome the skills that these people have to offer and who will provide them with the guarantee of freedom from political interference that is not available to them in the Northern Territory.

Mr Harris: These are the skills that they developed up here, are they, Terry?

Mr SMITH: That is right, and they are the skills which they would like to have continued to develop here, but they have been forced out. Often, they have been forced out at quite considerable personal expense by the time they have uprooted their home, upset their families and moved interstate. In many instances, it has cost people a great deal. However, they felt they had to go because our institute cannot offer them the opportunities and the freedom from political interference that they expect as academics in a college of advanced education.

Mr Harris: How many have left?

Mr SMITH: I cannot give you the number; it is increasing every day. But it is a significant number and, most importantly, it is certain that far more have left this year than in any previous year.

The situation is exacerbated because, even in applying for positions and attending interviews, they notice a difference between what happens elsewhere and what happens here. They have found that elsewhere a majority on the interviewing boards are academics, as they should be. What happens here? We have just filled a number of important positions: 2 deputy director positions and the dean of the education faculty. Of the 5 or 6 people on the interview panel, 1 in each case was an academic.

Mr Harris: Are you saying that these people are not up to it? It has nothing to do with me.

Mr SPEAKER: Order!

Mr SMITH: 'Nothing to do with me', the honourable minister said. Once again, he came in on cue. It has everything in the world to do with him and the reason is that, earlier this year, the minister set the parameters for the operation of that college by the political appointment of its director. The minister, by his actions and that appointment - appointing an administrator rather than an academic to that position - signalled to the world that his primary interest in the affairs of the institute is to have an efficient administration, and damn the academic component. Again, that is why people are leaving. The minister has authorised a position where the administration runs the academic side rather than the academic side providing the educational leadership, which is what happens everywhere else.

If one wants a dramatic example of the politicisation of the institute, one need go no further than a strategy meeting held by the institute on 19 to 21 May in Katherine of all places. I have nothing against Katherine but it is a long way from the campus of the Darwin Institute of Technology. Let me read from the minutes of the meeting:

'Mr Alan Morris, Secretary of the Department of the Chief Minister, addressed participants on the evening of 19 May 1985. Mr Morris spoke frankly about the problems faced by the institute. He stressed that the institute must develop a dynamic, precise charter, including role functions, priorities, programs and available resources, and have it approved by government to provide a more certain base for operations'.

I have nothing against Mr Morris. In fact, I think he is an extremely competent public servant. As far as I know, he does not have a reputation as having any experience or qualifications in the academic world nor in relation to advanced education. I have no objections to his addressing the strategy meeting of the institute. What happened next? The morning after this dynamic address from Mr Alan Morris, the minutes reveal:

'The director addressed participants pointing out that Alan Morris' talk the previous evening had resulted in a change in the program. It was agreed by all that Alan Morris' frank appraisal of the past, the present and future problems of the institute meant that we have no choice but to identify and examine the problems and agree to bring about necessary changes. It is most important for top managers to set the lead and involve all staff'.

That is a clear admission from the director of the institute that it is a tool of government. What sort of institute is that? After one speech from a senior public servant, it is prepared to chuck out all its plans for the next couple of days of a strategy meeting and develop a new set of plans. It is a clear tool of government and that is what the problem is. That is why people are leaving. It is time for the minister to exercise a bit of educational leadership in relation to the Darwin Institute of Technology and put it back on course so that academic staff can apply with confidence for positions there and students who attend will know that they will receive a decent education.

I turn now to the vexed question of senior high schools. Over the last few weeks, the Minister for Education has stated many times that there is no cause for concern because senior high schools will not commence until 1988. I invite him to tell that to the parents and the kids who will be affected from the start of next year. Of course, I have some familiarity with the subject because my electorate will be affected as Year 10 students will be going to Casuarina High School next year where they will become year 11 students. It is nonsense to suggest that, next year, we shall not see the introduction of senior high schools in the Northern Territory.

Let us look at the result of the speed of implementation of this senior high school proposal. First of all, a working party has been established to examine staffing levels but it will not report until April next year. In other words, there will be 600 Year 11 students at Casuarina High School next year and, because we have no idea how we will staff senior high schools properly, and we will not have any idea until at least April next year, that school will be staffed on present formulas - hardly a successful and well-planned start.

Secondly, one of the prime reasons that this government decided to create senior high schools was that it would save money. By courtesy of a press release issued by the minister, we have realised it will cost us $9m over the next 4 years to upgrade Casuarina High School, in particular, and Darwin High School to a lesser extent, to the standards that are necessary. Certainly, no

longer is it a money-saving measure. But, more importantly, we have a situation where next year the guinea pigs - the 600 Year 11 students at Casuarina High School - will receive quality education under this new system and be accommodated in 7 demountable units. That is an absolute disgrace and, certainly, it is not the right way to start this brave new experiment in education.

Mr Ede: Talk about quality education.

Mr Harris: Do you support secondary colleges?

Mr SPEAKER: Order, order!

Mr SMITH: Yes, of course, we support secondary colleges. What we support is the careful and planned introduction of secondary colleges. We do not support the proposition that 600 Year 11 students, who are to serve as guinea pigs in many ways even under the best of circumstances, should have the extra burden of having at least some of their education delivered to them in demountable buildings. With a bit more thought and care, that could have been avoided and that is what we are talking about here. That is why the honourable minister has a reputation in the community for incompetence.

There is the question of what is to happen with junior high schools. Of course, there has been nothing from the government on that because it has not even thought about junior high schools. Can I tell the minister that the major problem that the ACT school system has faced is the junior high schools. There is widespread feeling in the ACT that junior high schools have been neglected by this change.

I will give an example of where that is happening already: Nightcliff High School is well overdue for a major overhaul. It has been there for years. The Minister for Transport and Works agrees. I have been told that there will be no money for Nightcliff High School for the foreseeable future because all the money that is available will go to senior high schools. That is an example that the government has not spent enough time planning what it wants to do and why with senior high schools. It would have worked better if everybody had had a year longer to work it out.

One of the most intelligent contributions to the senior high schools debate has come from Assistant Professor Stephen Kemmas from the school of education at Deakin University and I am sure that most members will be familiar with his thoughts. He telexed to the Northern Territory Teachers Federation saying that he was a supporter of senior high schools, as most of us are. He said that there are a number of things that needed to be sorted out before senior high schools were put in place. I want to read out some of those:

> '1. Are radical plans for the total Years 8-10 curriculum of the junior high school and the total Years 11-12 curriculum of the senior high school available? If they are not, then the teachers and students may face several quite disruptive years as they struggle to get the new system right'.

Of course, the answer is that those plans are not in place.

> '2. Has the significant program of teacher in-service education been planned? Without significant in-service education for teachers in

both the junior and senior high schools, the distinctive character and opportunities of both may not be understood and there may be significant problems to curriculum coordination within both'.

Again, the answer to that is that there has been no professional teacher in-service education provided for this.

'3. Have additional resources for coping with the changeover been made available. If people must do their usual work and plan for a major change, at the same time they will need significant additional support or else they must personally bear the cost of a public policy decision'.

I am pleased to say that some extra resources have been made available but, in the opinion of the people who supposedly are to implement this, that is not enough.

'4. Have the proposed junior high schools been given an adequate opportunity to consider the implications of their new role and character. Surely, they would not be regarded simply as what is left when the senior high years are taken away'?

The answers to that have to be no and yes because no regard has been given to the role that junior high schools will play without Years 11 and 12. There are a couple of other points that I will not go into because of the lack of time.

The point remains that an eminent educationalist, who is in favour of senior high schools, has posed very pertinent questions. We know now that the requirements have not been met and we are going into this senior high school concept blind. Senior high schools will work and they will work next year. There is no doubt about that. They will work because of the professionalism of teachers who, despite the odds, are working very hard indeed because they have a professional regard for making the thing work. The key point is that it could have been done so much better. The community could have been got on side, the teachers could have been got on side and we could have got off to a better quality start than we have. The blame must be sheeted home to the Minister for Education.

The last thing that I want to take up is the paranoia of the minister in dealing with staff associations, both the staff association at the college and the Northern Territory Teachers Federation. It is fair to say that relationships between those groups and the relevant education minister have never been worse. The minister must accept responsibility for that. When the minister says on talk-back radio that he cannot work with the secretary of the Northern Territory Teachers Federation because that person has been an endorsed Labor Party candidate, he is really reaching the pits.

Mr Harris: Check out what you are saying.

Mr SMITH: He is really reaching the pits and indicating that he has no idea of industrial relations and no idea of how to get on with people. To be fair, I must say that, when the secretary of the department goes around accusing the Northern Territory Teachers Federation of being terrorists, he is not exactly helping the situation either.

It is clear that, through his own inadequacies and through the lack of advice he is obtaining from the department in terms of industrial relations matters, the minister is exacerbating many problems. The latest example is a letter that he has sent. It has been treated with complete disdain by teachers who said that it is a complete and absolute waste of money. The main thing it reveals is that, in the areas where the minister has agreed to meet with the federation and has agreed to set up joint panels, things work smoothly. There are problems only in relation to areas that he does not think are any of its business - very important areas such as conditions of service - and he will not agree to meet with it. There is a very clear case that the minister has made an absolute and complete mess of his performance in the education portfolio and it will not get better until he is shifted.

Mr HARRIS (Education): Mr Speaker, I must say that I was rather surprised at this motion because, quite frankly, emotion of this nature should be put fairly and squarely in the lap of the opposition. Have the issues raised by the Deputy Leader of the Opposition been addressed to me in writing by the education spokesman from the opposition? Have I been questioned in this Assembly by members of the opposition? Not one question has been addressed to me on the senior college. Quite frankly, the lack of support on education matters by the opposition is pathetic to say the least.

I can list a whole range of subjects where it has failed miserably. For example, I refer to the working party set up by the National Aboriginal Education Conference and the Commonwealth Schools Commission in relation to funding of Aboriginal communities. $25m was lost. Did it help us try to regain that? It did not help us at all. All we received in 1985 was zero. A token sum of $1m was given for all Australia in 1986.

The outstation funding issue and the responsible attitude of the government in trying to address problems in a realistic manner has been detailed. I agree with many of the things that were said about providing education to people in the corners of the Northern Territory. However, one has to be realistic in relation to funding those particular areas. Have we received support from members of the opposition? Not at all.

In relation to teaching assistants, there has been no support from the opposition in trying to have the Commonwealth government continue to fund those positions. The Deputy Leader of the Opposition has raised the secondary colleges issue. As I have mentioned, I have not received any correspondence from the opposition on that issue even though it was hotly debated in the community. I received comments and questions from my own backbench but nothing from the Leader of the Opposition, who is the opposition spokesman on this particular issue, and nothing from the opposition members.

The opposition does not realise that the Hawke government brought this forward. The Hawke government has supported something that we support: the retention of senior students at school for a longer period. Do you support that?

Mr Smith: Yes.

Mr HARRIS: How are you going to fit them in if you do not move in this direction? Members opposite do not know the facts. It is most disappointing that they continue to knock these particular initiatives. They have sabotaged the university proposal since 1980. They have not supported the efforts of the Northern Territory government to have the university up and running. Now

we hear them attempting to undermine the positive improvements that have taken place at the Darwin Institute of Technology. Again, we have had to listen to irresponsible comments from the Deputy Leader of the Opposition and the Leader of the Opposition in relation to staff at the Darwin Institute of Technology. Anyone would think that all staff are moving out of the institute. What a load of nonsense!

Territorians are attending the institute to study courses which are registered nationally. Do not say that they are not. They are accredited courses and the qualifications are accepted anywhere in Australia. The Leader of the Opposition and indeed the Deputy Leader of the Opposition have put forward the view that everyone at the institute is moving out. That is a load of nonsense!

Let us have a look at who is leaving. I will not mention names but I will discuss the reasons. It is very interesting. In the period from January 1985 to January 1986, 12 people have left or intend to leave. The reasons are as follows. There were 2 retirements which were due. Another 2 persons retired as a result of ill health. That has nothing to do with any supposed interference from this government. One person resigned to travel overseas and another resigned to undertake further study. Another resigned because he was appointed to Duntroon. That was in 1984 before Kevin Davis' appointment at the institute. Another left because of education problems in an isolated community. His children could not receive the education that they would receive in an urban area such as Darwin or Alice Springs. That is normal in areas such as Tennant Creek and Katherine which do not have the same range of subjects available as the larger centres. Often students must move from those particular communities. Another resigned to travel with her husband overseas. One person actually said that he resigned because of Kevin Davis' appointment. Let us not continue to misinform the community that people at the institute are leaving in droves because that is not correct. In fact, the legislation that we have before us at present will give them independence and allow them to operate as they should be operating.

The other thing that is interesting to note is that there are no problems in relation to staffing. Quality staff are taking up those positions. We have a normal recruitment problem and we have it in secondary education as well. There are problems in recruiting teachers for computing electronics and accountancy. Those people will continue to remain scarce. Those are the sorts of matters that the opposition has not taken a positive approach on. It has been negative in every respect.

Let us examine some of the positive aspects of education. Our matriculation results have been consistently better than the South Australian average. In the first year of operation of school-assessed subjects, 2 NT schools were in the top 3 in South Australia. The primary school assessment indicates that the great majority of students are competent. We have increased the retention rate. For Year 11 students, the figure is 93%, the highest in Australia. Year 12 will continue to grow. At the moment, it is 35% and no longer the lowest in Australia. In 1986, we will be above the national average for retention in Year 12.

The school councils support the system. The system in the Northern Territory allows input from parents and teachers generally. This government enacted legislation to set up those councils. There has been a growth in TAFE. There are new courses at the Darwin Institute of Technology, a new triple CA complex, a growth in the Katherine Rural College, new courses at

Batchelor, adult education, community management courses and new TAFE centres are being developed in Nhulunbuy, Katherine and Tennant Creek. The member for Nhulunbuy would be aware that, since the Department of Education has taken over TAFE in that area, there has been a massive increase in the number of people enrolled in those courses. The Darwin Institute of Technology is set in its direction and university courses are being developed. All of those things are in place. We will be debating legislation today on that matter.

Despite what everyone seems to think, I do consult with various groups. I have meetings with the Northern Territory Teachers Federation, the Council of Government Schools Organisation and the Isolated Children's Parents' Association. My door is always open to those people.

Our school staffing level is the best or equal to the best in Australia and the Deputy Leader of the Opposition knows it. It is very pleasing to note that South Australia's levels of staffing in Aboriginal education have now come up to the levels of the Northern Territory. I could continue to outline the positive aspects such as student assistance scholarships, which are acknowledged as the best package in Australia, and the School of the Air and Secondary Correspondence School which are leaders in their fields. There are many positive developments now taking place in Northern Territory education yet the opposition has the cheek to say that education services have deteriorated. Mr Speaker, I ask you what they are on about.

The Deputy Leader of the Opposition raised the appointment of the deputy directors of the institute of technology. In the initial stages, I was accused of political interference with the system. Now the opposition wants me to interfere with the process that they themselves set in place. The Northern Territory Council of Higher Education established those particular processes. I will not become involved in how they select members of their staff. That is entirely up to them and I will not interfere, despite what the members of the opposition may say.

I want to touch now on my so-called lack of consultation and understanding in relation to staff associations. The members of the Northern Territory Teachers Federation executive have not made a secret of the fact that they are out to get me. I am not worried about what they want to do or whom they favour politically. I am interested in education and they should be interested in education too. They should not be playing with politics. I reached the stage where I felt that I had to send a letter to the teachers to put the record straight and I will read that letter into Hansard so that no one can misunderstand it:

'Dear Teacher,

I am writing to you personally as I wish set the record straight on claims by certain members of the Northern Territory Teachers Federation that I am unwilling to consult with that most important part of our education system - the teacher. Such a proposition is far from the truth and must be rejected totally. Teachers have always had and will continue to have substantial input into matters relating to education in the Northern Territory. Teachers are represented on the Education Advisory Council, the Teachers Advisory Council, the TAFE Advisory Council, and the NT Board of Studies. Monthly meetings are also held between the federation and the Secretary of the Department of Education, and the Northern Territory Teachers Federation is invited to join a number of ad hoc working groups on education matters'.

Let me just say something about those ad hoc working committees. There are a number of educational groups that are set up to look at curriculum development. There are up to 300 teachers involved in that process. If we look at the teaching service panels and associated groups that are set up to look at matters such as promotion, probation and appeals, we are not talking about 100 or 500 teachers being involved; we are talking about approximately 1000. That is how many teachers are directly involved in those processes.

> 'In addition, I have indicated that I am willing to meet the federation representatives on a regular basis. It should be noted that I have met with the federation representatives on 3 occasions, each time on my request (3 February 1984, 5 February 1985 and 29 April 1985). Many teachers may not be aware that the federation officers have rejected or ignored several offers of consultation'.

For example, it was offered an opportunity to have input into the framing of the 1985-86 budget. You would think it would like to have been involved in that particular exercise. It was invited to accept membership on the Department of Education's executive group, the major policy and decision-making body. It could have been involved in a matching exercise to relocate officers displaced by the recent review of school entitlement staff. You would think it would want to be involved. We asked it to participate in several working parties on peer assessment and promotion.

> 'These offers were vital to you as teachers and yet the Northern Territory Teachers Federation executive chose not to be part of the decision-making process. These same officers continue to cry: "We want to talk, Mr Harris".
>
> In summary, the avenues for consultation open to the Northern Territory Teachers Federation are multiple and include regular access to me as a minister and, of course, the normal industrial relations mechanisms. I will continue my practice of getting amongst teachers in the work place at schools to hear their views and keep in touch with situations as they see them. I hope your objectivity as a professional educator will enable you to recognise the spurious nature of the current Northern Territory Teachers Federation campaign, which reflects little genuine concern for either teachers or students.
>
> I hope this letter clarifies the situation regarding consultation and that I may look forward to your continued support'.

One of the things that must be pointed out very clearly is that the government is elected to govern. It is accountable to the people through this Assembly. The political persuasion of public servants, including teachers, does not matter. They are there to implement the policies of the government. It does not matter if it is a Labor, Liberal or whatever government. That is a fact of life. Unfortunately, some people do not seem to realise that. In the Territory, we have processes which create the opportunity for many people to be involved in policy matters. We take note of what they want. We are then able to implement an education system that is one of the best in Australia. Nowhere else in Australia do teachers have the same opportunities that they have in the Northern Territory for consultation at all levels. The federation is asking for something that no other government in Australia would agree to: a special status which would pre-empt not only what is decided in

this Legislative Assembly, but also what is decided in Cabinet. The government must also take into account many other interest groups in education such as the school councils, the Council of Government Schools Organisation, ICPA, FEPPI and the Northern Territory Consultative Group on Aboriginal Education. We have discussions with those groups on particular issues.

When I became Minister for Education, I had 5 major aims. One was to establish a direction for the Darwin Institute of Technology and tertiary education generally. That has happened. I also aimed to have university undergraduate courses available to Northern Territory students as is their right. That is happening. I also aimed to provide greater general educational opportunities for young people in the Northern Territory. That will happen through the implementation of secondary colleges. Whether we start now or in 1986, 1987, 1988 or 1990, we will still have the problems of overcrowding as we establish secondary colleges. By starting this year, we will have fewer problems than we would if we started at any other time. I also aimed to provide boarding facilities in Darwin for isolated students. That is happening. I announced that Kormilda College will open for all students of the Northern Territory next year. The other area into which I am getting my teeth directly is that of Aboriginal education, I intend to be realistic in that area.

In the time that is left to me, I would like to say that members of the opposition have not made 1 contribution to education policy development in the past few years in this Assembly since I have been Minister for Education. They have offered only back-biting, niggling criticism. Where was the opposition when the Commonwealth was cutting the Northern Territory budget in May and June of this year, when the Territory took 10 times its fair share of the cuts? Where was the opposition when I visited many schools? I offered members of the opposition opportunities to come to those schools. Some took up those offers.

However, no questions have been asked about secondary colleges and there have been very few questions in relation to any major education issues. I have not received a single letter from the opposition spokesman in relation to those critical matters. That is shameful. I received a letter from the Leader of the Opposition in relation to a particular matter concerning a student. Shame on the opposition spokesman on education! The other members of the opposition have not used the opportunity here. The government has nothing to answer for in relation to this motion but, my goodness, the opposition has.

Mr EDE (Stuart): Mr Speaker, that was quite incredible. The Minister for Education said that members of the opposition have made no contributions to any policy development. I have told him over and over again what to do in relation to various aspects of education in the rural areas. I have told him until I am blue in the face and it looks as though I will have to tell him until it is back to pink again. He refuses to listen. He does not seem to understand.

It is quite incredible. If the federal government does not provide funding to this minister, he says it is our fault. Naturally, this government claims kudos for any wins it achieves, and that is fair enough. We do not expect it to give us any kudos if it has a victory even though we may have contributed to it. But, really, a minister who blames a 6-man opposition for the failings of his all-powerful CLP government really comes up sounding like a wimp.

The minister said he meets frequently with a number of groups such as the isolated parents group, COGSO and various others. I will take his word that he has been meeting with them but, if he has done so, and we have these problems still, the only other conclusion that can be drawn is that he is not able to take the information in. He is not able to understand the message that those groups are trying to get across to him.

Mr Harris: They are not giving you the same message.

Mr EDE: The minister said that he will not get involved with DIT. He said that he became involved but there were complaints about that, so he will not go back there again. That sounds very much like a man who goes over the road and starts a bushfire. When a bloke comes along and says, 'Hey, you started this bushfire, will you come and give me a hand to put it out?', he says, 'No, I am not going to give you a hand. You complained about my starting it. Why should I give you a hand to put it out?' That is about the level of logic that the minister has descended to in this particular argument.

I am disappointed that the minister spoke so early in this debate. I had hoped that he would speak last so that he could answer some of the questions that I have raised in debate after debate that he keeps threatening he will be able to demolish with no difficulty whatsoever. Unfortunately, he has not yet made any attempt to do so. One can only believe that the pointedness of my colleague's arguments and his own inability to refute the points that I have raised have led him to adopt that position.

The first point that I wish to put to rest once and for all is a fallacy which the minister trots out time and time again, namely that this government does more for Aboriginal education than any state in Australia does. Initially, I would note that the performance of the states is very poor so that any comparisons that are made may not be anything in which any of us can take pride. However, be that as it may, we have yet to receive any credible figures from the minister which compare the resources contributed by this government with the resources contributed by governments interstate. In the absence of figures, one wonders on what basis the minister's assertions are founded.

Fortuitously, I have come across some figures which allow comparisons to be made in certain areas. I refer to the terms and conditions of employment of staff in rural and remote areas. I am sure that honourable members would agree that the quality of staff and the consideration given to them by their employer are very important factors in ensuring that quality education is provided. It need hardly be said that factors like staff morale are all important in difficult situations in rural and remote areas. In that context, I wish to make some comparison between terms and conditions of service here and those in South Australia. It is interesting that the minister referred to South Australia. Obviously, he does not have the latest facts.

Firstly, with regard to transfers, in South Australia a teacher has an absolute guarantee of a return to an Adelaide teaching position after 3 years in an isolated area. After 2 years, a guarantee of a transfer to a more settled area is given. In the Northern Territory, a priority transfer scheme for promotional positions exists but depends upon positions being available and the suitability of persons to fill them. Given the size of our teaching service here, it is extremely difficult to implement this scheme. At band 1 level, the required period of service before transfer varies according to location. It is 2 years at Nhulunbuy, 3 years at Katherine, Tennant Creek and

Jabiru, 5 years at Alice Springs and 2 years in rural areas. But there are no guarantees, and South Australia provides guarantees.

Next, I will compare salaries. In the Northern Territory, an assistant teacher - an untrained person - commences on a salary of $12 182. These figures have been adjusted for the 3.8% increase. Purposely, I did not make those changes myself because I do not want to tangle with any small changes that may have occurred through different interpretations of the 3.8% rule in the states and the Territory. Salaries start for an Aboriginal assistant teacher at $12 182 and progress by annual increments to a level of $14 245. In South Australia, the starting salary is $17 491 for an untrained Aboriginal education worker grade 1. That is $5000 above the starting salary in the Northern Territory and $3000 above the top of the range here. That is a comparison.

In the Northern Territory, a first-year Batchelor trainee starts at $14 542 while his South Australian equivalent starts at $19 029 which is a difference of about $4500. A second-year Batchelor trainee starts on $15 602 while his South Australian equivalent starts on $23 000 - which is about $7400 more per annum. These comparisons demonstrate that the minister has failed to provide incentives to ensure that quality staff are attracted, retained and trained, as the case may be. The South Australian government has agreed that it is very difficult to attract and retain large numbers of Aboriginal education workers. It has decided that it is absolutely essential that it does so and therefore it has provided funds to pay salaries at that level. I am concerned not only that the Territory is lagging behind the states, but that the inaction of the minister will ensure that the Northern Territory will travel along a road which will worsen the situation even further.

I refer to the way in which the government has needlessly and rashly moved to weaken substantially the ability of the Department of Education to provide education for Aboriginal people. I spoke yesterday about the inability of this minister to deliver educational services to outstation groups. Given the limited time available for this debate, I will not repeat those comments.

I will, however, take some time today to highlight the damage being done to Aboriginal education by this minister through his policy of applying a strict numbers-based formula to the band status of schools. This has resulted in a reduction of band status in certain schools. I must emphasise I am not arguing that there should be no reduction in band levels. I have never done that. In my own electorate, 2 schools have been reduced in band status and, with a degree of reluctance, I can accept one of those situations. I cannot, however, accept the reduction in band status of schools like Lajamanu, Barunga and Angurugu.

There are a number of compelling arguments why these schools should not have a simplistic formula based simply on numbers applied to them. These arguments centre on the particular programs under way in those localities and, of supreme importance, the developmental nature of those programs. Also relevant are the unique characteristics of the communities involved and the responsibilities involved for departmental staff compared with their urban counterparts.

The matters I wish to consider are the RATE program, the bilingual programs, post-primary programs, the extra duties of band 4 principals in the localities that I have named and special considerations which I will itemise.

Very rapidly, the RATE program will be demolished by reduction in status of certain schools. As members would be aware, I have previously addressed this issue. Suffice it to say that, at Lajamanu for example, if the present band 3 deputy principal becomes a band 2 senior teacher with a full teaching load, the RATE course will have to be abandoned midstream. Reducing Lajamanu from band 4 to band 3 will mean the end of the RATE program as there will be no personnel available to teach or administer it. Eleven Aboriginal students are currently involved in the RATE program at Lajamanu. What about their future? I would note that, in 1983 and 1984, Barunga had an onsite RATE lecturer. This was not the case in 1985 and in itself represents a significant deterioration in the quality of the service.

The bilingual programs at Lajamanu and Barunga are the schools' pride and joy. They have been established and developed with enormous time, energy and expertise. If the minister were genuine, he would be encouraging these efforts. In Lajamanu, the bilingual education program is being introduced progressively and that process will not be completed until 1989. The reduction in status of Lajamanu and resultant termination of the program represents an excellent example of how a callous bureaucracy and an out-of-touch minister can destroy that program.

I have spoken before at length on post-primary programs. Because of the amount of time left to me, I will pass straight on to extra duties assumed by bush principals. I stress that the extra duties are necessarily assumed by bush principals or else things simply would not happen. I state categorically that the government, the department and the minister trade on the goodwill and the dedication of the personnel involved. Extra duties would include promotion of community involvement with the aim of increasing understanding and participation in western education by the community. Given that the principal lives in the community and is readily accessible, this can be a very time-consuming task. There is also the induction of new teachers. New teachers must be taught the rudiments of the language and the culture in which they have to teach. That is the responsibility of the principal. They have the responsibility for buildings and teacher houses. Another time-consuming function is emergency relief teaching. I have said before that some method should be found to provide emergency relief teachers out bush. This is done in South Australia but it is not done in the Northern Territory.

Certain special considerations make it abundantly clear that you cannot use a simple numbers-based program. In addition to the extra duties I have listed above, I would like to point out once again that, in Lajamanu for example, 50% of the schoolchildren have educationally significant hearing loss. If those children were in Victoria, they would be in a special school with not more than 10 children per teacher. Another consideration is the teaching of English as a special language. Another is the large problem we have with trachoma etc.

By way of contrast, I refer to the situation of Kargaru. In Kargaru, the band status was reduced from band 4 to band 3 but, as soon as pressure was applied, it was moved back from band 3 to band 4. The reason it was moved back from band 3 to band 4 was because it had a number of Aboriginal students there who required some special effort. In contrast to the schools that I referred to earlier, there are no language programs, cultural programs nor RATE programs at Kargaru. However, it was seen fit to restore it to band 4 status but it was not seen fit to do that in rural schools. I could contrast those situations all day.

The whole thing is incredible. The minister has demonstrated his complete incompetence in the management of his portfolio. He has built for himself a sorry record. He has presided over the most rabid cutbacks in education we have seen since the war. He is continuing to downgrade the education system and the standards established over the years. We are not progressing in the important primary and secondary areas; we are going backwards. The whole system of Aboriginal education is in crisis and close to collapse.

The only thing that can be said for the minister is that he is a good company man. He has no ideas of his own. He is no leader. He has no dream of universal education. He is the patsy for his colleagues. They want the dream machines. They want expensive circuses and castles to be built so they can lay the foundation stones yet the minister does not stand up to them and fight for resources to train our kids. He is incompetent. That is a sad thing to say but I am afraid it is true.

Mr FINCH (Wagaman): Mr Speaker, I guess out of all that diatribe there are 2 things on which I would possibly agree with the members of the opposition. The first is the general concept that education is a matter of public importance. It is certainly a matter of great importance to this government. The second is to acknowledge the special contributions made by the professionals in the Department of Education, both in the administrative area and in classroom. Certainly, the minister was correct in acknowledging those contributions as well.

What have we had this afternoon? Not 1 fact has been offered in support of the contention. In fact, I am quite sure that I cannot recall any reference even to the terms of the matter of public importance as it was proposed. That is not unusual. We have an opposition that has developed a great reputation as knockers, and a reputation for consistently making negative contributions to this Assembly. Those contributions capitalise on emotive words and play fast and loose with the truth. I guess it must be fairly frustrating for it to see the success of this government in the implementation of its policies, particularly those of the Minister for Education.

Its need to resort to name calling and snide remarks has certainly been debated at length over the last few days. I would like to think that, in future, opposition members might see their task as looking after the interests of their electorates and providing constructive debate in this Assembly. I guess the minister must be fairly flattered by the attention paid to him by the members of the opposition through this discussion and through the media campaign of the teachers federation and the staff association at the Darwin Institute of Technology. That is a recognition of the fact that he is doing his job. The attention that they are paying him is probably tantamount to an endorsement of his success.

If we examine the significance of education in general, it is important to see where we are going and what it is all about. I could probably be accused of being fairly profound in saying that education is the basis for the progress of the civilised world. For the Northern Territory to capitalise on the opportunities before us in developing and utilising our vast natural resources, obviously there is a need for us to pay careful attention to the educational facilities available to our children. Education means jobs and it means meaningful lives for the residents of the Northern Territory. Following many years of Canberra-based mediocrity in the educational arena, the Northern Territory government has worked progressively and deliberately towards

development of a comprehensive and appropriate educational system for all Territory students. Our policies indicate a dedication towards the ongoing development of those facilities.

In order that all Territorians may be educated to the limit of their individual capacity, we need to ensure that quality education is obtained and that the broadest range of education, both horizontally and vertically, is achieved by the government.

Mr Bell: What does that mean?

Mr FINCH: Mr Speaker, to elaborate very briefly for the honourable member who obviously has absolutely no interest or desire to see the well-being of Territory students through the education system ...

Mr Bell: What does 'vertical' and 'horizontal' education mean?

Mr FINCH: If the honourable member listens, I will elaborate for him. 'Horizontally' means over a broad range of educational areas and 'vertically' means through the levels of education - primary, secondary, tertiary etc.

When we examine what this government has done and what the minister has achieved during his time, the results speak for themselves. The minister has covered many of the positive aspects of his department's policies. I will not elaborate on those other than to add a few that ought to be mentioned.

In 1985, the matriculation results in the Northern Territory were ahead of the South Australian results. Not only that, but we saw also improvement in results generally in the Northern Territory. It can be seen that we are advancing. In fact, in Casuarina High School, the pass rate in the matriculation exams was some 80%. That is incredible in itself. The minister and his department paid attention also to non-academic streams, thus giving many students the opportunity to gain the basis for employment in areas other than the professions.

Our educational facilities are second to none. When we look at Sanderson High School and other schools around the Territory and see the airconditioning, spacious modern buildings and community facilities that are being installed in the schools, there is no doubt that we have the basic foundation for excellent educational programs. We have seen increased efforts in primary, secondary and tertiary education. Despite references to some catastrophe alluded to by the member of Millner, the Darwin Institute of Technology is at last being given a more positive direction by its staff and that is reflected in the increased number of courses that will be run next year.

Wherever you look in the Territory, the facilities for tertiary education are improving. One of the significant facilities is the new university college of which the minister gave us notice of earlier. If it were left to the federal government, we would be waiting until 1995 to have that much-needed additional component to the education scene. Instead, the government has taken the bit itself and will work towards establishing a workable university college by the start of 1987, some 8 years ahead of when it would have been established if it were left to the federal ALP government.

In regard to staffing, there is no doubt that we are better off than the rest of Australia. Teacher training is of paramount importance and we

recognise that it is not good enough simply to rely on the importation of teachers. 79 teacher training scholarships were granted last year, apart from all of the other scholarships, interstate fares assistance for university students and other allowances to encourage Territory students to improve their education and to return to provide their input into the work place. Other measures designed to encourage positive participation by Territory students include the police officer scheme and the truancy officer scheme. These are now in place, in addition to previous services such as those offered by home liaison officers. I have firsthand knowledge of the success of these measures.

This government is dedicated to the well-being of students through its education system. It is a government that fulfils commitments and promises. The minister's energy and commitment to his portfolio is second to none, as is his openness and acceptance of consultation. Sometimes he has been accused of being over-consultative. My constituents certainly have appreciated his open-door policy on a number of occasions. His energies are supplemented by those departmental officers who assist in the formulation of government policies and programs and, of course, a high proportion of dedicated and competent teachers who, with the support of the community and parents, implement of those policies. There is no doubt that those energies and abilities are paying off.

Let me now turn to some of the matters raised by members of the opposition. The member for Millner referred to the DIT being run like a government department; I am not sure what he meant. Maybe he meant that it is as successful as other government departments. Certainly, what he needs to understand about the world of academia is that the academics have to provide for educational needs according to the policies and priorities of the community. It is their job to implement education, not to formulate priorities. Priorities are formulated by the community, through government and the minister. That is what makes our education system so effective.

The Deputy Leader of the Opposition also referred to senior staff leaving in droves. That point was covered fairly comprehensively by the minister. Many of those people left for personal reasons and, as far as I am aware, only 1 or 2 left because of supposed concerns with the appointment of Mr Kevin Davis as Director. There is no doubt in my mind, knowing academics and the way they move about, that many of the people alleged to have departed because of government policies would have left anyway. It is a fact of life that academics need to progress; they need to move from place to place.

There was reference to the senior high school system. There is no doubt that the 600-odd students who will go to the Casuarina High School next year will be going of their own free will because they see the value and the benefits in this government initiative. In addition to those demountables, there will be computer rooms and technical drawing rooms, and student facilities will be installed over the next 3 years to meet the 1988 implementation. There will be a tremendous facility there which will result in improved education for students. Would the honourable member for Millner have us build a tent city similar to his university proposal last year?

The member for Stuart made some accusations about lack of support. I would suggest the lack of interest shown by members of the opposition is fairly typical of their negative knocking attitude. The Northern Territory leads Australia in Aboriginal education. It is held in high regard for its bilingual program facilities. The educational world regards it as a leader in

that field. There is no doubt that there is still more to be done in that area. The minister has on notice a question which, undoubtedly, he will answer in the proper form and lay to rest all the nonsensical accusations from members of the opposition. Our education system already has facilities to take physical disability into account if the honourable member would only take notice.

Over the last 2 years, government backbenchers asked twice the number of questions without notice on education than were asked by the opposition. The member for Millner asked 4 questions on education in 2 years. I asked 4 questions in the last 2 sittings. Who has an interest in education? Nobody in this Assembly except members of the government. If we could have some positive contributions from members opposite, we might get somewhere instead of wasting this Assembly's time with absolute nonsense and wasteful activities.

It is good that this matter of public importance has been raised because it has given us the opportunity to show what this government and the minister are doing and to show up the opposition for its negative attitude and its lack of support for educational facilities for students in the Northern Territory. The matter of public importance ought to be raised in relation to the incompetence of the opposition rather than the minister.

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

## SUSPENSION OF STANDING ORDERS

Mr HARRIS (Education): Mr Deputy Speaker, I move that so much of standing orders be suspended as would prevent the University College of the Northern Territory Bill (Serial 160), Advanced Education and Darwin Institute of Technology Bill (Serial 162), Menzies School of Health Research Bill (Serial 162) and the Education Amendment Bill (Serial 163) passing through all stages at these sittings.

Mr SMITH (Millner): Mr Deputy Speaker, I move that the motion be amended by omitting the words 'at these sittings' and inserting in their stead, 'at a sitting of the Assembly to be held on Tuesday 10 December 1985'.

We have moved this amendment in the hope that the Assembly will agree to it. We certainly have not done it frivolously. The situation is that the government is anxious to set in place legislation to establish the university and to legitimise the Menzies School of Health Research and the Darwin Institute of Technology. It has suggested that there is some urgency to do this. We appreciate the sense of urgency but we also appreciate that there is a need to give these very important pieces of legislation a very thorough scrutiny indeed.

Although we have had these bills for 7 or 8 days, in our view we have not had sufficient time to undertake a proper scrutiny of this legislation. I would remind members that the standing orders provide that the normal circumstance is that legislation lies on the table for 28 days after it is introduced. We do not believe that sufficient reason has been given by the minister in his second-reading speech to proceed through all stages at these sittings.

The government has not provided the opposition with sufficient time to canvass adequately all the issues in the bills of which a number are very

important. We have not had sufficient time to canvass interested groups who may wish to make submissions on particular points in the bills. I refer particularly to groups at the institute, the Menzies School of Health Research and even the University of Sydney and the University of Queensland. We have not had the time to contact those groups to obtain their submissions.

If we proceed at this stage with these bills, we are running a very real risk that we will have to come back at a later time to amend them. Certainly, on such important pieces of legislation, we do not want to run that risk. We accept that, from the government's point of view, there is a need to move reasonably quickly on this legislation. We are not suggesting that the whole matter be deferred until March. What we are suggesting is that the legislation is sufficiently important to allow extra time for the adequate canvassing of issues. We should come back on 10 December to debate the legislation in a special 1-day sitting.

Obviously, the government will run the argument that it is an extremely costly exercise. All I can say is that we have not placed ourselves in this position. Through the timing of its legislation, the government has placed itself in a position whereby it has had to seek a suspension of standing orders. If the government had given a little more thought to the timing of its legislative program, this would not have happened and we would not be faced with the need to act so promptly. The situation is that we have not had sufficient time and this legislation is important enough to require sufficient time. The obvious, logical and sensible course is to allow a special sitting day on 10 December.

Mr ROBERTSON (Leader of Government Business): Mr Deputy Speaker, I have heard a load of codswallop in my life. The fact is that, on my understanding of the matter - and I am quite sure that my information is correct - the opposition was perfectly happy to support the passage of this legislation during the course of these sittings. What has changed? The facts are simple. The Leader of the Opposition is the opposition spokesman on education. Last week, he was too smart by half and had himself suspended. The reality is that these people opposite do not believe that they can handle it without him. This legislative program will not be held up simply because the Leader of the Opposition has abused the privileges of this Assembly, has had himself chucked out and then expects this Assembly to come back in 3 weeks' time when he is able to return here. He will have the opportunity to talk to us tomorrow in reply. The legislative program of this government will not be interrupted at the behest of the Leader of the Opposition simply because he cannot behave himself.

Mr Deputy Speaker, I move that the amendment be put.

Mr DEPUTY SPEAKER: The question is that the amendment be put.

The Assembly divided:

| Ayes 18 | Noes 5 |
|---|---|
| Mr D.W. Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Dondas | Mr Leo |
| Mr Finch | Mr Smith |
| Mr Firmin | |

Mr Hanrahan
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mrs Padgham-Purich
Mr Palmer
Mr Perron
Mr Robertson
Mr Setter
Mr Tuxworth
Mr Vale

Mr DEPUTY SPEAKER: The question is that the motion be agreed to.

The Assembly divided:

| Ayes 5 | Noes 18 |
|---|---|
| Mr Bell | Mr D.W. Collins |
| Mr Ede | Mr Coulter |
| Mr Lanhupuy | Mr Dale |
| Mr Leo | Mr Dondas |
| Mr Smith | Mr Finch |
| | Mr Firmin |
| | Mr Hanrahan |
| | Mr Harris |
| | Mr Hatton |
| | Mr McCarthy |
| | Mr Manzie |
| | Mrs Padgham-Purich |
| | Mr Palmer |
| | Mr Perron |
| | Mr Robertson |
| | Mr Setter |
| | Mr Tuxworth |
| | Mr Vale |

Amendment negatived.

Mr EDE (Stuart): Mr Deputy Speaker, I am very distressed that the government has decided to prevent the opposition from properly considering this legislation. It has decided that it will ram it through without providing the 28 days set down in our standing orders. These are very important bills yet the government is intent on ramming them through without giving us the opportunity to give them the detailed consideration they deserve. Their position is made worse by the debate that we have just had when, in fact, they voted for the defeat of their own motion. I am not going to go into detail about that. They got away with it and that is very unfortunate.

However, in the course of the discussion on the amendment to the motion which was put by the Deputy Leader of the Opposition, the Leader of Government Business made some statements to which I take extreme objection. I telephoned the Leader of the Opposition to see whether the statements of the Leader of Government Business had any truth in them. I was told that they are absolute and outrageous untruths which have no basis in fact at all. The Leader of the

Opposition told the Minister for Education that the matter would have to be put to our parliamentary caucus. After it was put to our caucus, his only message to the minister was that we would be opposing the granting of urgency for this legislation.

Mr ROBERTSON (Leader of Government Business): A point of order, Mr Deputy Speaker!

Mr DEPUTY SPEAKER: What is the point of order?

Mr ROBERTSON: There are 2 points of order. Firstly, the member is reflecting upon a vote. That is standing order 60. I forget the exact standing order which pertains to reopening the entire matter of the amendment which has already been defeated. He is speaking to the amendment, not to the motion.

Mr SMITH: Mr Deputy Speaker, quite clearly, the member for Stuart is speaking to the motion: the suspension of standing orders for this legislation.

Mr DEPUTY SPEAKER: The member for Stuart will confine his remarks directly to the motion before the Chair. He will not reflect on a vote of the Assembly nor refer to a previous debate.

Mr EDE: Mr Deputy Speaker, we have heavy responsibilities as members of the opposition in debates of this nature. We wish to meet those responsibilities to the best of our ability. There is also a very real responsibility on members opposite to do something more constructive than simply provide a Greek chorus and a noise source. They have a responsibility to uphold the system of deliberation and legislation, and to think about matters other than the speed with which they can push through this particular piece of legislation which, I dare say, they have not considered in much depth. I appeal to the backbenchers opposite to show some small degree of decorum and belief in the principles of the Westminister system of government, and vote with the opposition on this particular issue and so retain some degree of credibility.

Mr LEO (Nhulunbuy): As the Leader of Government Business well knows, this opposition has consistently opposed and will continue to oppose the suspension of standing orders. If the minister had wished, he could have applied to the Speaker for urgency. We would have had no say in that. Obviously, he has not done that and there is only one conclusion that we can draw: that the Speaker would not have given him urgency.

We have standing orders in this Assembly with which this opposition has consistently complied. This is obviously quite foreign to the members on the government benches. Without referring to other debates, Mr Deputy Speaker, there are ways that this legislation can be passed this year. However, because it might interrupt government members' holiday plans or prevent them fromjunketing somewhere around the world, we are expected to pass the legislation during these sittings. That will require the suspension of standing orders. This opposition will remain consistent in its adherence to the standing orders. We will not accept the minister's proposed motion. If he wants urgency, let him go to the Speaker. He may well get it, but I doubt that. Without presuming on his rights, I believe that it would be a very brave Speaker indeed who would give urgency to these bills. We will not agree to this motion. The standing orders of this Assembly are there for very good

reasons, all of which have been enunciated by the members for Stuart and Millner. There is no need to go through them again, but it is certain that, as long as this government continues to abuse the standing orders of this Assembly, it will continue to be held in contempt, not only by the members of this opposition but by the population of the Northern Territory.

Mr ROBERTSON (Leader of Government Business): Mr Deputy Speaker, let us go quietly through what I see as the real motive behind this move, and the sincerity of the opposition in this matter. Members opposite say that they want time to consider legislation properly. That is reasonable, but the fact is that all of the government's proposals, apart from the legislation which is before us in written form, have been enunciated in detail by the Minister for Education over a period of many months. The opposition will not admit that this is not the first time it has seen the legislation. It has been in its hands for 12 days. If the opposition cannot understand mechanical legislation like this which, by and large, mirrors legislation of an identical nature right around this country, then God help the people if it ever becomes a government.

This whole exercise is nothing more than a vain, forlorn and hopeless attempt to stall this legislation so that the plans of this government and the minister will be so frustrated that they will be unable to take the necessary measures, in the required time frame, to put tertiary education on its proper path in the Northern Territory. Under no circumstances will this side of the Assembly allow the negative, knocking and destructive element opposite to foul things up for the students of the Northern Territory. In my judgment, the opposition is putting forward a fraudulent proposition. The reality is that it has had all the opportunity in the world to discuss the matter, as the minister will no doubt be pointing out later in this debate. I will bet that not a single submission has been made by the opposition, apart from this carping, negative attitude that we have become so used to. When this government wants to do something, after broadly canvassing all the issues for months, the opposition tries to knock and block it.

Mr BELL (MacDonnell): It is an indication of how sadly out of touch with reality both the Leader of Government Business and his colleagues are that they can characterise constructive opposition within this Assembly as carping criticism. I dare say that, in the corporate state, such criticism is not tolerated. I imagine that, if the Leader of Government Business had the opportunity to institute legislation that could outlaw us, he would do so.

Mr Robertson: I do not need to. You are the best asset that we could ever have!

Mr BELL: I have taken a considerable interest in the issue of education generally, and tertiary education in particular, and I believe that the interests of good government and good education for tertiary students in the Northern Territory will be enhanced by the best possible invigilation of this legislation. That will be prevented by the passing of this motion, and undoubtedly it will be passed. I do not think I am contravening standing orders by reflecting on a future vote.

I want to place on record that it would have been rushed enough had the amendment been accepted. It would have been far too rushed if the minister had sought suspension of standing orders so it could be debated tomorrow when the Leader of the Opposition, the shadow minister for education, will be back in this Assembly. But because the Minister for Education has sought

suspension of standing orders today, the behaviour of the minister and his frontbench colleagues takes on the veneer of a coup, a putsch.

Mr HARRIS (Education): Mr Deputy Speaker, the standard of this debate has deteriorated. I would like to say that I am most disappointed with the whole attitude of the opposition in relation to this package of bills. I have spoken to the Leader of the Opposition and told him that I do not like having to do what we are doing. However, in order to have university undergraduate courses running by 1987 and so that students in the school system may have the opportunity to consider the courses that will be available in 1987, it is necessary for us to pass these bills at these sittings. The opposition knows full well the amount of work required to have a university college up and running by 1987. We must establish the college council and recruit staff. We cannot recruit senior staff until we have legislation which they can look at.

The opposition expressed concern about the independence of the institute of technology and the Menzies School of Health Research. We supported the opposition on that. This legislation will give it what it wants and yet it opposes this suspension of standing orders. It is important for the people of the Territory that this legislation proceed urgently. I have tried to explain that to the opposition. I have telephoned the Leader of the Opposition and I have sent him a note about this. My second-reading speech explained that many things had to be done for us to have university undergraduate courses up and running by 1987.

The member for Stuart said that this government was not interested in listening to the opposition's comments. I hope every member opposite contributes to the debate on these bills. They have that right. However, it needs to be pointed out is that the Leader of the Opposition's suspension has nothing to do with the government. We will not run government business on the basis of when the Leader of the Opposition is here. I have given him the opportunity to speak to these bills.

The Assembly divided:

| Ayes 18 | Noes 5 |
|---|---|
| Mr D.W. Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Dondas | Mr Leo |
| Mr Finch | Mr Smith |
| Mr Firmin | |
| Mr Hanrahan | |
| Mr Harris | |
| Mr Hatton | |
| Mr McCarthy | |
| Mr Manzie | |
| Mrs Padgham-Purich | |
| Mr Palmer | |
| Mr Perron | |
| Mr Robertson | |
| Mr Setter | |
| Mr Tuxworth | |
| Mr Vale | |

Motion agreed to.

UNIVERSITY COLLEGE OF THE NORTHERN TERRITORY BILL
(Serial 160)
ADVANCED EDUCATION AND DARWIN INSTITUTE OF TECHNOLOGY BILL
(Serial 161)
MENZIES SCHOOL OF HEALTH RESEARCH BILL
(Serial 162)
EDUCATION AMENDMENT BILL
(Serial 163)

Continued from 13 November 1985.

Mr SMITH (Millner): Mr Deputy Speaker, in the limited time that we have had to study this legislation, the major conclusion that we have come to is that it heralds the introduction into legislation of another Labor initiative. As far back as 1981 and 1982, that initiative was opposed quite vigorously by members of the government and, in particular, by the present Leader of Government Business who, at that stage, was the Minister for Education. If one examines the debates, one will notice the strong opposition of the government to the proposal for the establishment of a university college that we have consistently put forward since 1981. The Leader of Government Business has the grace to be embarrassed.

I will read some comments of the Leader of Government Business from Tuesday 9 March 1982 when he was Minister for Education:

> 'In his further attack on the university for the Northern Territory, the Leader of the Opposition gave great play to the option of a university college. Good heavens, does he really believe that the Planning Vice-Chancellor and all the people who work with him and all of his advisers - and I will not name the Australian ones; I will mention the international ones in a moment - did not seriously consider in depth the option of a university college'.

Further on, he quoted Sir Christopher Cox, under whose guidance 7 overseas university colleges were established by way of a special relationship with the London University. The then minister said: 'He was adamant that the university college concept was now an anachronism'. We now have the Northern Territory government, 4 years later, in the words of its own Leader of Government Business, introducing an anachronism.

Unfortunately, we cannot agree with him. We did not agree with him then and we do not agree with him now. It is interesting to look at the history of the development of a university in the Northern Territory. It is very true to say that, if the government had adopted the Labor Party proposal for a university college when this debate first arose, it is quite possible that we may have had graduates from the university college of the Northern Territory instead of merely talking about graduates in the year 1990 or 1991. As the Hansard shows very clearly, the Leader of the Opposition, as the spokesperson for education right through that period, has consistently supported the concept of a university college whereas the government has been all over the place, and that is not putting it too strongly.

To give members a flavour of where the government has been on the question of the university, I will quote from the Hansard of the same day, Tuesday 9 March 1982. The Leader of the Opposition said: 'One of the major objections the opposition had to this submission, and we considered it to be a nonsensical submission that did not deserve to be taken seriously, was that it

proposed a quite ludicrous scenario: 6 months after its receipt by the federal government, a university would get off the ground'. I will quote from the government's submission. These are not my figures. It was proposed to start the university with 80 academic staff - this is all in 6 months - 700 students, 15 degree and subdegree courses and so on. It was a ludicrous proposal which richly deserved the treatment it received from the Tertiary Education Commission. In its submission to the TEC, the Labor Party said: 'We find it almost inconceivable that it will be possible to recruit the 80-plus teaching staff which the submission proposed to have established by 1 January 1982'.

The government stuck to that unrealistic proposal for the establishment of a free-standing university right up until the middle of last year. Only at that stage did it consider the alternative that we had been proposing since 1981: to start as a college of an established university. Once the government had discussed and accepted that advice from the opposition, it then backed off for a while. We had a curious position earlier this year when no one knew exactly what the government intended to do in terms of this legislation. It had made a commitment to the establishment of a university and then it appeared for quite some time that it had backed away from that.

I am pleased that we have this legislation in front of us. I contradict anyone who dares to say in this debate that the broad details of this legislation have been available to us for several months. Except in the last few weeks, it has not been clear to anybody exactly what course the government would adopt. Even if it is clear to people what the broad course of action is to be, it is nonsense to say that they do not require an opportunity to examine the legislation in detail. We all know that there is many a slip between broad government policy and the promolgation of legislation, and that is the reason for our objection. We have not had sufficient time for proper consideration. However, we have been able to detect what is quite clearly another good piece of Labor Party policy going on the books to join the TIO and other significant policies of the Labor Party.

Mr Deputy Speaker, I notice that the honourable sponsor of the bills is not present in the Chamber. This debate has been forced upon us and the minister is not even sufficiently interested to be here.

Mr Tuxworth: He is listening; he is in the box there.

Mr SMITH: What is he doing in the box? Isn't he game to come out here and face us?

Mr Tuxworth: Is there anything worth listening to?

Mr SMITH: A common thread of the honourable minister in introducing the legislation was that, where appropriate, common or parallel legislative arrangements would be enacted. We disagree with that aim. However, in our view, in 1 or 2 cases that has not been achieved, and I will come back to that as I go through the individual pieces of legislation.

Another general point made by the minister was that there is a need to provide a single source of advice for the 3 sectors, and I agree. I think that that is quite essential. However, I cannot see that that has been done unless the pressure of time has prevented me from understanding something in the 4 bills that I would have picked up had I been given sufficient time. There is a separate board for the Menzies school. I may not be using the

correct term but there is to be a separate board or senate for the university college and there is the Northern Territory Council of Advanced Education. But, if one looks at the terms of reference of the Northern Territory Council of Advanced Education, as its title suggests, it is restricted to examining, discussing and being involved with advanced education measures. In his reply, I would like the minister to tell me where he has achieved his aim, as expressed in his second-reading speech, of providing a single source of advice for the 3 sectors. I do not think that it is there.

The opposition's major reservations relate to the Advance Education and Darwin Institute of Technology Bill. I will go through our reservations about various clauses. Our first reservation relates to the section on definitions. If I have ever seen a crazy definition, this is it and I will read it:

> '"Advanced education" means education that is not of a kind normally provided in a primary or secondary school or at a university but does not include education accepted by the council as technical or further education for the purposes of arrangements between the Territory and the Commonwealth relating to such education'.

It is a thoroughly negative definition. We can see some of the reasons a negative element might be required in such a definition. Of course, those reasons relate to Commonwealth-state funding arrangements. The problem is that, with this completely negative definition of 'advanced education', no protection at all is given to the Darwin Institute of Technology. It is being told that its functions are capable of negative definition only. In other words, it can only get what other groups do not want which, in terms of this definition, means education that is not provided normally in a primary or secondary school, a university or TAFE course.

The problem is that, under this definition, the Darwin Institute of Technology has no role to play in defining what is normally provided in primary and secondary schools, a university or a TAFE area. Some other body does. It is not clear to me who that other group is but, certainly, the Darwin Institute of Technology has no role because its main function is defined in such a negative way. With the competition that exists in the tertiary area for the provision of courses and services, you can bet your boots that the Darwin Institute of Technology will be fighting a consistent rearguard action to maintain the type of courses that it wants to offer.

One obvious conflict stares one in the face right away. A decision must be taken at some time as to where the responsibility for teacher training will lie. Will the university offer degree courses or will that be left to the Darwin Institute of Technology? If the university offers degree courses, will it offer diploma courses or will that be left with the institute? This definition gives the Darwin Institute of Technology no legal basis on which to argue its case whatsoever. It will be left with the crumbs that the other educational institutions in the Northern Territory do not want. That is not good enough.

As we have demonstrated already today in a previous debate, the Darwin Institute of Technology is under a cloud. It needs to be able to stand on its own feet and to be seen to be free of political interference. Something must be done about that definition to give the Darwin Institute of Technology equal standing with the other institutions that we are talking about when discussing these pieces of legislation.

We have another major concern, and this is a reflection of the way in which the bill has been thrown together in a hurry - clause 4, establishment and constitution of the council. Paragraph (2)(c) refers to 'the person nominated by the director as the chairman of the Academic Board of the institute'. We support the establishment of an Academic Board for the Darwin Institute of Technology. It is obviously desirable that this should be covered by the legislation but that is the only mention in the bill of the words 'Academic Board'. If such a board is to be meaningful and important and is to restore the balance that most people believe needs to be restored between the administrative and the academic sections of the Darwin Institute of Technology, it must be covered by the legislation. At present, that is the only mention of the Academic Board. In our view, that is a serious weakness in the bill.

To correct that, we will propose the insertion of a clause similar to clause 20 in the University College of the Northern Territory Bill which allows the council to set up an Academic Board and other advisory groups that it may require. We believe that to be an appropriate clause to place in this legislation. It would enable the council to establish and give independent status to the Academic Board. We want a clause similar to clause 20 of the university bill inserted into the Advanced Education and Darwin Institute of Technology Bill. In our view, that is a very important amendment and we hope that the government will agree to it. Such a clause will go a long way towards reassuring the public and the academic staff on the quality of academic performance at the college and, more than that, the ability of the academic staff to partake in academic leadership. There is no such facility under the present legislation and an Academic Board under the legislation would remedy that. Similar provisions are quite common in legislation that has established advanced colleges of education elsewhere.

This is a minor point. Subclause 20(g) deals with the powers of the institute. It ends with the words, 'as the board thinks fit'. In this case, it is a small 'b' board, not a big 'B' board. I have no idea which 'board' is referred to. It would appear to be a drafting error, and I hope that the government will address the question of what board it is so that, when we come to look at it - unfortunately tomorrow - we will know which board is being referred to.

I turn now to a more serious reservation which relates to the appointment of the chairman of the council. Earlier, I said that one of the aims of the honourable minister was to provide common or parallel legislative arrangements where appropriate. This is a prime example of where common and parallel arrangements do not exist between these 3 pieces of legislation. Under the university bill and the Menzies school bill, the power of their respective boards to appoint the chairman is paramount. No one else is involved. However, under the advanced education bill, the government has persisted with its resolve to appoint the chairman of the Council of Advanced Education. It determined on that course earlier this year. We objected to it at the time and we object to it now. If we are to have an institution that is free from political interference, that must be demonstrated in all parts of the relevant legislation. We have an obvious way in which the government can influence the council and that is by the selection of its chairman. The reasons that have been advanced by the government for such a decision are not good enough. This is completely inconsistent with the provisions in the other pieces of legislation and contrary to the minister's statement that he wants common or parallel legislative arrangements. I ask him to ensure that there are common or parallel legislative arrangements.

Our other concern is in relation to the appointment of the 2 directors and the warden. The situation was outlined quite well by the Leader of the Opposition in the ABC program Morning Extra earlier this week. The government has reserved for itself the right to disallow a recommendation from the respective board regarding the appointment of a director or the warden. We cannot accept that. It is indicative of political interference in the operations of the Menzies school, the university college and the Darwin Institute of Technology. Why it would want to do it in relation to the Menzies school, I have no idea. We have a purely research institution to which we are hoping to attract the best brains in the country to give it some prestige. What we are basically saying to the people whom we are hoping to attract is that, unless they meet this political test, we will not have them. A person could be the best researcher in tropical medicine but if, for some reason, the government of the day does not like him, it will not have him. It could well happen.

The honourable minister will respond to this by saying but we copied the University of Queensland legislation. It is true that, under the University of Queensland legislation, the governor and council have the ability to countermand a recommendation from the Queensland University Senate for the Vice-Chancellor's position. But we really do not want to go down the Queensland track. As far as we can ascertain, that is the only university in Australia that has that political direction.

Mr Harris: It is the one we will be linked with and that is a fact of life.

Mr SMITH: I am sure it did not say that it would not let us establish a college if we did not have that provision in our act. That is a nonsensical argument. The situation is that it is unnecessary politicisation. All of us would agree that we want to run a slightly different sort of government to the one that is run in Queensland. I can vaguely remember the time when that was introduced. If I had had more time for this debate, I could probably have found that reason. I am sure it arose out of a particular incident that happened at the University of Queensland but, unfortunately, the Assembly will be denied that wisdom.

To come back to the minister's interjection, that principle does not apply to the Menzies School of Health Research because that is tied in with the University of Sydney. It does not have such a provision in its legislation. It has made it very clear that it does not want it in our legislation and has made representations to the minister on that. It was not good enough in that situation, was it? There is a bit of selectivity here.

The concerns expressed to us by staff at the institute were that, although special provision had been made under section 45, the transitional section, to protect the terms and conditions as they previously existed for the director, there was no similar provision for the staff at the Darwin Institute of Technology. It was pointed out to me that, when the Education Bill was introduced earlier this year to change the name of the college and do various other things, a transitional clause was included at that time.

Quite clearly, that has to be a matter of quite considerable concern to the staff at the college who are obviously worried about their terms and conditions of employment and whether a new council may want to alter those terms and conditions of employment. I understand that there may be an answer to that problem. In fact, there may be no need for such a transitional clause

to be placed in the legislation but I would ask the minister to address himself to that point and give us an answer because it is a matter of genuine concern to people at the institute.

Turning to the Menzies School of Health Research Bill, it is interesting to note that, in the package proposed to this Assembly by the Leader of the Opposition back in 1981-82, he made a very clear point of saying that the obvious course was to establish a university college and also a topnotch research institute. I guess you could say that we got it 100% right or, if you like, the government has it 100% right in picking up the 2 main principles espoused by the opposition 3 or 4 years ago.

In the short time that it has been in operation, the Menzies School of Health Research has gained an enviable reputation. I am sure that everybody in the Northern Territory is benefiting from its work. Everybody in the Northern Territory believes that it is performing effectively. I would like to take this opportunity of wishing it well.

Our only concern with the establishment of the legislation for the Menzies School of Health Research is the one that I have mentioned previously: the power of the Administrator to disallow the appointment of the director. For the life of me, I cannot see any reason why the government needs that power. Quite clearly, it is purely a research institution. It is most unlikely that it would ever be involved in politics. I state again that the Minister has received representations from the University of Sydney and the Menzies school itself on this particular point. If he were to be consistent, he would remove that bar that is causing some degree of concern to the Menzies School of Health Research and the University of Sydney.

I turn to the university legislation. I accept that primarily it is a mirror image of the University of Queensland's legislation. The only major concern that we have is the power that the Administrator has to disallow the appointment of the warden. I think I have made that quite clear. I ask the honourable the minister to have another look at that.

I want to take up a particular issue, and I am not sure how short of the mark I am on this particular point. In the awarding of degrees or diplomas, what is the exact relationship between the university college and the University of Queensland? Will graduates receive University of Queensland degrees or diplomas or Northern Territory degrees or diplomas? Who will guarantee the standards? Will the university college itself guarantee the standards or will the University of Queensland guarantee the standards? I have not had the chance to pursue this as thoroughly as I would have liked. Certainly, I would have thought that there is an argument for saying that, if the University of Queensland is in fact underwriting the academic standards, that ought to be recognised in this legislation. I would appreciate some comment on that by the minister.

That concludes my survey of the legislation. It is an important event in the evolution of the Northern Territory that we have a bill before us for the establishment of a university college. It is unfortunate that, as a result of the government's contrariness, we have had to wait so long. We could have had such a bill before us 2 or 3 years ago. It is indeed unfortunate that the government intends to rush it through in contravention of standing orders.

Having said all that, it is an important piece of legislation which the opposition supports. It should set the scene for the logical development of a

university in the Northern Territory which is, of course, very important. By the establishment of the college under its own legislation, we will have the opportunity to start in a small way and, as the need and the demand for university facilities increase, we will progress to a freestanding university of our own at some time in the future.

I welcome the provision in the advanced education bill to allow the Darwin Institute of Technology to recruit students from overseas. I think that is an excellent move that everybody would support. However, I must say it will not be an easy task. In fact, Western Australia seems to have stolen the jump on us.

Mr Harris: Senator Ryan was not all that happy about it.

Mr SMITH: I know Senator Ryan was not happy about it but I think it will go ahead with it anyway. Western Australia is attaching a separate school to the Murdoch University. Its aim is to attract students from Asia to that separate school. We all know of the Western Australia Institute of Technology and its efforts in setting up classes for various courses in Singapore itself. We are not the only ones to have discovered that there is a growing education market in South-east Asia and that growing education market, like the casino market and other markets that we are interested in, will not fall into our laps. We will need to work pretty hard. I am pleased that the minister said that we are out there amongst them because they will not flood in here by good luck. That is something that we must work on.

I also congratulate the government on its decision to write into the legislation that staff will not be discriminated against, particularly in relation to political beliefs. That is essential if we are to have a university college that has some standing in the community. At times, we may shudder at the thoughts expressed by some university academics, whether they be of the far right or the far left. Of course, as a result of the expression of such radical ideas, society quite often progresses. It is important that the university remain a melting pot of ideas and a place which generates ideas for the benefit of the Northern Territory community. That is something that we have lacked in the Northern Territory so far. We have not had a pool of people who, through their academic study and their capacity for theoretical thinking, consistently expose politicians and members of the community to new ideas. There has been this gap in our community. I believe that, once the university college is able to attract highly-qualified staff, that gap will be filled.

Mr Deputy Speaker, consider what I could have done if we had been given a few more days. With those words, I will sit down.

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, the Mont Pelerin Society, which is a world-wide body of some considerable prestige, held a meeting in Australia in August. I have before me some opinions expressed at the conference. Here is one: 'Educationalists and intellectuals expect governments to extract money from the people, throw it over the ivory wall and keep out'. It is all very fine if you are an educationalist or an intellectual, but what about the other side of the coin - the unfortunate person who must pay for it, the taxpayer? He ought to have some rights and obtain some value for money. I detected in the remarks of the Deputy Leader of the Opposition his concern that the Administrator will have power to disallow an appointment. By gosh, you cannot have a much weaker power; it is very much a peripheral power. Take that away and there is absolutely no power

left to the government except possibly to reduce funding. Not too many people are asking where the taxpayer is protected. Since he is the one who is paying for it, shouldn't he at least have some safeguard through the government which he elects?

I am delighted to speak to these bills. I will not speak for very long. For the Territory, this is pioneering legislation to establish a university college yet it is old hat to the rest of Australia. As the Leader of Government Business said, such legislation, with very minor variations, is common throughout Australia. The member for Millner made the point that the Labor Party several years ago suggested that we should have a university college rather than a university. Why should we not try to have the best? The states have full universities. In a sense, we are getting second best. Second best is certainly better than nothing at all. We are making a start with this university college. He freely admitted that, in time, we would progress from the university college to a full university. That would certainly be the desire of the minister and the government. At the moment, we have second best. It is our right as Territorians to have such an institution.

Another thing concerns me a little, and I am not being ungrateful to Queensland which has a great university. I have studied some courses at that university myself and I believe it maintains excellent standards. We can be very pleased to have been associated with it. The member for Millner mentioned that universities spawn radical ideas. In this world today, there are some fairly radical ideas on the nature of universities. The actual time spent on academic studies and teaching takes up a fairly small part of an academic year. There are long holidays over the Christmas breaks and generally 3 or 4 smaller ones throughout the year. There is a university in the United Kingdom called the Buckingham University which, by running 4 ten-week periods per year, is able to confer degrees and even honours degrees after 2 years' study. Concentrating the effort into a shorter time has certain advantages. No doubt quite an effort is required from the students but, instead of taking 3 or possibly 4 years over a degree, they can graduate in 2 years. This university also has schemes under which students can borrow the funds necessary to pay for their tuition and pay them back, with interest, after obtaining their degrees. The university started off fairly small, with only about 60 students in its first year, but it now has nearly 600 students. That has occurred over 8 years. We could have chosen that kind of radical option. We have chosen, however, to develop in cooperation with the University of Queensland. Let me reiterate that I do not condemn that university. We are grateful indeed that it has supported us. It will be a good thing for the Territory but we must not be satisfied simply with establishing the university college. In time, we must have our own university.

These bills are essentially mechanical, and I do not see that the opposition has much reason to complain that they are being rushed through. The member for Millner covered all his points in the time available. He aired some grievances about a few minor philosophical changes, but they do not have great importance compared with the need to ensure that students matriculating in the Northern Territory next year will have the opportunity to become the first students at the university college. It is important that the students know where they stand. It is important that the council of the university college be established so it can get down to its difficult job of recruiting staff, preparing buildings and making the necessary administrative arrangements for a 1987 start.

The member for Millner also suggested that there should be a single source of advice for the 3 bodies: the Menzies School of Medical Research, the Darwin Institute of Technology and the university college. That seems a bit strange to me. He talks about 'independence' yet he wants all these institutions grouped together under a single guiding body. Their functions are rather different. I think it would be most inappropriate.

With those few words, I welcome this legislation as our first step towards eventually obtaining our own university.

Mr FINCH (Wagaman): Mr Deputy Speaker, I am rather astounded at this final fanfare. Earlier, members of the opposition showed a typical lack of interest in what is surely one of the most important pieces of legislation we have ever seen relating to the education of Territory students. I would not like to miss the opportunity of placing on record my support for the continuing progress of this government in providing educational facilities in the Northern Territory. Time will certainly show that the Northern Territory has been well and truly justified in taking this fairly bold step. It is quite logical that, sooner or later, Territorians should have access to a university facility within their own area.

One major reason is that Territorians are entitled to a fair share of the federal education cake. Figures mentioned during the last sittings would lead one to believe that a fair share of the Commonwealth education budget relating to universities would give the Northern Territory an amount of approximately $8.5m on a per capita basis. I find it completely astounding that people can accept that it is fair for Victoria or New South Wales to receive a contribution of $6000 or $7000 per student, while the Territory receives nothing. There is no doubt that a great deal of excellent work has been done by the University Planning Authority, the Department of Education and the minister in putting together a viable scheme which will stand virtually on its own economically. Imagine what we would be able to do if we were able to participate in a fair and reasonable share of the federal education budget! Certainly, it would accelerate the program to a great degree.

We want to implement this as quickly as possible. That is what this government is about: identifying projects and objectives and getting in and doing the job. We did not sit back waffling and talking about it, making nothing but negative contributions. Getting on with the job meant putting a plan in place as quickly as possible. A great deal of credit for that must go to the University Planning Authority, particularly Dr Jim Eedle and his assistants who, over the last 5 years, have built up a great rapport amongst the tertiary institutions in Australia and overseas. It is to Dr Eedle's credit that we have been able to gain such ready acceptance and support from the University of Queensland to enable us to establish by January 1987 a university college that will be the start of bigger things to come.

For far too long, Territory students have had to go interstate for their tertiary studies. The institute of technology has partially addressed this problem. A number of technology courses and a primary teaching course are being taught there. We certainly appreciate the important contributions of specialists from interstate who have taught various courses but the time has come for us to recognise that training our own people will lead to long-term stability in the education of our children.

The development of educational facilities through the university college will lead not only to students realising their individual potential through

striving for higher educational goals, but it will bring a number of realising benefits. We have seen already a broad range of research programs in the Northern Territory by arrangement with universities throughout Australia. These research programs and projects relate to conditions in the Territory. There are studies on people, facilities and other aspects of this region. That is great to see, but much of the benefit goes back to the universities to which post-graduate researchers are attached. The mere provision of a university college will see the start of a greater retention of that research knowledge.

This research knowledge is important not only for us but also for people outside the Territory and overseas. Through our studies and technological advances, they can benefit from our work in conditions which are unique amongst civilised and educated communities. There is no doubt in my mind that not only will we see a greater retention of the knowledge gained from many current research projects - I understand they number well into the hundreds - but we will see an increase. A university college will enable people to have some local base for their studies. I am quite sure that many Territorians who have graduated elsewhere, and those who will graduate from the university college itself, will work on local research projects.

Such projects will be of great support to our growing industries. I refer particularly to the trade development zone which represents a change of direction from the stereotyped, heavy and medium manufacturing industries of the south which are no longer viable and which are tending to drag back this nation's economy. A technological and skills-based industry not only will be of paramount importance when it comes to the Territory providing jobs for our kids but perhaps even show the way for the rest of Australia to lead itself out of this current economic slide. The trade development zone, through its many and varied technology-based industries, will have a great deal to do with activities at the university college. Ultimately, we will have an independent university. That will happen by means of a steady and sensible progression. That technological development and research undoubtedly will help local people in their activities in relation to tourism, wildlife management, the understanding of Aboriginal culture and many other areas.

I mentioned earlier that I did not wish to speak at length other than to place on record my recognition that this is certainly one of the greatest advances in education that we will see in the Northern Territory. The bill itself contains all the components necessary to ensure that the university will be autonomous. It will set its own priorities through communication with various representatives on the councils. The community will have input into the system along with the academics. It is a balanced program that will lead to productive educational gain.

I commend the minister on taking the initiative and acknowledge the support he has had from the University Planning Authority and the Department of Education. I implore the opposition to recognise this great facility and I seek its support in urging the federal government to provide some financial support. If Territorians are given only their fair share of the education cake, this great project that will start in January 1987 will reach its ultimate goals more quickly.

The member for Millner was concerned about the power of the Administrator to disallow the appointment of the directors or the warden. That is not an unreasonable provision. The Administrator is an impartial custodian, if you like, of the peoples' rights and concerns. I am quite sure that his power would be used only in the interests of Territorians and students...

Mr Bell: Oh, come on!

Mr FINCH: ...of the university college.

I note the interjection of the member for MacDonnell who seems to be reflecting on the impartiality of the Administrator in applying, if it were needed, a sensible decision on a recommendation from the college council.

There is no doubt that, as time goes on, there may need to be some refinements to this legislation. The legislation provides for bylaws which will provide for the administrative requirements to be implemented as necessary. I have absolutely no hesitation in commending the bills to honourable members.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise to make a few comments on these bills. They will probably be fairly brief because I have not had a great deal of time to consider the bills. Apart from a couple of points that have already been raised by the member for Millner, these are not particularly contentious bills. I preface my comments by pointing out a couple of things to the previous speaker. In that rabid fashion that we have come to associate particularly with government backbenchers, under the earnest tutelage presumably of their frontbench colleagues, members opposite never lose an opportunity to have a go at the federal Labor government. That is part of their riding instructions.

In August 1981, the then Minister for Education and now Leader of Government Business, whose contribution the member for Millner has already alluded to, introduced a statement in relation to a university. For a couple of reasons, I really cannot pass up the opportunity to mention this. The first is to provide a little history lesson for the member for Wagaman and any of the new chums on the backbench. The fact is that, in August 1981, the Northern Territory government was not in a position to foist its contumely upon a federal Labor government and a rather lesser institution, the Tertiary Education Commission, had to do. I refer honourable members who are in need of a history lesson to the Hansard of Thursday 20 August 1981 in which the then Minister for Education heaped abuse upon the heads of the members of the Tertiary Education Commission. I think it is probably worth putting into Hansard the first couple of sentences of his comments. He fulminated in this fashion:

> 'It is with a sense of shock that Territorians learned at the end of April this year that the so-called "razor gang" had put the kybosh on any immediate funding for the setting up of a Northern Territory university'.

It went on in that fashion. I can only conclude with that French proverb, 'plus ca change, plus c'est la meme chose' - the more things change, the more they stay the same.

That particular debate is also memorable because the Leader of the Opposition, then as now shadow minister for education, in that same debate floated the idea of a university college, as did a neophyte member of the Assembly from central Australia who shall remain nameless. However, just to complete the picture, the opposition is always criticised even when it has good ideas. Even then, the Leader of Government Business poured scorn on the idea of a university college that, in fact, is being created with this legislation today. We will of course strongly support it and welcome the legislation.

Mr Harris: The credibility was the problem.

Mr BELL: Our position has not changed in that respect; the government's position has changed. It has seen sweet reason and it is to be congratulated for its ability to do so.

Mr Harris: We are talking about the degrees.

Mr BELL: I am not sure to what the Minister for Education refers when he is talking about degrees. I really cannot imagine what has changed in that respect between 1981 and now.

Mr Harris: The link with Queensland.

Mr BELL: The Minister for Education tells me we are linked to Queensland. To give the Minister for Education a history lesson as well, Territorians have been studying externally through the University of Queensland for many years. When I first came to the Territory, I investigated the possibility of external studies. I recall that an impressive variety of courses were available through the University of Queensland. My recollections of the minister's second-reading speech are not clear on this point, but I presume the University of Queensland will grant the degrees which will be taught through the college. The chief advantage of the university college idea is that it recognises a university as a community of scholars. A university is not just bricks and mortar; it is people and the free interchange of ideas.

I want to discuss the concept of the university college. I will place on record, as I did in that debate 4 years ago, some comments about the Australian National University which began as a university college of the University of Melbourne. It is probably constructive for all members to consider the development of the ANU from those humble beginnings before the Second World War as a university college in Canberra. It became a university which now enjoys a worldwide reputation. As the member for Sadadeen is wont to remark, I am undertaking studies through the Australian National University in the faculty of linguistics. Albeit in a very part-time capacity, I am pursuing a Master of Arts degree. I am completing a thesis, for the delectation of members, called 'Verbal Morphology in the Language of the Western Desert'. This may not inspire members, but I mention it because I have the opportunity to study at the feet of scholars of international reputation. Having had that sort of experience, I believe it is worth pointing out that the essential quality of a university is its intellectual reputation. Our university needs to have the ability to attract students and to encourage an interchange of ideas and development of courses which will make people decide to come to the Territory to study. I think that it is important to concentrate on quality rather than quantity, and to ensure that the people who are in positions of educational leadership in the proposed college are people of good reputation and high academic standing.

In that context, I want to express my concern about clause 22 of this bill, appointment of a warden and deputy warden. I will not comment again on the distance that has been maintained or not maintained between the Northern Territory government and the public service. That has been the subject of considerable debate in this Assembly and in the media. I do not want to introduce those particular issues into this debate, but I think it is instructive to adumbrate that concern because the independence and the academic standard of a university college will be prejudiced by any suggestion of political interference. It will irrevocably damage the standard of such a university.

We have seen allegations of considerable substance made in respect of the Darwin Institute of Technology. I do not pretend to be particularly close to it, but I can only wonder what impact that has had on prospective staff and students. If those concerns are to be expressed with respect to the university college as a result of legislation, I do not think the university college will be off to a good start. I would adjure the minister to consider seriously some sort of amendment to clause 22 in order to ensure that there is a legislative framework that enshrines the sort of independence that we have talked about. The minister has mentioned the situation of the University of Queensland. I do not pretend to have reviewed, for the purpose of this second-reading debate, the relationships between educational leadership in Australian universities and the governments which are responsible for the legislation under which they operate.

I want to make a couple of other points in relation to central Australia. I cannot help wondering what relevance this university college will have for the people of central Australia. I suspect that most would-be students in central Australia will continue either to travel elsewhere for tertiary education or study externally through the University of Queensland. I raise those sorts of concerns because I would like to hear the minister's comments in that regard. He probably has more understanding of what I understand to be the Alaskan model, a multi-campus model of university education. It may have been appropriate in the Territory. It may be appropriate at some time in the future. Because the university college is based in Darwin, there will continue to be a gap as far as central Australia is concerned.

I want to corroborate the comments made by the Deputy Leader of the Opposition in respect of the definition of 'advanced education'. It really is very odd; it is a definition by exclusion. It does not say what advanced education is; it says what advanced education is not. That does not seem to me to be a particularly useful approach. I thank the Deputy Leader of the Opposition for drawing to my attention while I am on my feet an amendment which hitherto passed me by. It is indeed hot off the press. Without seeking to comment on it, I can see quite clearly that the amendment schedule was sorely needed. I have no hesitation in saying that we are actually able to internalise the contents of my colleague's definition. For those enthusiasts of privatisation, it is not another socialist plot. It is clearly a less exclusive definition than that in the bill before the Assembly.

I do have a serious point to make in this regard. I recall having raised this in debate on tertiary education matters in the past. I am quite prepared to be accused of being an outrageous traditionalist, an outrageous conservative and all sorts of things. To my mind, there has been an essential bipartite distinction traditionally within tertiary educational institutions between cognitive studies, where one is simply using one's thought processes, and psycho-motor activities in which hand and eye are involved. Quite obviously, there is a huge grey area where both technical and academic skills are required.

Traditionally in Australia, there has been that sort of distinction between technical education and purely academic university education. I am not carrying a brief for either of them. Both of them have a role to play educationally in the society in which we live. With the proliferation of tertiary education in the 1960s, 1970s and 1980s, we seem to have lost any clear understanding of the distinction between the various forms of education. I can remember going down to Canberra to study and being absolutely bemused by the fact that, in Canberra, you had not 1 university but 2. There was a

research school, a teaching school, a college of advanced education and a technical and further education institution. I defy anybody to look at any particular field of intellectual or technical endeavour and say with certainty which of those institutions it should appropriately come under.

That brings me back to the bill. In the definition of 'advanced education', there is a lack of distinction between vocational training, tourism and hospitality training, technical and further education, advanced education and university education. I think a little thought needs to be given to this. I have the feeling that distinctions made in these areas of tertiary education have far more to do with bureaucratic infighting in the Department of Education than with fulfilling the real tertiary educational needs of Territorians. I will make that allegation. I will be interested to see how the minister approaches the definitional problem.

In the few minutes that remain to me, I would like to draw the attention of members to a clause in the university college bill that refers to the powers of the college. I found it absolutely fascinating. I thought I would take a minute or 2 to share my fascination with honourable members. We see that the college 'may create, develop, apply for, obtain and hold intellectual and industrial property and rights and enter into agreements or arrangements for the commercial exploitation of any such property and rights on such terms as to royalties, lump sum payments or otherwise as the council thinks fit'. Members may have seen debate in the press about the difficulty in getting university research into the marketplace. If that particular provision assists in that regard, I enthusiastically support it. I am curious about the phrase: 'intellectual and industrial property and rights'. Perhaps the Minister for Education can explain to us exactly what he means by that.

I endorse the spirit of the legislation, particularly the University College of the Northern Territory Bill. I think it is a step forward for the Territory. I am delighted to see that sort of thing going ahead. With those few caveats, I heartily endorse the bills before the Assembly.

Mr SETTER (Jingili): Mr Deputy Speaker, I rise this afternoon to speak very briefly on these bills. I understand the hour is getting late and we have a long way to go this evening. However, I support these 4 bills which are necessary to set in place this first move towards the establishment of a university in the Northern Territory. This legislation will allow for the setting up of a university college in conjunction with the Queensland University. It will provide legislation for the Menzies School of Health Research and the Darwin Institute of Technology. Of course, that is a very important move.

As a parent whose children have grown to maturity here, I have had to face the problems associated with how to provide tertiary education for my children. We arrived in Darwin some 12 years ago. In those days, there were no tertiary education facilities available in the Northern Territory. As time went by, we saw successive CLP governments commence moves towards the establishment of a university. Over the past 6 or 8 years, I can recall quite a considerable amount of debate regarding the establishment of such a university. In fact, several years ago, Dr Jim Eedle headed a unit which was to investigate and implement our proposals for the establishment of such a university.

After numerous delegations had gone cap in hand to Canberra pleading for funding and for assistance, we were told: 'Go away sonny and come back in

10 years or so and we will think about it'. That is not good enough for the citizens of the Northern Territory. I am very pleased to say that we have now taken this move to tie in with the Queensland University to establish a university college. I am also pleased that we will continue with the establishment of our unit under the guidance of Dr Jim Eedle and that we have allocated a block of land at Palmerston upon which our freestanding university will be established one day.

I was also interested to note that the Deputy Leader of the Opposition made some snide remarks concerning the Queensland University. As a Queenslander myself, I can assure the Deputy Leader of the Opposition that Queensland has a fine university. The Queensland University, to which we will be attached, has been operating very well for many years under the legislation which he scorned earlier. Many fine graduates have come out of that university. One of the Vice-Chancellors of Queensland University was none other than Sir Zelman Cowen who later became the Governor-General of Australia. He served in the position with considerable distinction.

I support these bills. I think they will go a long way towards providing tertiary education for people in the Northern Territory. I have had many approaches from my constituents who have come to me pleading for advice on how they can gain some sort of funding assistance to enable them to send their children to universities in the south. Regrettably, very little assistance is available. I have had to give them that advice and virtually turn them away. I have given that advice with great regret. I suffered the same problem with my children.

I am very pleased to see that, over the last 6 or 8 years, the diploma courses which were commenced in the early 1970s at the Darwin Community College have developed into a limited range of tertiary-level courses. For several years now, students have been graduating from what is now the Darwin Institute of Technology. We have been able to fill that gap in part. However, this step takes us a long way down the track to establishing our own university. Mr Speaker, I support the bills and commend them to honourable members.

Debate adjourned.

## TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL (Serial 90)
## PETROLEUM AMENDMENT BILL (Serial 93)
## COAL AMENDMENT BILL (Serial 92)
## MINING AMENDMENT BILL (Serial 91)

Continued from 23 April 1985.

Mr EDE (Stuart): Mr Speaker, I am particularly worried that I am becoming super-sensitive. I have seen today the way in which this government shows scant respect for the forms of debate and deliberation in this Assembly. Possibly it is because of this that I stand here in a very nervous state indeed. I do not know how far we will take this legislation at these sittings. There is no particular standing order behind which I can shelter in this regard. I hope sincerely that we will go only as far as the second

reading and then leave it to lie on the table until the next sittings. No relevant standing order exists to give me any comfort that this will happen. Maybe, given the regard this government shows for that , that will be to my advantage. As I said, I hope that we will allow the amendment to lie until the next sittings in March but all I have to back me up and give me comfort in that regard is not a standing order but the Minister for Conservation.

I do not know whether it would be a reflection on the standing orders of this Assembly if I were to say that I hope that the word of the Minister for Conservation is stronger than them. The minister made a commitment, indeed a promise, not only to me but to all the people of the Northern Territory. Mr Speaker, you will understand my shock and disappointment if this legislation is forced through within the next couple of days when the Minister for Conservation has told the people of the Northern Territory that these amendments will lie upon the table for a month.

Mr Tuxworth: What!

Mr Hatton: I never said that.

Mr EDE: For the benefit of those opposite, I will explain how this came about. The honourable minister may recall a speech that he made in June on the occasion of World Environment Day. In that speech, he outlined some possible changes that he said would be made to the legislation as introduced originally. On hearing this, my joy knew no bounds! However, being a rather cautious fellow, I wished to look before I leapt, so I started my attempts, that have proceeded ever since, to obtain a copy of the amendments to the legislation. After numerous attempts by my office and the office of the Leader of the Opposition failed to obtain any of the amendments that are now before us, I went on the radio. In the course of an interview on ABC Territory Extra, I stated that, while I hoped that the schedule of amendments to which the Minister for Conservation appeared to have referred in the speech he delivered on World Environment Day contained possibilities for an improvement in the situation, I could not be sure until I had seen them in writing in the form in which they would be presented in this Assembly. I made that statement and I called upon the minister to provide them to me. After all, he had been prepared to talk about them on World Environment Day so I assumed that his ideas were fairly well advanced.

The following day, the minister was interviewed on Territory Extra by the person who had interviewed me and he was asked whether the amendments would go through at the next sittings and whether we would be given adequate time. The context within which I spoke was my worry that the amendments the minister spoke of on World Environment Day would be introduced into this Assembly very late and we would not be given sufficient time to consider them before we actually had to debate them. I mentioned the degree of public discussion and the various groups that had taken up petitions and demonstrated their concern in this regard. I said that I hoped that there would be sufficient time between the provision of the schedule of amendments to us and their enactment into law for all those groups to be consulted and to make their feelings known.

It was in that context that the minister replied on Territory Extra the next day. When the interviewer put to him the possibility that I was correct and that this amendment schedule would be brought on in the Assembly at a late hour and there would be only 1 or 2 days to study them, the honourable minister said: 'The member for Stuart does not have as much knowledge of the

forms of parliament as he should have. He should know that amendments of this nature will lie on the table of the Assembly for a month'.

Mr Speaker, you and I know that that is incorrect with regard to an amendment schedule. However, I was not one to score points in that regard. I could have said that the honourable minister himself had no knowledge of the forms and that he had been proven wrong. As I said, I am a constructive person who wants to see decent legislation on the matter. Basically, I thought that he would not graciously allow me to get away with my call for time to discuss it so he intended to use the forms of the Assembly as a way of saying obliquely that he would not rush it through but would leave it on the table for a month. That suited me and I was not prepared to make any row about it. He had gained a bit of a win but I considered that, in the interests of good government in the Northern Territory, I was prepared to accept that even though I knew that he was completely wrong. I was prepared to accept it in the interests of obtaining a month's grace so that the people of the Northern Territory could have a good look at this legislation.

Mr Speaker, I hope that he will not disappoint me. I hope that the minister will keep to his side of the bargain. I did not kick him in the head for saying something wrong. I hope that he does not let the people of the Northern Territory down by misleading them and that, in fact, he will prevail upon his colleagues to allow sufficient time for debate on this issue within the community.

The bills before us have aroused community and industry concern and controversy and, not surprisingly, they have been subject to different interpretations arising from different points of view. The minister has described this legislation as being designed to streamline application procedures for mineral exploration in national parks. Of course, it is far more than that. The minister has said that the legislation was designed to facilitate the creation of further Territory parks and reserves as well as ensuring the responsible development of resources. In relation to the first part of that statement, I will welcome the creation of further Territory parks and reserves and I am very interested to find out some of the areas that the minister may have in mind. I did not know that the Minister for Mines and Energy took such a high interest in the particular point.

Mr Hatton: Why shouldn't he?

Mr EDE: I am glad to learn of it. For his benefit, I would like to mention a couple of places in central Australia that I would like him to look at. I am referring to places such as the James Ranges going west from Orange Creek Station, the Rainbow Valley to the east of Orange Creek Station and, of course, in my own electorate, the beautiful Napperby Lakes. I believe mine might be the only rural electorate without a national park and I sometimes feel the lack.

In relation to the second part of his statement, I would say that 'responsible' development of resources facilitated through these amendments remains to be seen. I agree that such an assessment necessarily involves value judgments. It is reasonable to assume, and central to this debate, that a hardline conservationalist would exist on the opposite end of the spectrum to a person holding traditional mining values. In his press release of 24 April 1985, the minister noted that, under the existing Territory Parks and Wildlife Conservation Act, exploration and mining are prohibited unless in accord with the plan of management of a declared park or reserve. He noted

the plan of management is required to contain detailed proposals for any exploration or mining which might take place.

That situation, the status quo, is a position that many people would heartily endorse. Many would argue that it allows for the responsible development of resources. However, the minister went on to refer to the 'enormity of the delay in getting any mineral or exploration program off the ground' and he referred to 'an impossible situation under the conservation and mining acts where existing procedures require a disclosure of the development of possible mineral resources before they have been discovered'. I would take issue with the minister's use of words such as 'enormity' and 'impossible' which surely represent a gross overstatement of his case. One could reasonably assume that, similarly, the minister would regard the limitations imposed by an environmental impact statement as 'enormous' or 'impossible'. It seems to me regrettable, albeit typical of this government, to construct situations where alternative points of view are polarised. That is irresponsible.

In continuing, the minister referred to the decision to adopt administrative procedures common to the Conservation Commission and the Department of Mines and Energy to complement the amendments. In due course, I will refer to those administrative arrangements in some detail. The minister went on to say that the 'Environmental Assessment Act provides more than adequate arrangements to regulate exploration and mining from a conservation point of view so extra arrangements under the Territory Parks and Wildlife Conservation Act are superfluous'. That being the case, one might ask why anyone is upset. I will have a look at that issue as well.

Perhaps the minister is arguing that the Environmental Assessment Act is more than adequate on the basis that provisions relating to environmental impact statements have yet to be used. His logic might be that the act contains 3 levels of assessment. There is notification, a preliminary environmental report and the environmental impact statement. As only 2 levels have been used, it is therefore more than is needed or is more than adequate. I would note that it is the third level, the environmental impact statement, which is the one that provides the best opportunity for public input. Perhaps he sees those provisions which do not require an environmental impact statement to be adequate and those which do to be more than adequate. Perhaps he will explain himself in closing the debate.

The simple point is that, despite more than adequate arrangements, there has been no requirement for any proposal to reach the environmental impact stage. There is no guarantee that any recommendations from the Minister for Conservation will be taken into account when a project is being approved.

Additionally, the Environmental Assessment Act allows for certain projects to be exempted from the provisions of the act. Accordingly, while there is no reason why the Environmental Assessment Act 1984 should not work to assess environmental impact, there is no reason to believe that, under this government, it will do so. It can be responsibly argued that there are loopholes in the act sufficient to warrant a complete lack of confidence in it. In a press release of 24 April, the minister noted that both mining and exploration take up very little land area and that both are of limited tenure.

Taking the latter point first, I would simply say that it is both ignorant and outrageous. Suffice it to say that exploration activities are often conducted with scant regard for the ecological conditions of the land and the

rehabilitation to natural conditions is often unable to be achieved. There can be no compromise between land managed for nature conservation and mining activities.

In relation to the former point, I would point out that parks also take up very little land area. In the Northern Territory, parks take up less area as a proportion of the total area than is the case nationally. In the Northern Territory, the figure is 1.4% which is well below the average national figure of 3.7%.

Continuing his press release of 24 April, the minister said: 'The Territory government proposes to exclude sensitive and significant areas from areas available for exploration and development'. He went on to list some areas he imagined would be included. That projection is not guaranteed absolutely and I will return to this point also. Clearly, the minister's statement that these proposals do nothing more than allow a smoother legislative passage and a ministerial regime for resource development must be regarded with a high degree of cynicism, as must assertion that the power of conservation legislation remains undiminished. All in all, the minister has passed off some quite significant changes as mere details which improve the functioning of the system rather than changing the nature of the system. It will be argued and shown that these changes in the nature of the game are significant and should be recognised as such.

'Certain interests' is a term used by the minister in his press release for those who are opposed to mining in national parks. Accordingly, those 'certain interests' oppose any amendment which will facilitate mining activities in parks. The Environment Centre has noted that the Australian Council of Nature Conservation Ministers has adopted a definition of a 'national park'. I believe that that definition is relevant to this debate and worth repeating here. It is as follows:

> 'A national park is a relatively large area set aside for its features of predominantly unspoiled natural landscape, flora and fauna, permanently dedicated for public enjoyment, education and inspiration and protected from all interferences other than essential management practices so that its natural attributes are preserved'.

It can be argued quite simply that mining in national parks is inconsistent with that definition, and indeed it is. According to that definition, interference in national parks is limited only to essential management practices. Two important points immediately arise. The first is whether or not that definition is accepted by the Northern Territory government and, of course, it is not. I should note that it would appear that only in Queensland is mining in parks prohibited and that is because alternative use of the lands are excluded before a park is proclaimed. It may seem that the definition is not practical or useful given that it is contradicted in practice everywhere except in Queensland.

The second point I wish to make is that, to adhere to that definition, which limits interference in national parks to essential management practices only, would preclude not only mining but possibly tourism as well. Accordingly, in this debate on land uses in parks, we must find a position of balance. From the Environment Centre's position paper, I note its opposition to intensive tourism which is listed as an incompatible land use in parks and conservation reserves. Also listed, quite naturally, are forestry, grazing, agriculture and mining. It is reasonable to assume that tourism, on a less

than intensive basis, is not opposed. It would be absurd to have parks without any tourists at all because that is a large part of what parks are all about. Clearly, it is not intended to exclude all tourists from parks. The argument is about the degree of control necessary, bearing in mind the effects that access will have on the park environment.

The argument is essentially about the conditions under which tourism on the one hand or mining on the other should be allowed. To substantiate this line of argument, I will note briefly some of the reasons why mining and other activities are viewed by many as being incompatible with parks. Any operation that requires increased activity within park boundaries inevitably results in the construction of more roads and survey lines and these have many adverse effects on natural habitats. This is not only on the actual areas themselves but there is also what is referred to as the edge effect. Visitors bring weeds, dump pets, drop litter, light fires, remove flora and fauna etc. They create erosion through clearing and interference with natural drainage patterns. The erosion power of run-off water is concentrated and channelled by roads. There are noise factors. There is the establishment of housing developments and associated facilities, including potentially polluting sewerage and domestic waste disposal systems. Those are some reasons why mining in parks is not in accordance with the wishes of many environmentalists. My point is that those factors do not apply only in relation to mining but also in relation to tourism. In fact, they apply to any form of usage. I reiterate that this debate is about controls and not about bans. I have every respect for the environmentalists and I believe that they have stated clearly the problems associated with land utilisation in national parks. We must take them into account and see that the legislation before us sets a proper balance.

It can reasonably be argued that there is no need to change the existing Northern Territory legislation. As a corollary, the proposed changes are in fact more significant than the government is owning up to. Let us have a look at the Territory Parks and Wildlife Conservation Act. Under section 17(2), no operations for the recovery or processing of minerals can be carried out in a park or reserve unless approved by the Administrator in accordance with a plan of management relating to that park or reserve. Section 18 outlines the procedures by which a plan of management is formulated for a particular park or reserve. The Territory Parks and Wildlife Conservation Act 1980 is to be amended to exclude all operations for the recovery of minerals from the requirements of sections 17 and 18. The requirement for the approval of a plan of management for any particular park to be finalised before any kind of mining activity can be undertaken is to be removed. Instead, any mining activities, other than exploration, are to be undertaken in accordance with the procedures of the Environmental Assessment Act 1984. I have already briefly referred to that more than adequate act.

Exploration is to be regulated solely through the provisions of the Mining Act, Coal Act or the Petroleum (Prospecting and Mining) Act. Therefore, the Minister for Conservation and the Conservation Commission will have significantly less jurisdiction over mineral exploration in conservation parks and reserves. The Minister for Conservation will have input but no veto. His advice may be considered but he does not have the power to implement his wishes. He may set conditions. I cannot recall the legal reference but it is clear that the ability to set conditions is not tantamount to the ability to veto. If there is no power given to preclude a person from carrying out an act, and the power that is conferred is one to set conditions upon the carrying out of that act, those conditions cannot be such that they will

actually stop the carriage of the act. Let us not be mistaken as to the lack of power of the Minister for Conservation under this act. He may have suited his own conscience by kidding himself. If he has, it is to the detriment of us all.

Section 176 of the Mining Act sets out the circumstances under which the Minister for Mines and Energy can grant any sort of mining tenure, including exploration licences and mining leases. These include: operations to be carried out in accordance with a plan of management, written approval from the minister responsible for parks and approval from the Administrator. Section 176 of the Mining Act is to be repealed. New provisions will be incorporated into the act which require the Minister for Mines and Energy to take into consideration the views of the Minister for Conservation and to include any conditions required for the Minister for Conservation in respect of exploration licences in wilderness areas only.

With regard to development applications under the Mining and Petroleum Acts, the department, on receipt of an application, will provide the Conservation Commission with a copy thereof and consult with the Conservation Commission on the matter of procedures under the Environmental Assessment Act. That is under the old administrative arrangements. Are the new administrative arrangements the same? I do not know. As I said, I was handed a copy of the administrative arrangements and these amendments at 2.15 this afternoon. Since that time, I have involved myself in a debate on excisions with the Minister for Lands, I have been involved in some procedural debates and we had a matter of public importance before this Assembly. Naturally, I have not had the time to give these matters the consideration that is their due. I am banking on the word of the Minister for Conservation that he will hold these matters over until the next sittings of this Assembly.

Development titles will be subject to the provisions of the Environmental Assessment Act if the Minister for Conservation chooses. It is significant that, when considering the grants of such a title, the terms and conditions recommended by the minister charged with administering the Territory Parks and Wildlife Act will be accepted by the Minister for Mines and Energy. However, as I said, there cannot be a veto.

The general exploration conditions provide that all sites where the ground has been disturbed shall be rehabilitated and revegetated to standards approved by the Secretary - wait for it - of the Department of Mines and Energy. The Secretary of the Department of Mines and Energy approves rehabilitation and revegetation standards, not the Conservation Commission! I invite the minister to explain the intellectual depth of that decision.

The second matter that I wish to address relates to reservations from occupation, which provides that extremely sensitive parks and reserves or discrete parts thereof are not to be made available for exploration or developmental activities. The Conservation Commission has accepted that only the area of sensitivity is reserved and that remaining land within the park will be available in the normal course for exploration and development. I understand, however, that section 178 of the Mining Act overrides these provisions with the approval of the Administrator. In effect, no areas will be left free for us to bequeath in their natural state to our children and our grandchildren. They do not exist any longer in this Territory.

In opposing these amendments, I note that formulation of a plan of management ensures that the whole of a park is considered and management

objectives can be set. Significant impacts can be assured before irreversible land use is implemented. In relation to the criticism that plans of management take too much time to formulate, I assert that it is simply a matter of resources and priorities. The allocation of increased funding or more staff would ensure efficient production of reports if this were a government priority, and clearly it is not. Alternatively, amendments to the Environmental Assessment Act could satisfactorily resolve potential conflict in this area. An amendment to make an environmental impact statement mandatory when mining activities were proposed for any park or reserve and the mandatory requirement for any environmental impact statement recommendation to be put in place would be a logical step.

Every state in Australia places the balance, when referring to national parks, against mining. That is not the case in other areas. However, when you have the necessity to safeguard areas which were seen as necessary to be proclaimed as national parks, other states have placed the balance against mining. We have decided we will hop on the mining bandwagon.

We would very much like to see the improvements that we have mentioned incorporated in the legislation. We would dearly like to have had an opportunity to examine in more detail the amendments that were placed before us a couple of hours ago. We would like to have gone through not only those amendments, which are quite substantial, but also the administrative arrangements as well. A lot of work has been done on them and I think that they deserve a thorough examination. If we had had that opportunity, we may have been in a position whereby we would not oppose the legislation. Maybe we could have been in a position whereby we could have negotiated amendments.

I hope that that opportunity will not be denied us. I hope that we will not be rushing into the committee stage tomorrow. I hope that we will allow the people of the Northern Territory a period to look at the proposals and to advise us how they would like the balance to be placed. How would the people of the Northern Territory place the balance when assessing the difference between the short-term benefits of exploration and mining against the very long-term benefits of national parks, our heritage?

Those things that I am referring to are the hallmarks of a society which has matured and which is becoming civilised. Such a society is able to pull back from a straight grab - that is something I want; I take it and the devil take the hindmost - which is the mark of a child which demands immediate gratification of its wants. The more mature person is able to look at the situation and take a short-term loss for a long-term gain. This government, I have often said - I retract that; I have never called them children yet. However, I would hope that they will demonstrate some maturity and a commitment towards the future of the Northern Territory. I hope that, when we are talking about mining in national parks, they will place the balance firmly on the side of the environment. We will be forced to oppose these bills in their entirety unless the minister postpones the committee stage so that we can negotiate amendments which will allow us to ensure that the balance is in favour of the environment.

We are not adamantly and forever against mining in national parks and we never have been. However, we do believe that it should be done within a plan of management and that it should be carried out only after there has been a full environmental impact statement carried out over the project. It is with regret that the opposition will be wholeheartedly opposing this legislation.

Mr HATTON (Conservation): Mr Speaker, as honourable members will be aware, there has been considerable public debate on the amendments which were put before this Assembly in the April sittings. Concern about the legislation was expressed by various conservation and environmental groups, including the Northern Territory Environment Centre and the Australian Conservation Foundation. The major concern was that, under the original amendments, the role of the Minister for Conservation in controlling activities in parks and reserves was interpreted by conservationists as having been passed to the Minister for Mines and Energy.

At the outset, I must indicate that the government has discussed the amendments at length and has reached a position to which I, as Minister for Conservation, have no difficulty in giving my complete support. It is pleasing that, after a period of consultation and discussion, the government has settled on a position which will break the current deadlock in our ability to declare important areas as parks and, at the same time, facilitate the procedures for access to parks for exploration and mining. At the same time, it will give the Minister for Conservation an overseeing role which will adequately protect and safeguard our environment - and not only protect the environment but protect the long-term viability of our parks.

Mr Ede: Who writes your speeches?

Mr HATTON: I do.

I shall go into these safeguards in more detail in a few moments but first I wish to make the point that members of this Assembly and the Northern Territory public should understand that the legislation is not designed to introduce exploration or mining into our parks. We are not legislating on whether exploration or mining can take place; we are refining the administrative arrangements which cover the conditions under which these activities can occur, as they can and do occur in national parks in most parts of Australia.

The honourable member for Stuart quite clearly recognises that and the donkey laugh from the member for MacDonnell clearly indicates that he does not even listen to his own colleagues. His own colleague from central Australia made the point that mining is permitted in national parks under conditions that are determined through a plan of management. That still allows mining in national parks as does other legislation in Australia, not the least being the Australian National Parks and Wildlife Conservation Act. I might point out to honourable members that the current provisions in our act were taken from that particular piece of legislation. If they check the legislation, they will find that there is no existing legislative prohibition on mining in national parks in the Northern Territory either through our own legislation or through national legislation.

The argument that there should be no access to national parks for exploration and mining is not an issue. It does not stand up to scrutiny on historical or economic grounds. It has no place in the debate on the amending legislation now before honourable members. Emotional arguments, pleading letters to the editor and petitions to this Assembly will not change the fundamental fact that mining is currently permitted in national parks and what we are talking about is the method by which it may be permitted in those parks. That is why the Minister for Mines and Energy and myself are saying that what we are talking about is administrative procedures. The member for Stuart was quite correct when he said that what we are talking about is issues

of control and balance. I fully support those remarks. Whether we particularly agree on the final result of that control and balance is another question. We certainly are talking about the same subject and that is most pleasing.

The federal Department of Arts, Heritage and Environment has prepared its final report on a national conservation strategy for Australia. That report should be of interest to all members of this Assembly. I would recommend that every person with an interest in the environment, and that should be all of us, read the report in full. The national conservation strategy had this to say about conservation:

> 'It is the management of human use of the biosphere so that it may yield the greatest sustainable benefit to present generations whilst maintaining its potential to meet the needs and aspirations of future generations. Thus, conservation is positive, embracing preservation, maintenance, sustainable utilisation, restoration and enhancement of the natural environment'.

The national conservation strategy also had this to say about development:

> 'Development is the modification of the biosphere and the application of human, financial, living and non-living resources to satisfy human needs and improve the quality of human life. The strategy states the role of development is to provide for the essential needs of individuals in society to generate economic wealth and to provide the economic capacity which helps society to practise resource conservation which, in turn, is a pre-condition for sustainable development'.

In other words, it says balanced development and conservation go hand in hand and that both conservation and development are essential to provide for today's needs as well as to conserve the stock of living resources for tomorrow. We need a certain amount of development to generate the wealth to be able to practise conservation.

The national conservation strategy has 5 strategic principles for achieving its conservation objectives. I note that the first of these is to integrate conservation and development and emphasise their interdependence and common ground. The need for balanced development and conservation is what members should consider in relation to the amendment schedule now before this Assembly. I think it is equally important that members do not bracket mining and exploration during their discussions because mining and exploration have varying effects on the countryside. In the search for minerals, there is often little disturbance of the landscape, but major surface disturbance can be caused by the actual mining operation. On the other hand, hydrocarbon exploration can cause widespread disturbance when seismic grids are put down and access is made to a drill site. However, when hydrocarbon production is under way, there is minimal surface disturbance.

As the Territory's law stands at present, exploration and mining applications for areas inside parks are being delayed because of the requirement that the Conservation Commission must prepare a plan of management as soon as practicable after the declaration of a national park or conservation reserve. This is a complex and time-consuming process which takes at least a year - and, in some cases, many years - before it is finalised.

The member for Stuart stated that the reason for delays in the preparation of plans of management relates to lack of resources. Plans of management are not merely documents which state what can or cannot be done in a park. Plans of management are recognised as scientific documents which relate to the resources within the park and the management of those resources. They require a high degree of documentation and investigation before moving to a consideration of how to manage those resources.

Mr Ede: Exactly, and you would go ahead with mining without having that done?

Mr HATTON: That process can and does go ahead. Within that process, mining may be contemplated. There are particular problems which I will refer to in a moment. At present, while we go through the time-consuming process of preparing plans of management, applications for exploration and mining titles made under the Mining Act must be held in abeyance. It is understandable that mining and exploration companies have become frustrated by these delays because access to land is the major constraint on mineral and energy development. As the Minister for Mines and Energy said on this very issue recently: 'We realise that access to land is the lifeblood of the industry and we will consider any reasonable suggestion within our powers for improving this position'. 'Reasonable' is the key word. I would add that it is also reasonable for miners and explorers to expect that the environment must be preserved. From my personal experience in the industry and from all my contacts with miners, I believe they accept this principle and adhere to it much more than is known publicly.

The immediate problem is that the plan of management procedure in the Northern Territory presents a catch 22 because details of a mining operation must be spelt out in a plan of management for a park or reserve before exploration or mining can commence. In most cases, it is impossible to provide such details until the potential resource is explored and evaluated. Unfortunately, we do not have a choice of where mineralisations occur or where we might find hydrocarbons. Quite often, mineralisation will occur in areas which also have particularly attractive scenic values simply because the processes which form one also create the other. It is inevitable that we will have competing land-use interests, despite the fact that mining and conservation areas each cover only small portions of the Northern Territory. We must live with this fact of life. We must find the best way to balance these competing interests.

We must remember too that parks are special places because they protect the habitats of rare species of animals and plants. They provide habitats for flora and fauna which are representative of particular species and, as the member for Stuart has mentioned, they are an asset that we are setting aside for the future. They give people the chance to experience natural areas and they are the Territory's major resource base for its second-biggest and fastest-growing industry - tourism. The government is conscious of its responsibilities to protect parks and to allow appropriate tourist uses of them. In my view, this is working well. Our consideration of the issue of exploration and mining in parks is brought into focus by the way the present law is not working, and the fact that the present situation is delaying the declaration of new national parks just as much as it is delaying the process of allowing for exploration and mining.

There are areas of the Territory which I want to bring under control of the Conservation Commission so they can be set aside as parks and conservation

reserves because of their scenic or conservation value. These places could prove to be prospective for minerals, oil or gas. Some of them are already covered by mining or exploration licences. Queensland addresses this problem by declaring pocket-handkerchief parks or by not declaring parks until they have been explored fully. In my view, that is not a rational way to develop parks or reserves. We must look for a better system in the Territory and I believe we have found such a system.

Whilst the Minister for Mines and Energy will deal with the details of the amendment schedule in his reply, I would like to outline a few points. Under the schedule of amendments now before the Assembly, the Minister for Conservation will be able to lay down the conditions for mining in national parks and reserves. In respect of exploration, the member for Stuart argued that the only situation where the Minister for Conservation has formal input is in relation to wilderness areas. That is not true. There is only one situation in which the Minister for Mines and Energy is the final determinant of the conditions under which exploration may be carried out. That is on occasions where exploration does not involve significant surface disturbance. The term 'significant' has been used. A small area may be significant or a large area may be significant; for example, to run seismic lines. I might add that I do not believe that there is or ever has been any major attempt to undermine the provision of genuine environmental conditions.

Apart from the situation I have just mentioned, the conditions determined by the Minister for Conservation will be applied in the licence conditions. By putting it into the licence conditions for the mines, the government has a much stronger means of controlling and directing the activities of the miner. The mining industry is under the government's control and its exploration permits can be revoked or other action taken against it under the Mining Act. These provisions are far more draconian than would otherwise be available. The operative subclause in each of the amendments spells this out clearly and specifically. This is in recognition of the special role of parks and the very special responsibility of the Minister for Conservation in so far as those parks are concerned.

The subclauses say that the Conservation Minister may require the Minister for Mines and Energy to give such directions in relation to the protection of the environment in the park or reserve as he thinks fit, and the minister shall give those directions accordingly. There are areas inside parks and reserves which, under current legislation, are declared by the Administrator to be wilderness zones. All activities within such zones will be subject to conditions imposed by the Minister for Conservation and this will mean that the minister's conditions will apply even to exploration which does not involve ground disturbance.

Miners and explorers will continue to lodge their applications with the Department of Mines and Energy. They will continue to send their preliminary environmental reports or environmental impact statements to the Minister for Mines and Energy who will refer them to the Minister for Conservation. The Conservation Commission will investigate environmental matters associated with the proposal and will make its recommendations on the environmental conditions under which exploration and mining can occur, as is done by the commission at present. What the Minister for Conservation then recommends will be written into the conditions for the mining leases or exploration licences.

Without limiting the right of the Minister for Conservation to seek additional conditions, a number of general conditions will be included in all

exploration authorities for land within a park or reserve. These include: (a) exploration personnel and their contractors and agents shall ensure that no firearms or traps are brought into a park and that no wildlife is taken or killed in the park; (b) no historic sites or structures shall be disturbed or interfered with in any way unless prior written approval has been granted by the Director of the Conservation Commission; (c) fire shall not be used except for the purpose of preparing food or heating water and all reasonable steps shall be taken to prevent the fire from spreading; (d) disturbance of vegetation, soil, rock and wildlife in the area is to be kept to a minimum; (e) all structures, facilities, survey markings or other related work shall be of a temporary nature and shall be removed from the area at the completion of each program unless approved otherwise by the Minister for Mines and Energy; (f) all sites where the ground has been disturbed shall be rehabilitated and revegetated to standards approved by the Minister for Mines and Energy; (g) all waste materials apart from soil, rock and vegetation resulting from exploration activities, including camp-related activities, shall be removed from the park or disposed of in a manner approved by the Minister for Mines and Energy; (h) all exploration personnel and contractors shall be instructed on the necessity to protect archaeological, Aboriginal, historic and other significant sites and structures which may exist within the park; and (i) the holder of the exploration rights shall advise and keep the Director of the Conservation Commission informed in general terms of the exploration program and activities within the park. The Department of Mines and Energy has undertaken that the consideration of issues in conditions (e), (f), (g) and (h) will be done in consultation with the Conservation Commission and that any determination will be in accordance with the express requirements of the Minister for Conservation.

Members will agree that parks are special places and the Conservation Commission has a special responsibility for that land. It is therefore appropriate that the Minister for Conservation should set the environmental conditions applying to miners who go onto that land. However, this does not mean they need to be frustrated or delayed unnecessarily by this process. No one can point a finger at the Conservation Commission and say that we have unreasonably delayed a mining or exploration activity this year. Certainly, there is no basis for saying we have imposed unreasonably stringent environmental conditions. Neither can anyone say that we have failed to address environmental conditions adequately. This government is committed to ensuring that parks are not destroyed as a consequence of exploration or mining activity yet we must not place artificial or unreasonable restraints on exploration and exploitation of resources. As I have outlined earlier, this process is in accord with the national conservation strategy for Australia.

Another part of the solution is the declaration of mining reserves over areas of such special significance that the government considers they should be closed completely to exploration or mining. The Minister for Mines and Energy has been working in close consultation with the Conservation Commission and myself, as Minister for Conservation, in identifying and declaring these areas as mining reserves. The Department of Mines and Energy also has undertaken to consider any reasonable request from the Conservation Commission for interim reserves in areas which are proposed for future parks. I am confident that the structure which this government now proposes will strike a reasonable balance between conservation and exploration in our parks. It will not be to everyone's liking. There are those in the community who hold the philosophical view that mining should not occur in parks under any conditions. I must say to those people that I do not accept their philosophical view. It is not in accordance with logic or history or economic reality. We are moving

down the track of providing proper, reasonable and balanced conditions. I believe that we have come up with a workable solution. I believe it deserves the support of members of this Assembly.

I say again that it is important that processes are in place and that we take action to ensure that any activity in mining or exploration or other uses, such as tourist-related uses, are done in a way that does not destroy the resource that we are talking about. We must protect the integrity of the park. At the same time, we must examine whether it is possible to take advantage of the wealth that may exist in those areas. I refer members to central Australia which contains the future energy resources of the Northern Territory. Much of that is in parks or areas proposed to become parks. Do we deny the Northern Territory people gas so that we can adhere to a principle of not allowing exploration in an extensive national park and thereby condemn Northern Territory people to a lower standard of living and high electricity and energy costs in the future? On the other hand, do we take advantage of our own natural energy resources for the benefit of the people of the Northern Territory and ensure the protection of the environment and the protection of the integrity of the park? That is obviously the challenge in any attempt to determine environmental conditions for exploration in parks. This is a different process but it will not be pursued with any less vigilance.

Mr LEO (Nhulunbuy): Mr Speaker, at the outset, I must thank the minister for the material that he has provided for me in relation to the proposed amendments to the bills in front of us. I thank him for that. It will probably be the last thanks that I give him in this speech. This is extremely important legislation and its importance should not be questioned. The Territory is progressing towards statehood. Indeed, we have a Minister for Constitutional Development whose brief it is to help us achieve statehood. We are contemplating legislation which inevitably will affect whatever confidence the Australian public generally has in our ability to manage our patch of land adequately. Its importance should never be underestimated.

Mrs Padgham-Purich: What happens in national parks in the states?

Mr LEO: I hear the member for Koolpinyah. I will certainly address what she is saying as I proceed.

Mr Speaker, an interjection from the member for Sadadeen probably draws the bottom line in this debate. I quote him: 'Mining and conservation are incompatible'. That is the bottom line in this debate. That is where you end up after going through everything. Either you have mining, open slather, or you have conservation, open slather. Somewhere in the middle, we try to draw our boundaries. I sympathise with the Minister of Mines and Energy whose brief it is to encourage investment in mining.

Mr D.W. COLLINS: A point of order, Mr Speaker!

Mr SPEAKER: What is the point of order?

Mr D.W. COLLINS: I claim to have been totally misrepresented.

Mr SPEAKER: I do not believe a point of order can be taken against an interjection which was not recognised by Hansard.

Mr LEO: Thank you, Mr Speaker.

I appreciate the concerns of the Minister for Mines and Energy whose brief it is to encourage investment in mining in the Northern Territory. Indeed, it is very difficult to attract investment dollars to any part of Australia. I am assured that it is particularly hard to attract investment dollars to isolated areas. I appreciate his very great difficulties. However, we intend to transfer the protection of national parks within the Northern Territory from the Minister for Conservation to the Minister for Mines and Energy. That is what will happen. I do not doubt that the Minister for Mines and Energy will act in good faith. Obviously, it is a shift of emphasis that the Cabinet and this government has considered desirable.

I am left with a couple of questions. Why has the shift in emphasis occurred so easily? I am forced to conclude that the government's attitude to national parks has deteriorated because of some immediate influence or because we have a wimp as the Minister for Conservation - somebody who cannot adequately represent the interests of conservationists within the Northern Territory. I am left with those 2 conclusions.

I could understand it if the present legislation was amended to allow mining in national parks and if that mining was still initially controlled by the Minister for Conservation. That has not happened. What we have in front of us, despite the amendments to the legislation, is the complete control of mining within national parks by the Minister for Mines and Energy. That is a very important shift. Like the member for Stuart, I have not had time to digest fully the amendments in front of us but I am reliably informed that they do little to shift that basic emphasis of the legislation.

If the Minister for Conservation is not a wimp within his Cabinet, then I am obliged to ask what great mining expedition is about to happen or should happen within the Northern Territory that is presently hampered by the legislation as it exists. Unfortunately, the Minister for Mines and Energy has not addressed that at all. I know nothing which is pending within the Northern Territory that would require the eradication of the present safeguards for our natural resources, if not national resources, with respect to the conservation of parks in the Northern Territory. That was not addressed in the second-reading speech.

Given that it was not addressed, I have no alternative but to believe that we have a minister who is easily dumped. I hope that this government, in the interests of conservation within the Northern Territory, will address the matter of that portfolio in relation to that minister. I can accept that he is a great developer of infrastructure within the Northern Territory but he should not be the minister in control of these matters. It is all too easy to completely denigrate those very small - in percentage terms - areas of land that we have set aside as national parks for time immemorial.

Although the Minister for Conservation attempted to apologise for his lack of activity in this particular portfolio and although he attempted to justify this diminution of his responsibility, he is unable to say that he has control over the activities within the national park. He is unable to say that, and I accept that the Minister for Mines and Energy will have to listen to the Minister for Conservation as is proposed by these amendments.

However, the responsibilities of the Minister for Mines and Energy are totally different to those of the Minister for Conservations. He is not obliged to accept anything that the Minister for Conservation puts to him. That is the bottom line. Whilst these amendments recognise the problems, they

do not address them. In no way do they put the management of those physically-appealing natural resources of a national park into the hands of the Minister for Conservation. All of those resources, which I am sure that every member in this Chamber would want to preserve for all time, are placed in the hands of the Minister for Mines and Energy. There is no escaping that fact. That is the bottom line of what this legislation is about.

Whilst I will attribute a great many things to the Minister for Mines and Energy, I will never attribute to him the diminution of his responsibility. His responsibility is to see that mines are established in the Northern Territory. I will say that, over many years, the present Minister for Mines and Energy has handled his responsibilities with vigour and, in some cases, I would say with viciousness. Inevitably, he achieves what he is obliged to achieve and, in both the short and the long term, that will be to the detriment of national parks in the Northern Territory.

Mr Speaker, there is no other conclusion that we can possibly draw from the legislation in front of us. The options have been canvassed. No other option is available to any logical-thinking person. That is what will happen. We will have national parks under the control of the Department of Mines and Energy, and mineral exploitation under the control of the Department of Mines and Energy. There is no other way in which this legislation can possibly be interpreted. I hope that, in future, we have an equally vigorous Minister for Mines and Energy because the development of mines in the Northern Territory is something that must be pursued. But, unfortunately, what that will do is destroy potentially the very small area of land that has been set aside for national parks in the Northern Territory. That is what this means, and that is what we are talking about.

Mr Speaker, either there is some huge exploration project, some monstrous mining project, pending within the Northern Territory that is inhibited at present by our legislation or the Conservation Commission, which has responsibilities to the Northern Territory public and to Australians generally, is in the hands of a wimp.

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, I think the honourable member for Nhulunbuy has demonstrated very clearly what I said in an interjection earlier which I was assured was not recorded. It was half heard by the member for Nhulunbuy so I hope that maybe that interjection may have been recorded. I said that people over the other side cannot see that there is any compatibility between mining and conservation. That is what I said, not the opposite. He demonstrated clearly in his outburst that, in his opinion, people have to be one way or absolutely the other way. He would have the ridiculous situation of our Minister for Conservation fighting hammer and tongs to prevent mining everywhere and creating parks instead. On the other hand, he would have the Minister for Mines and Energy acting with no consideration for the environment.

The 2 are not incompatible. I think the Ranger uranium mine and others in that area are being developed under the most exacting conditions - virtually ridiculous conditions - even in spite of some minor spills that have occurred. They were, indeed, minor spills, and mainly in bunded areas. There are practices which need to be looked at and we will tighten them up. However, the majority of things agreed to by Ranger result from sheer overkill. I am very pleased to put that on record. You will not find another uranium mine in the world where the conditions imposed even approach those enforced at Ranger.

Recently, I had some experience of uranium mines in Canada. Conditions at Ranger are excellent.

Mrs Padgham-Purich: Impeccable.

Mr D.W. COLLINS: Impeccable is the word indeed.

I believe that later on the Minister for Mines and Energy will mention that there are some 50 areas which will be called mining reserves. Many members on this side have questioned that terminology. One would expect it to mean that those areas so termed were reserved for mining. In actual fact, the intention is to preserve them from mining. The term is kept, basically, because the mining industry knows very clearly that a mining reserve is a place that cannot be mined and not what the layman might think. I believe a mining exclusion area would be a better term, and I am sure that that would allay the fears - and they are genuine fears - of many people in the community.

In the amendments, the term 'wilderness zone' is used and this needs an explanation. There may be an area within a park where some rare species has its habitat and that is a special reason for being very careful with any exploration that may be permitted there. Eventually, mining may take place and that term will appear in the conditions, and the Minister for Conservation will have a bigger role to play. I believe that Simpson's Gap is a mining reserve. Mr Deputy Speaker, you may or may not be aware that, in the past, there has been drilling for gold at Simpson's Gap. There is an outcrop of Arltunga quartz on the left-hand side as you walk up to the waterhole. I believe they found a few pennyweights of gold in those drills. Drill cores are still to be seen there. Mining will not be permitted at Simpson's Gap because it is a mining reserve. The quartz there is related to that at Arltunga which rises 60 or 70 miles to the east.

I reiterate that mining and conservation need not be incompatible. If governments require it, parks can continue forever but mining seldom does. A condition imposed on Ranger and Nabarlek is that they are to be rehabilitated. I recall that the National Trust complained bitterly about the possibility that exploration or mining might be allowed within national parks. If it thought in terms of restoration of the natural environment, it would have knocked down all the buildings at Arltunga - which is a National Trust reserve - and disposed of the last remnants of mining equipment. That equipment is revered by the National Trust. Perhaps the trust believes that, as it is an old mine and completely finished, it is all right. However, if there is a proposal to establish a new mine, that is not all right. There is some degree of hypocrisy on the part of people who think like that.

The member for Nhulunbuy and others have said that the areas we are talking about are very small. Our parks form only a very tiny percentage of the Territory. I would suggest that, if mining were permitted as we propose, it would be permitted under very strict conditions, as it should be. I would want strict conditions to be imposed as I am sure every member of this Assembly would. If this were agreed to, there would be a greater chance that even larger areas of the Territory could be declared as parks. Mining would occur within them. I wonder if a day will come when a mine is nearing the completion of its economic life and, in compliance with the law, the holes are to be filled in and dwellings removed, but there is an outcry that those things should be left in place because they are of interest to people. That is something to think about for the future.

In my opinion, the conditions under which mining will be permitted as outlined by the Minister for Conservation will provide pretty good guidelines. One of the features of parks is their tourist interest, and mining is certainly of considerable interest to people. I do not believe that a Minister for Mines and Energy or a Minister for Conservation would dare to allow mining in a national park to go ahead without extreme care. We cannot divorce mining and conservation; they are not incompatible. They can be operated in ways which will satisfy the interests of this nation. The parks will not be destroyed and I believe that, if we can overcome this objection to mining, we will have even bigger parks in the future.

An interesting thought occurred to me concerning the various proposals as to which minister should have the greater say on the conditions that will be laid down. What would happen if the Minister for Mines and Energy and the Minister for Conservation were one and the same person? I could imagine the screams from the other side saying that such a proposition is totally preposterous. That was the position at one time when our Chief Minister was formerly the Minister for Mines and Energy and the Minister for Conservation. I believe he showed that the 2 areas could be handled very carefully and succintly. I do not recall any problems occurring at that time. In the hands of a person, liaison between the groups was undertaken very fairly and sensibly. I support these bills.

Mr BELL (MacDonnell): Mr Deputy Speaker, after that mind-numbing offering at this late hour of the night, I hesitate to rise to my feet. However, I am forced to make my comments on these bills because I represent an electorate which embraces some of the most beautiful and picturesque country in the Northern Territory. Within it also occur a number of resource developments. Mereenie oil and Palm Valley gas are the most notable. In addition, there are various exploration activities.

I really am puzzled that a government that suggests that visitors to the Northern Territory are a staple for economic development can put forward legislation like this. I find it very difficult to accept what is essentially a non-rational position. Let me just state at the outset quite clearly what the rational position is. The rational position is that resource development will go ahead but we must protect natural areas. The conservation of particular natural resources in the Northern Territory is absolutely essential.

The opposition is not putting forward extreme suggestions; we are not taking a hard-line, conservationist attitude. We are ploughing the middle of the road as far as what is proposed is concerned. The fact is that the government is putting forward this development-oriented attitude towards mining. All we ask is that a plan of management be in place before mining on national parks is considered. That is a rational position. The Minister for Conservation said tonight that a plan of management is a complex document. But a plan of management is a scientific document. There is a responsibility upon those who prepare plans of management to carry out a biological inventory of particular areas. I think that it is fairly clear to anybody who approaches this particular issue of balancing various land demands that, if we are to set aside areas as conservation parks in the Northern Territory, at the very least those plans of management should be in place.

We heard some fairly high-sounding oratory from the the Minister for Conservation. He quoted the national conservation strategy. He noted how conservation involves certain aspects of land use and how development is not

entirely at odds with the conservation strategy. That strikes me as something like the pack rapist who quotes the song of Solomon by way of justification. The national conservation strategy, in paying attention to the needs of development in various areas, was presumably taking into consideration the whole biosphere. In these particular bills, we are considering a pretty restricted bit of the biosphere, a fairly restricted section of the land surface of the Northern Territory. We are not precluding mining absolutely. All we are saying is that these rational procedures ought to be carried out.

What was the figure that the shadow minister for mines and energy quoted for the conservation areas within the Territory by comparison with national figures? Nationally, the percentage of the surface area of Australia that is being conserved is a very meagre 3.7%. We have a government which is always keen to compare the Territory with every state in percentage terms in all sorts of ways. By comparison with the national figure of 3.7%, the Territory figure has a mere third of that - 1.4%.

Mr Perron: How much does mining take up?

Mr BELL: I cannot quite pick up the interjections from the Minister for Mines and Energy but, if he wants to interject a little bit more loudly, I would be quite happy to conduct the debate in whatever circumstances he chooses. We have rationality on our side. We have the concept of the rational use of Territory resources on our side. The Minister for Mines and Energy does not have rationality on his side. I can appreciate that, with the resources that he commands at Doctor's Gully, and having an expansive suburban electorate in Fannie Bay, perhaps issues of environmental concern do not impinge on him quite as hard as they do on me, given the nature of my electorate.

We have the situation now whereby part of the Mereenie oilfield is in the Kings Canyon National Park. We have had debate in this Assembly, on the development of Palm Valley gas. To my mind, this is an instructive example. I sincerely hope the Minister for Mines and Energy will address this in his reply to the second-reading debate. The minister will no doubt recall that, earlier this year, there was considerable public concern because of drilling on the banks of Ellery Creek. That part of Ellery Creek is within the Finke Gorge National Park or so everybody thought until they actually looked up chapter and verse of regulations under the Mining Act. The fact was that that particular mining was legal in the strict sense of the word because that lease had existed before the creation of the park. I do not have the exact chronology for each of those leases at the moment but the point that I am trying to make, and on which I am quite sure I am correct, is that, if the drilling to which I refer in Ellery Creek was legal, equally legal would be drilling or blasting - call it what you will - in the middle of Palm Valley.

If it were to become as well known to tourist operators that there is absolutely no legal barrier to exploration or mining of any sort over that Palm Valley area, people would start to ask what might happen. The simple fact is that only a ministerial fiat will prevent that happening. The member for Sadadeen quite clearly does not understand what I mean by 'ministerial fiat'. In effect, it means that the minister has only to get out of bed on the wrong side one morning and decide that Palm Valley should be blown up and it will happen.

Mr Finch: That is radical thinking?

Mr BELL: It is not radical thinking. I am simply enunciating what the actual legal situation is. Goodness me, I have actually awakened the Leader of Government Business from his somnolence too. He might like to make a contribution from the point of view of his representation of the suburban vastness of Araluen which presumably will not be subject to the provisions in any of these bills.

The member for Koolpinyah said this is equivalent to legislation in the states. I challenge her to gainsay me but she will find that a tourist attraction of the calibre of Palm Valley is able to be blown up simply on the basis of ministerial fiat. If she can stand up and disagree with me, I ask her to do so. I will also be most interested to hear the Minister for Mines and Energy tell me that the control over a precious resource such as Palm Valley is subject to anything other than ministerial fiat. The simple fact is that it is not. He will not be able to disagree with that.

To return to the comments of the Minister for Conservation, his was really a euphonious offering. He talked about control and balance and he gave an impression of responsibility and rationality. He could have convinced the sanest man just by the honeyed tones of his voice. The nub of these bills is whether we are to accept simple ministerial control rather than a more complex administrative arrangement to protect precious resources. That is the guts of these bills. I am not prepared to grant to one person, albeit a person of such undoubted integrity as the Minister for Mines and Energy, that sort of power. I would not want it myself if I were Minister for Mines and Energy. As far as I am concerned, the Westminster system is about checks and balances. This is one area where good government demands checks and balances.

Mr D.W. Collins: You have them.

Mr BELL: The member for Sadadeen says we have them. If he reads the legislation carefully, he will discover that those checks and balances have been cast aside and that the Minister for Mines and Energy has been given unreasonable control over mining in a particularly small area of the Northern Territory. As far as I am concerned, that is not acceptable. I notice that we run the risk of being unpopular in this regard. The editorial in the Northern Territory News is saying what a wonderful idea it is that mining be carried out in national parks and we should forget about plans of management. I will not repeat myself, but I really fail to see why places like Palm Valley, Kings Canyon and Ayers Rock should not be subject to plans of management. To venture into the realm of apostasy, where I will be regarded as out of court not only by the Northern Territory News but also by everybody on the government benches, I say that the vesting of title to Ayers Rock in Aboriginal traditional owners and the leaseback to the Australian National Parks and Wildlife Service removes that precious treasure from the sort of idiot, cowboy arrangement that is proposed in these bills.

A particular point that I would like the Minister for Mines and Energy to address is the number of exploration proposals that are likely to affect particular national parks within the Territory. I am aware of one such proposal at Arltunga in my electorate. Arltunga is something of a special case. Even the Minister for Mines and Energy may be aware that it has historical interest as a goldfield dating back to the 1930s. It was also the site for a mission. As the member for Sadadeen has reminded me, Arltunga dates back to the 1870s. However, I think that I am correct in saying that there was a particular flourish of interest in it in the 1930s. One of the main attractions of that particular park is the gold mining that has been

carried out there. I suppose there are some people who will say that the tailings at Arltunga are a precious historical resource and we should not disturb them. I am ambivalent. I do not have a strong opinion either way, but I understand that a particular company is interested in exploring Arltunga. I am not completely sure of the circumstances under which that is proposed. Perhaps the Minister for Mines and Energy might like to enlighten me. I would be equally interested to hear of other such proposals that are frustrated, as the government has alleged, by delays in developing plans of management for particular parks. I hope the Minister for Mines and Energy will take that matter up in his final comments.

In conclusion, I wish to reiterate my opposition to these bills. I wish to reiterate my belief that the opposition's position is the rational one and that the Northern Territory government and the Northern Territory News are not adopting a rational position. Under no circumstances should mining be carried out in national parks unless plans of management are in place.

Mr DALE (Wanguri): Mr Deputy Speaker, the most rational body of conservationists and environmentalists in Australia is undoubtedly the Northern Territory government. I think its record speaks for itself. Its attitudes towards the controlled development of our resources are admired and envied by government and would-be environmentalists throughout Australia. There is an absolute need to restore the confidence of the mining industry in the Northern Territory. Let us remember that that confidence is waning dramatically due to the federal government's attitudes on land rights. The steps being taken today will go a long way towards restoring that confidence while, at the same time, maintaining the integrity of our national parks.

There is surely no belief, even in the mind of the most radical greenie, that this legislation will bring about the rape of the flora, fauna or general environment of our national parks. The government can and must create and properly manage more national parks in the Northern Territory. The member for Stuart said that he welcomes further park development. He did not go into that very deeply and he certainly did not go into the costs of that development and its ongoing management.

I heard a financial adviser talk on the radio this morning about solvency. He said that, if you earn $1 and spend 99¢, that is solvency. If you earn $1 and spend $1.01, that is bankruptcy. It is interesting to note that the personal income tax receipts in last year's federal budget were less than the amount of money paid out in social services. Of course the Northern Territory has been given the message loud and clear by the federal government that we are the ones who will pay the greatest share per capita to rectify that situation.

The member for Stuart also said that some people oppose any mining in national parks. He went on to say that he does not oppose it particularly. I wonder what motivates some of those people. Are they funded directly by the federal government to come to the Northern Territory and spread the gospel of that government, as our opposition members seem to do for 99.9% of their time? Or are they legitimately interested in the environment per se? I think not.

The member for Stuart was also concerned about the degree of tourism and mining in national parks. He was concerned about the infrastructure and the impact that it will have. I am afraid that the member and I will have to agree to disagree on developments in the Northern Territory, particularly in relation to national parks and mining. This legislation gives the oversight

to 2 ministers - and both will have the expertise of their advisers available to them - to administer properly all aspects of mining in national parks in the Northern Territory. It is a very commendable concept.

The member for MacDonnell expressed his concern about development going ahead with no provision for the protection of natural resources. Of course, he gave no thought whatsoever to provision for mining reserves within the terms of the act. That is still firmly in place but, of course, he has not bothered to read the legislation that has been before him since last April. He could have discovered that he need have no fears.

For the record, let me mention a couple of the provisions contained in these amendments. When granting an exploration title in a park or reserve, excluding a wilderness area, the Minister for Mines and Energy will consider the opinion of the Minister for Conservation. When granting an exploration title in a wilderness area within a park or reserve, the minister will include conditions required by the Minister for Conservation. When approving a program which may involve significant ground disturbance within a park or reserve, the Minister for Mines and Energy will include the conditions required by the Minister for Conservation. The Minister for Conservation can require the Minister for Mines and Energy to take certain things into account and, when granting a development title within a park or reserve, the Minister for Mines and Energy will include those conditions required by the Minister for Conservation. I do not think you could find in legislation anywhere in Australia a more obvious endeavour by a government to have proper management of national parks and, at the same time, have a rational approach to mining within those parks. These amendments are typical of the sense of commitment to development in the Northern Territory by this government and I commend them.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, I feel I should say something about these amendments. I have very great concerns for the environment. Within my electorate, there are a number of areas that may and probably will be affected by these amendments.

To say that the bills have been considered contentious by certain sections of the community could lead to accusations of understatement. I have received petitions from residents of my electorate who felt that the Conservation Commission's interest in national parks and reserves was being overlooked and, therefore, the interests of the community were also being overlooked. None of the petitions received by me was set out in such a way that it could be brought into this Assembly. However, I made available to the people who gave me those petitions the correct form and I did not receive any petitions following that.

I would like, however, to read out one such petition to indicate the concern that this particular group had with regard to this legislation. The petition is signed by about 30 residents of Batchelor. I say 'about 30' because some of them have signed twice and I have not gone through to see which ones did:

> 'We the undersigned wish to express our grave concern regarding the proposed amendments to the Territory Parks and Wildlife Conservation Act. It is apparent that these proposed amendments would create a situation in which mining could be carried out in our national parks at the discretion of the Minister for Mines and Energy without any legal requirement to observe Conservation Commission guidelines or

seek public approval. We feel that such an amendment would put our national parks in great peril'.

I provided the original of that petition to the ministers concerned earlier in the year. The amendments to the original bills that have been put before us today will go a long way, I believe, to alleviating the fears expressed by the petitioners. I think that some of the fears for the future of sensitive park areas were warranted by some of the provisions of the original bills, in particular those that stated that the final decision on whether exploration and mining should proceed could be taken after consideration of the views of the Conservation Commission Director or the Minister for Conservation but without any requirement to follow directions from at least the minister. The reconsideration of those contentious provisions is to be commended and cooperation between the ministers and their departments enabled that reconsideration to occur. There is no question that the Territory is hampered by lack of control over land and, therefore, the lack of land available for mining.

The member for Stuart stated that the Territory has only 1.4% of land set aside as national parks as compared to the national average of 3.7%. That is probably a reflection of the many years of federal government rule here. In those years, very little land was set aside for national parks. I would expect that most of that land has been set aside in the last 7 years. I bet he has not taken into account those areas that are proposed as national parks but have not yet been gazetted as such. Nor has he taken into account the area of land set aside in this Territory as Aboriginal land and therefore not readily available for mining.

The member for Stuart and his cohorts would not allow development in any part of the Territory if they had their way. Many of the people in my electorate would be delighted at the new mining that is occurring in the Territory now, and not necessarily in national parks. I am sure that people living in places close to those areas that are to be set aside or are already set aside as parks in the electorate would be pleased to think that there might be some jobs available for them in the future if there is exploration and eventual mining there. The views of the member for Stuart would mean no jobs and no people. Who needs Senator Walsh? Our own opposition could depopulate the north equally as effectively as their friend in the Senate simply by their policies if they had the chance to put them through.

The area of land that eventually would be mined as a result of any changes to the legislation is minuscule. In fact, the new provisions will allow more land to be set aside for parks because the fear will not exist that the land will then be tied up forever and denied to other uses. It is essential that governments consider all possible uses of the land available to them before making decisions on its use. These amendments will allow for the responsible ministers of government to make those decisions as the need arises. It is crazy to think that decisions such as these should be taken by anybody else but ministers in consultation. Why shouldn't they be making those decisions? That is what they are appointed for and that is what a government is elected for. I would be rather surprised if it were left up to anybody else to make those decisions.

Without the amendments, it is likely that the government, in view of the existing lack of available land in the Territory, would be reluctant to hold off decisions to create new national parks. There would be a reluctance to create new parks if it was thought that that land would be tied up by so

doing. Other states allow mining in their parks and those that do not ensure that everything of value is removed before they gazette land for national parks.

The member for Stuart said he was not against mining in national parks. He could have fooled me from his comments. I do not think there was anything about these bills that he supported. In fact, all they do is allow for controlled exploration and mining in our parks and reserves. He said that he does not mind that.

I believe that, when the amendments that have been circulated have been taken into account, this legislation will be seen to be sensible. It is legislation of which the Territory can be proud. I have no doubt that other states will see the value of our government's realistic approach and make improvements to their own legislation. I support the legislation and commend it to honourable members.

Mr VALE (Braitling): Mr Deputy Speaker, I will be very brief. There are a couple of points that I would like to pick up concerning the member for MacDonnell's speech. The first thing I will do tomorrow morning is obtain a copy of Hansard and go away in a quiet corner somewhere to read it slowly and find out if I can understand the second time around what he was saying because he spoke for 30 minutes tonight and I do not believe anyone in the Assembly could understand exactly what he said. There were a couple of points that he made which I want to take up.

He talked about the area taken up by mines and national parks in the Northern Territory compared with the national average. Indeed, the area of the Territory covered by national parks or mines is extremely low compared to the national average. But, if you exclude that area of Aboriginal land either granted or under claim, around 48% - and that is a fairly large slice of the 600 000 square miles of the Northern Territory out - and then compare the Northern Territory average to the national average, the figures for both national parks and mining would shape up favourably in relation to the national average.

The member for MacDonnell talked about blowing up Palm Valley. I believe he is being very discourteous to the companies who have worked in the Palm Valley area. I worked in that area for well over 25 years, long before tourists ever arrived. It is still in the natural and beautiful state that existed before the oil and gas industry arrived. The company was very careful both to liaise with Aboriginal groups in the area - long before the Land Rights Act - and to preserve the natural environment.

I believe that there is a fine balance between mining and national parks. It is a fine balance which this legislation sets out to preserve. We have been more than responsible on this issue since self-government. It is my belief that the energy crisis in the early 1970s was created because governments in the western world went overboard at the behest of conservation groups in limiting exploration, research and development in oil and mining. If the Australian Labor Party line is followed in the Northern Territory and elsewhere in Australia, we will see a repetition of the energy crisis.

The member for MacDonnell referred to Arltunga. He said that Arltunga is a special case. I guess you could say the same thing applies to the member for MacDonnell. Mr Deputy Speaker, I support the legislation.

Mr LANHUPUY (Arnhem): Mr Deputy Speaker, in rising to speak to this bill, I would like to say from the outset that the opposition is totally against the amendments proposed by the minister. In fact, I am appalled at the comments made by the Minister for Conservation whose responsibility it is to protect areas like the Kings Canyon National Park, the Keep River National Park and Katherine Gorge. I believe that the amendments will put the government of the Northern Territory in a very poor light in the eyes of the nation, particularly in the view of people who are concerned about conservation and preservation. It is no wonder that people like the Chairman of the Northern Land Council say that they do not trust this government. It makes it hard to carry out our responsibilities in dealing with those people. They say: 'Look what the Northern Territory government is doing'. It places us in a very difficult position.

In his second-reading speech, the minister said that he wanted to rationalise some of the existing mechanisms. He referred also to the fact that the mechanisms are unsatisfactory as they presently stand. The member for Victoria River said that he is in total support of the proposed amendments to the bill. I would be very interested to hear what Mr Harry Wilson of Peppimenarti or Charlie Ariuu of Daly River or some of those other people in his electorate would say if a park were established near the Fitzmaurice River. There was at one stage an intention to set up a park in that area. I would be very interested to hear some of the comments of those people who are represented by the member for Victoria River. I am sure they would be shattered by what he said today in support of the amendments.

I believe the amendments proposed by the government are inadequate for a number of reasons. I say this because I believe that people in the Northern Territory, especially my people, are very concerned about them. This government is always saying that most national parks are established in areas where there are Aboriginal people living or areas that will become Aboriginal land. They say that they want to promote national parks yet the intention of this legislation is to rip-roar through some of the major, beautiful parks we have in the Northern Territory.

If we are to conserve some of our beautiful parks for our children and our children's children, this is not the way to go about it. I refer to what people have been saying to me personally. Fortymile, who is the principal claimant for the Katherine Gorge National Park, has gone on record as saying that the traditional owners are willing to go to the Australian National Parks and Wildlife Service. If this is the type of legislation that the government intends to bring into the Northern Territory, I can understand their fears. Consider the people to whom the Chief Minister has granted an excision in the Kings Canyon National Park. I would be surprised if they took it on the understanding that there could be major exploration occurring right next to them. People at Spring Peak in Kakadu National Park are experiencing exactly that. People living at Cannon Hill have been subject to those sorts of events under federal legislation. The way this legislation has been drafted is quite pathetic. Along with my colleagues in the opposition, I am totally against it.

The Northern Territory government wishes to declare as park areas which it also wants to mine. Would a national park be attractive to tourists if there is a mine there? The aim of the Northern Territory government is to exploit the land as much as possible. It wants to mine it and, at the same time, to exploit it for tourism by declaring parks and developing substantial tourist resorts. Its intention appears not to be motivated by conservation objectives

and it does not conform to the recognised standards applying to parks and reserves such as those agreed to by the state conservation ministers and the International Union for the Conservation of Nature.

The Northern Territory government complains about delays to mining exploration in some of these parks. I am sure that people living in some of the parks which the Northern Territory government intends to establish would be willing to discuss these matters with the Conservation Commission and the Minister for Mines and Energy. To steamroll this legislation through, without giving the opposition time to canvass the views of the people concerned, is pathetic. There are people out there who are very concerned. They have been ringing our offices and advising us that they are not very happy with the proposal. It is a typical attitude of this government. We saw it at the last sittings in relation to the Public Service Amendment Act. Earlier, we saw the same thing happen with the 3 bills relating to tertiary education. There was not enough opportunity for this opposition to be able to canvass the views of the people whom this government and this Assembly are supposed to represent.

As I said earlier, I am very concerned about the way this government has handled this legislation and these proposed amendments. They allow the Minister for Mines and Energy to have total control of mining and exploration in parks and proposed parks. The Minister for Conservation and the Chairman of the Conservation Commission can only advise the Minister for Mines and Energy on what they think ought to be applicable. I would like the Minister for Mines and Energy to spell that out in his statement in reply.

In New South Wales, there has been no new mining nor mineral exploration in national parks for 10 years. All applications have to be approved by both houses of parliament and none has ever come before parliament. All applications would be subject to environmental impact studies. I will take this point further. It is the environmental impact statements that we are very concerned about. Because of my involvement with the NLC over a long period, I am aware, as the former minister for Mines and Energy and current Chief Minister would be very much aware, of the time that the land council took to consult with people in areas which were the subject of land claims or were in the process of being handed over to Aboriginal people. It took them a very long time. The plan of management for Kakadu National Park took about 4 years to be completed and accepted by the federal government. That is a long time. My people do not know the legislation; they need advice and they need organisations that will represent their interests.

When I see legislation like this being proposed by someone who is conscious of conservation issues, the Minister for Conservation, it makes me think twice as the opposition environment spokesman. I am appalled by the proposed amendments. I believe the Minister for Mines and Energy should have given this opposition sufficient time to study the proposed amendments. He should have given us the opportunity to canvass them. Once again, we see the Northern Territory government ramming legislation through without sufficient discussion. The other day, we saw it take away the rights of people living on their traditional lands on pastoral properties. This is another pathetic example of the government's lack of concern for Aboriginal people. My last comment is that the Minister for Conservation's decision to hand over responsibility to the Minister for Mines and Energy is exactly like deciding to put Dracula in charge of a blood bank.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, for the information of the honourable members opposite, this legislation does not set a precedent

in Australia. In all the states except Queensland, there is a precedent for mining in parks. I understand that Queensland does not have mining in national parks but all the other states do. The only other place that does not have mining in parks is the ACT, but that is not a state. This legislation does not set a precedent.

All honourable members opposite have implied, if not actually said, that this legislation has been sprung on them. To my knowledge, this legislation has been gestating for at least 12 months. How much more time do they need to consider legislation, for heaven's sake? Hundreds of hours of consultation have gone into the preparation of this legislation by officers of the Department of Mines and Energy, the Conservation Commission and the general public. The general public has had its say and, judging by this legislation, it is quite apparent that its views have been considered and, very generally, acted upon.

It is also apparent to me that honourable members opposite have displayed an abysmal ignorance of the national conservation strategy. If they had taken the trouble and the time to read through that document, they would have found that there need not necessarily be conflict between development and environmental matters. Both of them can exist together. We intend this legislation in the Northern Territory to be in accord with the national conservation strategy.

I do not know whether the Minister for Conservation mentioned that development in many cases leads to care of the environment. It provides the finance which can care for the environment. Greenies or environmentalists would immediately try to shout me down but they are the sort of people who have no actual knowledge of what development can do to the countryside and what development can provide for the conservation of the environment. I have seen it in the states in which I have lived. I have seen development providing roads, drainage and fences, just to mention a few things which all help in conservation and management of the environment.

The member for Nhulunbuy, if my memory serves me correctly, was intent on decrying our attracting investment dollars to the Northern Territory. If he was not decrying that, he was saying that it was not the be-all and end-all of everything. I do not know where he lives most of the time but he must live like an ostrich with his head in the sand.

Mr Leo: I live in a mining town.

Mrs PADGHAM-PURICH: If he likes living up in the Northern Territory, he must have an interest in it and one would expect that he would like his family to stay here, he would like his friends to come here and he would like other people to come here. Those people will not come to the Northern Territory unless there are jobs for them. Whether he likes it or not, the social service dollar cannot stretch too much further. People must get out and work, and most people want to work. If we do not have jobs to offer them, they will not stay here. For his information, tourism is the second largest income earner for the Northern Territory. It is preceded only by mining and followed by primary industry. The policy of attracting investment dollars and tourism to the Territory should not be knocked at all. We do not have much else left because uranium mining more or less has been knocked on the head. The tourism development promised by the current Labor government in Kakadu has not eventuated. The railway has not eventuated. I will not go on because honourable members opposite know all about the broken promises.

The member for Nhulunbuy implied that the government and the Conservation Commission do not care for our national parks. I would like to tell him that I keep my ear to the ground a lot longer than he does and I have spent a lot more time talking to ordinary people. I do not know whom he talks to but, if he took the time to talk to rangers from the states, he would find that they have nothing but praise for the way our national parks are conducted by the Conservation Commission - not the ANPWS. They would not say this publicly but they said it to me. They did not know who I was. I was just an ordinary woman talking to them because I have a natural interest in these sorts of things apart from a professional interest as a member of the Legislative Assembly. All of those rangers said to me that the way our Conservation Commission runs our parks in the Northern Territory is second to none in Australia.

The member for Nhulunbuy also called the Minister for Conservation a wimp. Far be it from me to feel that I have to jump in to defend the minister. He is quite capable of defending himself, and I believe in equality in this matter. As long as I am around, the member need not fear that the minister will be walked over. I believe my allegiance is to the people in my electorate. If there is something that I think is wrong, other people will think it is wrong also and I will certainly speak up.

The member for Nhulunbuy said that the Minister for Mines and Energy controls everything. I would refer him to section 176A in the amendment schedule, particularly proposed new subsections (2) to (6). They indicate that nothing shall be done except in accordance with conditions specified by the minister administering the Territory Parks and Wildlife Conservation Act. I would like to draw the honourable member's attention to the fact that we have a Minister for Conservation, not a Minister for Conservation and Environment. Federal politics has not reached here to that extent yet.

The member for MacDonnell mentioned the fact that we were chasing radical development in having mining in national parks. I refer him also to the legislation in other states which relates to mining in national parks. He was drawing a pretty long bow with his scenario of the Minister for Mines and Energy blowing up Palm Valley. He probably would not know about mining reserves. If the minister has not already declared a mining reserve on Palm Valley, I am pretty certain it will be one of the first places that he declares. I think he is trying to appeal to the lowest common denominator of intelligence by his scare tactics in saying things like that.

It reminds me of the scare tactics of a certain group of people about 2 or 3 federal elections ago. I still have the comics. These comics were written to appeal not necessarily to people of low intelligence but to unsophisticated people who had no formal knowledge of uranium mining. A half-truth is worse than a lie because it implies a lie but does not say it. I can remember one of the pictures in one of those comics. It said that a cup of uranium can kill you and, therefore, all uranium mining is bad. A cup of water can kill you if you put your nose in it long enough. To say a cup of uranium can kill you is as bad as saying the minister will blow up Palm Valley. It is scare tactics designed to put fear into the people in the community even though there is no basis for such fear.

I do not know what God-given right the member thinks he has to be the only one who appreciates conservation issues. Because his politics are on the left, he thinks he is the only member concerned about conservation matters. I cannot speak for other members on this side but I will certainly restate my

views. The member does not seem to have listened to them. I appreciate conservation issues as much as any member. Not only do I voice my views on conservation issues but I have also lived them for more than the last 20 years. Australians usually say that, if you believe in something, you should put your money where your mouth is. I certainly have been doing that. I am not whingeing about it; I did it by choice. I have forgone quite a bit of income as a result of considering conservation issues above income. I reject totally the view of the member for MacDonnell that he is the only one who has a right to consider conservation matters.

Intentionally or otherwise, he and others did not realise that, when this legislation comes into effect, a park can be declared around an existing mining venture. That cannot happen under the existing legislation. Members opposite do not seem to realise that they are doing their ostrich act again. Land resources, not only in the world but in Australia are finite whereas the desire of humans to control land is infinite. Thus, we have a finite resource in conjunction with infinite demands. A confrontation will develop. Therefore, given those 2 premises, we must consider multiple use of land and that is what I see as the intention behind this legislation.

In the Northern Territory, 48% of land is either claimed for Aboriginal groups or is under claim. In reality, that is like losing 48% of the Northern Territory to possible mining because there have been very few, if any, mining permits granted on Aboriginal land since that legislation has been introduced. If 48% of the Territory is denied to mining interests by the power of Aboriginal groups and their veto, that does not leave much for the Northern Territory government and for the people of the Northern Territory to live on. Therefore, the land that we have left must be put to more than one use. I cannot see any confrontation occurring as a result of mining in national parks, provided it is managed properly. I believe this legislation is probably the first essay into the multiple use of land. It could be a forerunner of other legislation.

I am not concerned about the implementation of the legislation because of the enormous amount of consultation that has taken place between officers from the Department of Mines and Energy and Conservation Commission officers. This legislation has taken so long to prepare because all the administrative details have had to be sorted out to everybody's satisfaction.

Another point to be considered is the fact that, these days, there is much more sophisticated exploration for minerals and there is much more sophisticated exploration to find gemstones and precious metals. This is happening both at places that hitherto have been unexplored and at places that have been worked previously. In view of the restriction to only 52% of the land in the Northern Territory, it is imperative that these ventures proceed. The exploration must proceed and, if the exploration points to a successful financial operation in the future, it is imperative that mining development proceed.

One of the important things to consider in relation to mining development is that most mineral deposits have been discovered by small prospectors. I have voiced my views on what I think our government should do to help small employers; I hold the same views in respect of small prospectors. The development of the Northern Territory by small prospectors whose mines have proven to be financially viable provides spin-offs. Jobs are created and that attracts more people to the Territory. Products are produced which will gain an export income for the Northern Territory. We also have a general spin-off of optimism in the community.

I can distinctly remember when the Ranger development began. Until that time, there was not much optimism in the community. With Ranger, there was a general feeling of optimism in the business community in Darwin and in the Territory. I am not necessarily talking about big operators. I am talking about carpenters, painters and motor mechanics. They all felt as though the Territory was going ahead. What a pity it did not go ahead even further. Uranium mining is practically at a standstill now. Unfortunately, mining is winding down in the Northern Territory. If it is not winding down, it is just meandering along.

The only concern I have with the legislation is how it will be implemented. For this legislation to be implemented successfully, all the people in the 2 departments must work together. I am aware of the commonsense approach to development adopted by officers of the Conservation Commission who are able to live with development while still maintaining an active watch on their conservation interests. They manage very capably environmental issues relating to all sorts of development, such as farming and ports. I cannot see why they cannot be trusted, through their minister, to manage the environmental matters connected with mining in national parks.

What must be made clear to Mines and Energy environmental personnel is that any safeguards that are placed on mining ventures in parks by the Conservation Commission will not be frivolous. They will have been considered seriously. When I say 'by the Conservation Commission', I mean by the Conservation Commission through its director and or the minister. They will not be attention seeking safeguards such as those desired by trendy greenies but sensible ones, and they must be observed by Mines and Energy officers. Unfortunately, I believe there are a few people in the Department of Mines and Energy who seem to believe that mining must go ahead at all costs and hang the consequences. This attitude must change and I believe it will when this legislation is implemented. The safeguards placed around any mining ventures must not be ignored. Provided everyone does his proper job, this legislation will work. The legislation has been designed to ensure the complete integration of the Mining Act, the Petroleum Act and the Coal Act.

The honourable member for Arnhem commented on a few matters. I do not know whether I heard him correctly but I think he said the people at Cannon Hill are opposed to mining. I know some of the people at Cannon Hill and he must know that I know people at the Pancontinental mining venture nearby. I do not know whether he was at the North Australian Development Seminar. At the seminar, the Chairman of the Northern Land Council was asked if he was in favour of the federal ALP views that there should be no uranium mining in that area. He did not answer the question; he sidestepped it very neatly. To my way of thinking, that got him off the hook completely and it pointed to the fact that, despite what the honourable member for Arnhem says, there are many Aboriginal groups and many individual Aboriginals who want uranium mining to go ahead at Jabiluka and Denison mines. As all honourable members know - and I declare my interest as always - my husband works for Pancontinental Mining Company.

The honourable member for Arnhem also talked about the government steamrolling this legislation through. As I said earlier, it has been open for public comment for about a year so I would not call that steamrolling.

The opposition members seem to imply that the people in their electorates are all opposed to mining in national parks. Obviously, they talk to different people than the ones I talk to. I talk to ordinary people, mostly

in my electorate. They are ordinary working people, people who dirty their hands. There is only 1 mining executive in my electorate and that is my husband. He is the only one and I have about 3000 other people in my electorate to whom I talk. All of these people are not against mining in national parks. They support mining in national parks, provided the safeguards as promised by this legislation are put in place.

Mr PERRON (Mines and Energy): Mr Speaker, honourable members will be aware that the circulated amendments make considerable changes to the original bills introduced into the Assembly. This came about as a result of submissions received since the introduction of these bills in the April sittings of the Assembly. It is a demonstration that, despite accusations to the contrary, we are not inflexible in all our legislation. The government does appreciate that there is a balance that can be achieved between development and environmental protection. It is possible to preserve park values while, at the same time, ensuring sensitive and compatible development of resources. The balance is achievable and worth pursuing as it maximises the benefits that can accrue to the whole community. The government does not intend to hinder the sensible development of resources nor does it intend to see any undue denigration of park values.

To allay the concerns of those who feel the integrity of parks is being threatened, a number of amendments are proposed. The most significant change is that the Minister for Conservation will be fully consulted and involved in every stage of exploration and mining in parks. Before the granting of an exploration title, which is the first stage of mining if it occurs, the Minister for Mines must consult with the Minister for Conservation. Each and every application for an exploration title in a Territory park will be examined by the Minister for Conservation. Where significant ground disturbance is involved, the Minister for Conservation will be empowered to impose conditions. We have deliberately amended the words 'substantial ground disturbance' to 'significant ground disturbance' in recognition of the fact that some activities may well be of particular significance to the local environment of a park without necessarily being of much substance.

When granting any form of development title - the title that is granted after the exploration has been carried out and potential resources identified - the Minister for Mines will include as conditions any requirements of the Minister for Conservation. The Minister for Mines in that situation will be required to accept the views of the Minister for Conservation. When dealing with an area of a park that is declared a wilderness zone, the role of the Minister for Conservation will be expanded to include a power to impose conditions from the outset of exploration.

Mr Speaker, the proposed amendments will ensure that the integrity of parks will be protected under the terms of an administrative agreement between the Department of Mines and Energy and the Conservation Commission. I have already placed mining reserves over many of the more sensitive areas of some parks. Those areas will be excluded from exploration and mining activities.

Mr Speaker, I seek leave to have a copy of the agreement between those 2 departments incorporated in Hansard.

Leave granted.

ADMINISTRATIVE ARRANGEMENTS
EXPLORATION AND DEVELOPMENT TITLES

1. RESERVATIONS FROM OCCUPATION

: The Conservation Commission (the "Commission") and the Department of Mines and Energy (the "Department") have agreed that there will be some extremely sensitive parks and reserves (eg Katherine Gorge), or discrete parts thereof, which should not be made available for exploration or development activities. The Department has agreed to consult with the Commission on such areas and will undertake to have reservations from occupation under the Mining and Petroleum Acts made to prevent applications being made in respect of those lands.

: The Commission acknowledges that in respect of the above action, any land to be reserved from occupation will be limited to the area of sensitivity and that any remaining land within the park or reserve will be available in the normal course for exploration and development.

: The preceding arrangements apply to existing parks and reserves. The Department acknowledges that similar action may be warranted in respect of certain lands proposed for future park or reserve declarations. In this regard, the Department undertakes to consider any reasonable request from the Commission for interim reservations from occupation pending determination of the park or reserve.

2. EXPLORATION APPLICATIONS INVOLVING PARKS AND RESERVES

: The Department will on receipt of any application for an exploration title under the Mining or Petroleum Acts forward a copy thereof immediately to the Commission.

: The Commission will on receipt of the application ensure that immediate action is taken to assess the application and provide comments thereon to the Department.

: When applying conditions to exploration licences, the Minister for Mines and Energy ("the Minister") will consider those conditions which the Minister charged with administering the Territory Parks and Wildlife Conservation Act ("Minister for Conservation") recommends in order to maintain natural or cultural values.

: Without limiting the right of the Minister for Conservation to seek additional conditions where required, the general conditions detailed in section 6 of this document will be included in all exploration authorities in respect of land within a park or reserve.

: Following consultation with the Commission and consideration of those conditions recommended by the Minister for Conservation, the Department will prepare the necessary exploration documents and forward them, together

with any comments made by the Commission, to the Minister for his consideration.

: In advising of the grant of any exploration title, the Department will ensure that the holder's attention is drawn to the special status of the land as a park and his obligations to comply with all relevant laws and by-laws and to the statutory requirements relating to prior approval of work programmes involving significant disturbance to the land.

: During the term of any exploration title, on receipt of any application for work approval pursuant to the Mining or Petroleum Acts, the Department will immediately provide the Commission with a copy thereof for Commission assessment.

: The Commission will, on receipt of any application for work approval, ensure that immediate action is taken to assess the proposals and provide comment to the Department.

: In advising of any work approval, the Minister will include, in any determination, any directions required by the Minister for Conservation.

3. DEVELOPMENT APPLICATIONS

: In respect of applications for development titles under the Mining and Petroleum Acts, the Department will, on receipt of an application, provide the Commission with a copy thereof and consult with the Commission on the matter of procedures under the Environmental Assessment Act.

: Development titles will be subject to the provisions of the Environmental Assessment Act and the terms and conditions of any grant will include any conditions required by the Minister for Conservation.

4. TIMING

: While the Commission will, on receipt of any application referred to it, ensure that immediate steps are taken to assess the application, the Director of the Commission will advise the Secretary of the Department if it is envisaged that consideration of the application will take some time.

5. WORKING GROUPS

: The Director of the Commission may convene a working group containing representatives of the Department to advise on the practicability of measures to ensure environmental protection or other aspects as required.

6. GENERAL EXPLORATION CONDITIONS

(a) Exploration personnel and their contractors and agents shall ensure that no firearms or traps are brought into the park and that no wildlife is taken or killed in the park.

(b) No historic sites or structures shall be disturbed or interfered with in any way unless prior written approval has been granted by the Director of the Conservation Commission.

(c) Fire shall not be used except for the purposes of preparing food or heating water and all reasonable steps shall be taken to prevent fires from spreading.

(d) Disturbance of vegetation, soil, rock and wildlife in the area is to be kept to a minimum.

(e) All structures, facilities, survey markings or other related work shall be of a temporary nature and shall be removed from the area at the completion of each program unless approved otherwise by the Minister for Mines and Energy.

(f) All sites where the ground has been disturbed shall be rehabilitated and revegetated to standards approved by the Minister for Mines and Energy.

(g) Exploration camps and associated services and facilities shall only be established in such areas as are approved by the Minister for Mines and Energy.

(h) All waste material apart from soil, rock and vegetation resulting from exploration activities (including camp related activities) shall be removed from the park or disposed of in a manner approved by the Minister for Mines and Energy.

(i) All exploration personnel and contractors shall be instructed on the necessity to protect archaeological, Aboriginal, historic and other significant sites and structures which may exist within the park.

Mr PERRON: The proposals permit the Territory to assess fully the resource potential of the roughly 50% of our land area which is accessible. The Territory simply cannot afford to lock away and ignore the potential to develop viable new mines. We believe we have achieved a balance between conservation and development. We have proved that we have the skills and ability to control development in one of the most environmentally-sensitive regions of the world.

In listening to honourable members opposite, I was somewhat disappointed because I think they dragged politics into the matter rather than expressed genuine feelings. In a nutshell, the situation can be looked at as follows. As a government, we could continue to control the declaration of parks and the laws that allow exploration and mining. We could take the view that, because some people do not like the idea of mining in national parks, we should adopt a policy of having a minimum number of parks or, if we do declare a park, we would keep the boundaries small because we do not want to constrain unnecessarily the ability of the Territory to be able to exploit its resources. We must bear in mind that the same government that declares parks also allows mining. We could adopt the approach of drawing larger boundaries for national parks but, where we think there are areas that have potential for mining, we would exclude those areas from the park.

What these amendments propose is the adoption of a completely rational approach to that sort of problem. They will enable us to declare more of the Northern Territory as national parks. We could even encompass no-man's land areas which have little scenic value. We can draw park boundaries around large areas but not lock them away from any possible potential benefit to the Northern Territory other than tourism. We all admit that, with careful development, most parks can be exploited with due protection.

Palm Valley is a good example. It is a national park of very significant value. Nevertheless, it will provide the electricity supply for the Darwin/Adelaide River region for at least the next 20 years and possibly the next 30 years. Gas will come out of a number of holes in the ground in the Palm Valley National Park. The effect on the park is a network of pipes on the surface of the ground. That is an example of where exploration and subsequent exploitation of a resource will be of enormous significance to the Northern Territory. Of course, for the resource to be significant, we do not simply have to burn it in our powerhouse. If it creates jobs throughout the community and produces wealth for the country, surely that is significant.

The opposition said that we have it all backwards. It told us the wrong minister will have control and that the emphasis is on mining rather than on conservation. If the Mining Industry Council and the Environment Council were the 2 organisations involved, it could be said that whichever body had the actual authority over the other would win the day. That would certainly be the case in that situation. The fundamental flaw in the opposition's argument is that both ministers are in the same government. Is is the same government that declares national parks or decides not to declare national parks. If you do not have any national parks, you do not have any problems about mining in a national park. It is the same government that sets the boundaries of national parks, whether they be postage stamp national parks or cover an area half the size of Victoria. It is the same government and the same group of ministers. It is the same government that established the Conservation Commission, and we have heard considerable praise for that body today. The same government funds the Conservation Commission so that it can carry out its excellent work of developing and operating parks in the Northern Territory. The Conservation Commission would be one of the Northern Territory's premier organisations judging by the kudos it receives for the work that it does. I have a great deal of admiration for the rangers and the park planners. The work that they do is fantastic. But the same government, we are told, will rape the environment with bulldozers and flatten all the national parks.

Not only are the 2 ministers in the same government, they are also under the one Chief Minister. Obviously, he has the responsibility to ensure that his ministers are doing a reasonable job. He is answerable to the Assembly and to the electorate. I think it is a fundamental flaw in the opposition's argument to say that we will have 2 rival ministers who will fight, bitch and scratch to climb on top of each other. Of course, the opposition ignored the fact that the amendments are an administrative comprise on the original legislation.

The mining industry today accepts environmental controls and rehabilitation as an integral part of its industry. I guess a statement like that would raise a few giggles in some quarters. They will say: 'But there was an incident where land was eroded because a project was not properly designed or because the rains came too early or whatever'. It is true that such things happen. We must work continually with our inspectors to minimise those mistakes and those oversights. Apart from that, one cannot deny that,

generally, the mining industry today is environmentally responsible. Mining companies probably grow more trees in their nurseries than the rest of the country's commercial nurseries put together. These are for rehabilitation purposes. That has resulted from years of public and government pressure. They have not necessarily led the way with this responsible environmental approach but they have responded to encouragement. They have acknowledged that it is their responsibility. I believe that, by and large, they discharge their responsibility quite well.

One of the members opposite made a fuss about the Secretary of the Department of Mines and Energy being responsible for setting rehabilitation conditions on mining leases. He thought that that was a bit of a joke. I think it is pretty sad that he thought that it was a bit of a joke. He implied that a very senior officer in government, a departmental head, was the wrong man for the job simply because he is in charge of a department whose prime responsibility is to encourage mining development in the Northern Territory. Part of that responsibility is to encourage mining and development with sensible and socially-acceptable controls. That is part of his responsibility. I believe that he takes those responsibilities very seriously as do the other environmental officers which we have in the Department of Mines and Energy. The government's expertise in this field does not lie solely in the Conservation Commission.

The member for Nhulunbuy wanted to know what massive mining project was being held up. He too missed a fundamental point. The reason for these amendments is that we cannot accept exploration applications for areas which are currently national parks and which do not have plans of management. Thus, we are prohibiting the very activity which is likely to lead to some exploitation of resources. I understand there is a proposal for a mining development at Arltunga. I do not know very much about the details. I will be happy to take a personal interest because I have been to Arltunga and I think it is a really great place. It captured my imagination as soon as I saw it. I thought it had a great sense of history, hardship and tragedy. I saw the gravestones and the holes that people must virtually have dug with their hands. It is all set in a most magnificent and beautiful valley. I will be taking a personal interest in the application for mining development in that area. I will ensure that there are sensible controls over the mine, provided it can start under acceptable conditions. If it cannot get under way under those conditions, then it will not get under way. No one has advocated - and as Minister for Mines and Energy, I will not advocate - that a mine can proceed in a national park or indeed outside a national park simply because the project is viable. I do not accept that. It is possible that the requirements for the development of certain mines would be unacceptable. I will not expand on that further because I cannot think of any particular example.

We must encourage exploration because an enormous amount of exploratory work goes into the discovery of the occasional mine. Members are probably well aware of the amount of money that is spent on exploration compared with the number of mines developed. The figures are frightening. One wonders how the companies which undertake exploration for years and years manage to stay in there without finding resources which are viable to exploit. The Joseph Bonaparte Gulf is an example. Companies have now spent $35m to $40m and they are still 10 years away from achieving a producing gas field. If we are fortunate enough to encourage Japanese or Korean people to take some of that gas, they will have to spend another $30m in the following year or so to collect the information required to demonstrate deliverability of the gas so that a contract can be signed.

Mr Bell: Is that a national park?

Mr PERRON: No, I am talking about an offshore area. I am using it solely as an example of the resilience and perseverence that exploration companies require in order that one day they may find a deposit which will be profitable and which will create employment opportunities and wealth for the country. Without wealth-creating industries and, goodness knows, Australia has enough problems these days ...

Mr Bell: This is not really relevant.

Mr PERRON: I think it is very relevant. The country's welfare bill and ever-increasing tax demands from governments mean that we simply cannot afford to continue living the lifestyle that we have become used to.

I mentioned previously the funds that flow to the Conservation Commission. I am not sure of its budget these days. It used to be $18m; it is probably $25m now. That is one example. The Conservation Commission does not earn a great deal of money. It might levy a few charges here and there but, by and large, you could say it is almost a non-income earner. It consumes an enormous amount of money and obviously we support it because we vote those funds through this Assembly. Such organisations need to be funded in order to continue their very good work on behalf of the whole community. But, if we think that we can carry on forever in that regard...

Mr Bell: So does the Department of Education. I do not think that makes any money either.

Mr PERRON: You are right. I have made my point. The money must come from somewhere, to pay for education and even, of course, to subsidise the Environment Council, although I do not particularly begrudge subsidies to that organisation. The government cannot keep paying out funds without earning money from somewhere.

When he heard that we were proposing to declare more parks, the member for Stuart mentioned that we could look at the James Ranges, Rainbow Valley and Napperby Lakes. I am not familiar with those areas and I encourage him to write a simple note to me asking me to look at them. Perhaps he can indicate where they are on a map. I will certainly have the matter investigated and, if there is some merit in his suggestion, I will discuss it with the Minister for Conservation. We will see what we can do. We just might be able to help him out there.

It was stated earlier, as it has been on many previous occasions, that no mining proposals in the Northern Territory have ever been subject to a full environmental impact statement. That sort of information has been disseminated by organisations such as the Environment Council of the Northern Territory. The council issues such statements every 6 months or so. It is wrong. To set the record straight, projects such as the Pine Creek goldmine, the Mereenie oil development and the Palm Valley gas pipeline have all been the subject of environmental impact statements.

The impression has been given today that the passage of these bills will lead to widespread and massive disruption of national parks by bulldozers roaring back and forth. That is a fairly unrealistic picture to paint, but members have certainly done that. They have predicted enormous disaster. I do not think that rational people would believe that such a situation would be

permitted. It is relevant that the Environment Council has been one of the groups strongly lobbying for change in this regard, and changes have been made as a result of their efforts.

Such organisations have a role to play. But I appeal to them to stick to the facts in their comments and statements on incidents or circumstances which occur at mines. I have had a running battle with the Environment Council ever since I have been Minister for Mines and Energy, and I think former ministers had a similar experience. From time to time, one gathers the material and fires back at them: 'These are the facts. Please get it straight'. The Environment Council has a significant problem that it needs to address if ever I am to take it seriously - not that that will worry it. It supports a policy of shutting down uranium mining all over the world and it has a legitimate right to adopt that policy. However, that makes it very difficult for it to be objective when it reports on matters such as the environmental conditions under which uranium mines in the Northern Territory operate. This has been part of the problem. I respect its right to be as anti-uranium as it likes but its motivation is to shut the mines down and I think that colours its attitude. When it reports on incidents that are alleged to have happened, it tends to go to the extreme. I think that is unfortunate.

I thank all members for their comments and hope we can process this legislation through the committee stage tomorrow. Honourable members will appreciate that the amendments make it significantly less contentious legislation than it was when first introduced.

Motion agreed to; bills read a second time.

Committee stage to be taken later.

## ENERGY RESOURCE CONSUMPTION LEVY BILL
(Serial 155)

Continued from Thursday 14 November 1985.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr TUXWORTH: Mr Chairman, I move amendment 51.1.

By way of explanation, this amendment is necessary to make it clear that the levy is not imposed on levy oil consumed in a motor vehicle as defined.

Amendment agreed to.

Mr TUXWORTH: I move amendment 51.2.

This amendment is required to insert a correct reference to the taxable oil.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 and 5 agreed to.
Clause 6:

Mr TUXWORTH: Mr Chairman, I move amendment 51.3.

The effect of this amendment is to omit subclause (3) and insert in its stead the following: 'No levy is payable where the levy oil consumed by a consumer during a consumption year or such shorter period as the consumer is a consumer is 10 000 000 L or less.

Mr BELL: Mr Chairman, in respect of these amendments, I ask the Chief Minister what effect the new subclause (3) will have vis-a-vis subclause (3) as it appears in the bill. What is the reason for the introduction of this amendment?

Mr TUXWORTH: Mr Chairman, very simply it is to provide a clear definition of the period of consumption.

Mr EDE: Mr Chairman, I am still confused about the method the government will use to ensure, for example, that a particular company does not split its operation into 2 or more separate units, each of which will become, in effect, a net user of somewhere in the vicinity, of 8 to 9 million litres of fuel, thereby evading the blackmailing impost.

Mr TUXWORTH: Mr Chairman, splitting is a very common practice, whether it be for this sort of tax, payroll tax or a range of other taxes. The Taxation Commissioner has the power to make decisions in relation to splitting.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7:

Mr TUXWORTH: Mr Chairman, I move amendment 51.4.

The effect of this amendment is to change the word 'fuel' and put in its stead 'levy'. It is similar to the earlier amendment.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr TUXWORTH: Mr Chairman, I move amendment 51.5.

This will have the effect of adding at the end of subclause (2) a penalty of $1000.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 51.6.

This is to insert after subclause(3) the following words: 'A return under this section shall contain such other information as the commissioner may specify'.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 agreed to.

Clause 10:

Mr TUXWORTH: Mr Chairman, I move amendment 51.7.

This amendment effectively omits subclause(2)(b) and inserts in its stead the following: 'The product of the average number of litres of levy oil disclosed as being consumed each month during the period covered by the return multiplied by 12 exceeds 10 000 000'. The levy is calculated in accordance with the following formula: $1 x A - B over 1000 where A is the average number of litres of levy oil disclosed as being consumed each month and B is the levy already paid in respect of the levy oil disclosed as having been consumed.

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 51.8.

It omits subclause(4).

Mr LEO: Do we get an explanation?

Mr TUXWORTH: It is not necessary.

Mr LEO: Mr Chairman, I am not even beginning to accept the arbitrary decisions of the Chief Minister. I would appreciate some explanation for the omission of a subclause.

Mr TUXWORTH: Mr Chairman, the honourable member asked me why it was omitted, and I made the point that it is not necessary.

Mr LEO: The subclause is not necessary or the explanation is not necessary?

Mr TUXWORTH: It was an unintended pun. I beg your pardon. I was not saying that he was not entitled to an explanation. The subclause is not necessary.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11 agreed to.

Clause 12:

Mr TUXWORTH: Mr Chairman, I move amendment 51.9.

It is proposed to insert in subclause(2) after the word 'of' the word 'a'.

Amendment agreed to.

Clause 12, as amended, agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 51.9.

This amendment corrects an omission from the bill which would have prevented the payment of a refund.

Amendment agreed to.

Clause 12, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill reported with amendments; report adopted.

Mr TUXWORTH (Chief Minister): Mr Deputy Speaker, I move that the bill be now read a third time.

Mr SMITH (Millner): Mr Deputy Speaker, I rise to express the strongest possible opposition to this legislation. As we have said on numerous occasions, it is a discriminatory piece of legislation which is aimed directly at Nabalco Pty Ltd in an attempt, as we have said before and as was admitted by the Chief Minister, to pressure it into the gas pipeline project. Not only will it put Nabalco completely offside, it also will have the effect of once again demonstrating to the private sector in the Northern Territory that this government, for its own petty reasons, is prepared to interfere in business operations in the Northern Territory. Once more, that will damage quite severely any confidence that businessmen have in this government in the Northern Territory.

This is the second time we have seen this sort of action. Of course, the first example was the compulsory acquisition of the casinos. To demonstrate quite clearly and precisely the feelings of Nabalco on this particular matter, I want to read a copy of a telex dated 18 November 1985 that I have received from Mr A. G. Powell, the Managing Director of Swiss Aluminium Australia, and Mr A.M. Brennan, the General Manager of Gove Aluminium Limited:

'Re: Energy Resources Consumption Levy Bill Debate.

Point 1: We have had the benefit of reading the Hansard report on the debate of 14 November on the Energy Resources Consumption Levy Bill. Point 2: One point which concerns us is that, once this bill becomes law, we and all other investors in the Northern Territory must have grave doubts as to the reputation and credibility of doing business with the Northern Territory government. The implication of these doubts and their effect on the Northern Territory is clear'.

As we predicted on 14 November 1985 in debating this legislation, this has illustrated to Nabalco that this government cannot be trusted and that there is no point, even if the sums were right, of its entering into a gas pipeline deal with this government because it could not be sure that somewhere down the track, once the agreement had been entered into, this government would not unilaterally change the deal. In other words, for a paltry sum of $300 000 to $400 000, the government has ensured that it will never get Nabalco into the gas pipeline deal because Nabalco does not trust the government.

It has had a secondary effect which I have already mentioned, but I will say it again. It has given another example to companies operating in the Northern Territory or which think they may wish to operate in the Northern Territory that this government cannot keep its hands out of their business or out of their pockets. That is something that we do not need at this particular stage in our development. It is not too late for the government to change its mind and withdraw this legislation. In the interests of all Territorians, it should do so.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I endorse all of what the member for Millner has said and I will add a few comments of my own. In all my time of dealing with people, I have behaved in a certain manner. I have no brief for Nabalco Pty Ltd which happens to be the chief employer in the community in which I live. Other than as an employer and, under some circumstances not a particularly favourable employer, I know nothing or little about Nabalco Pty Ltd.

Last week, after the debate, I described to persons in another place my big problem with this legislation. Because I am a member of this Assembly, I am implicated in dishonesty. This is dishonest legislation. It does not relate to things which honourable people would be involved in. It is dishonest and it should be condemned by every member of this Assembly. There is no honourable motive for this legislation. It is about blackmail; it is about the prostitution of law, Mr Deputy Speaker. It is about everything that I have condemned throughout my life. It is turning the law into this government's whore, and nothing more. It is dishonourable and dishonest. There is nothing more that I can say about it. I must conclude by saying this legislation has been born of deception, it has been nurtured by liars and it will die in disrespect.

Mr MANZIE (Transport and Works): Mr Deputy Speaker, I have to rise to comment on that performance by the member for Nhulunbuy. I do not think this Assembly has ever witnessed a greater hypocritical, theatrical display than him standing there with his holier-than-thou attitude making pious comments.

I simply make one point. A tax is being imposed of $1 per tonne, $1 per thousand litres or 0.1¢ per litre. Where was the honourable member for Nhulunbuy when the federal government made changes to the fuel subsidy which resulted in a price rise of 4¢ a litre - 40 times as much as this? Where was the honourable member for Nhulunbuy when the federal government through its Treasurer, the 'world's greatest treasurer', caused a devaluation which has caused a price increase of almost 20% in the export price of fuel? That is 80 times greater than this proposed tax. Where was this man who has just put on the most shameful performance that any member of this Assembly has seen? Everybody is fully aware of what a hypocritical performance it was.

Mr EDE (Stuart): Mr Deputy Speaker, I rise to advise this Assembly that I am categorically against this cowboy style attempt to hold this company or anybody else to ransom. This government cannot leave well enough alone. It has become so arrogant that it believes everyone should line up and kowtow to its every wish. If someone does his sums differently or decides for his own reasons that he wishes to go down a different road, that is not good enough for this government. The big brother, corporate-style Chief Minister believes that any deviation from his view is to be stamped upon. This legislation is to be condemned. It is dishonest. It is blackmail. It is not fit to be supported. In fact, it will be roundly condemned and will rebound upon this government and once again show it up to be the laughing stock of Australia.

Mr BELL (MacDonnell): Mr Deputy Speaker, I had absolutely no intention of speaking to any of the readings of this particular bill when it was first brought before the Assembly. The only reason that I am rising to speak in the third reading of this bill is because of the performance of the Chief Minister during his reply to the second-reading debate on Thursday night. I listened to the contributions of my colleagues during the second-reading debate. Representing an electorate in central Australia, I have little understanding of the operations of Nabalco. Unlike the member for Nhulunbuy, and certainly unlike the Chief Minister, I am aware of some of the issues that have surrounded the trans-national operations of the company but they are not specific concerns of mine either as a member of this Assembly or as a shadow minister.

However, I wish to place on record my concern about what is essentially an Al Capone morality: 'If you do not play the game, we will break your arm'.

Members interjecting.

Mr BELL: I hear all sorts of interjections. I hear them from the Minister for Community Development. I hear them from the member for Sadadeen and various other backbenchers. They might like to contribute to this third-reading debate. I doubt whether they have actually considered, as the member for Nhulunbuy says, the moral issue involved in this. It must come as something of a surprise to government members that Labor Party members in this Assembly are supporting a dreaded trans-national company. But I would like to think that there are certain issues that transcend party boundaries. These involve the normal rights and wrongs of transactions between individuals and corporations.

The fact of the matter is that individuals and corporations have certain freedoms. The freedom that is particularly involved in this case is the freedom of this trans-national corporation, this trans-national individual - to return it to the sort of moral terms beloved by government members in this Assembly - to make its decision whether it uses Kuwait oil or whether it uses a Northern Territory resource.

I quite appreciate the strenuous efforts of the Chief Minister in attempting to sell a natural resource that comes out of my electorate. I appreciate the entrepreneurial endeavours of whatever arms of the Northern Territory government may be involved in that particular enterprise. But, as far as I am concerned, I draw the line at saying: 'You do not play the game and we will fix you'.

Let me draw the attention of the Chief Minister to a few of his comments during the second-reading debate last Thursday. He was so unsure of his ground in this particular case that he had to draw himself to his full stature as an Australian. He said: 'I say to myself that does not help Australia's balance of payments. It does not help the Northern Territory'. It is unusual to hear the Chief Minister referring to problems that the Commonwealth of Australia might be suffering. He said: 'Then again, there is the option of using local Australian gas'. Again, the Chief Minister was a champion of national objectives. Further down he said: 'The government has never argued to Nabalco that it should be involved in anything that is uneconomic'. He said that there would be 'indisputable savings at Gove by using gas'. I am not privy to the information that enabled him to make that judgment but, having made that judgment, surely it is up to the principals or the local management or whoever it is in that particular corporation to make their decisions one way or the other.

There were all sorts of remarks in his speech last Thursday that just stuck in my craw. In 4½ years in this Assembly, I do not think I have ever been through a sittings where I have seen such clear evidence of individuals and organisations who do not agree with the boys in power being trampled on with quite such avidity as I have seen in the last week or so. It has been a real eye-opener for me.

The Chief Minister threatened the member for Nhulunbuy: 'I can give him an absolute guarantee that, if he stays on bunker oil, the cost of electricity in Gove will go through the roof'. There you go. How will he make that happen? He will tax them into it.

Mr Coulter: Oh come on! How is he going to do that?

Mr BELL: The Minister for Community Development asks how he will do that. Maybe he ought to read the bill and find out how he will do it. He has had the same opportunity as I to see what is going on with this. I will tell the Minister for Community Development how he will do it. He will do it through the machinery of this legislation. If the minister had been listening to the comments made by the member for Nhulunbuy during the last sittings, he would have heard him say that that is exactly how the government will send the cost of electricity through the roof in Nhulunbuy.

Mr Coulter: If you read tonight's paper, you will see that it has gone up 2¢ a litre.

Mr BELL: Mr Deputy Speaker, I trust you will use your best offices to encourage the Minister for Community Development to make some contribution to this third-reading debate. I challenge any one of those people opposite to get up and do exactly the same thing. They all have 10 minutes. Why is it that a national corporation or an individual should not be allowed freedom of choice?

Mr TUXWORTH (Chief Minister): Mr Deputy Speaker, the bill that we are about to pass will raise revenue by imposing a fair and reasonable tax on all large users of heavy oil.

Mr Bell: That is not what you said last Thursday.

Mr TUXWORTH: That is exactly what is in the bill. As with any taxing statutes, there are peripheral issues related to the incidence of the tax. That is the case with every taxing statute. Some of those issues have been referred to in the second-reading debate.

In the implementation of the tax, there is no intention to alter the tariff policy announced in June or to depart from established revenue practices and principles. The levy will contribute revenue needed to enhance the Territory's development for the benefit of all Territorians.

Mr Bell: Good one! Good one!

Mr Ede: Copyright that one.

Mr DEPUTY SPEAKER: Order! Order! The honourable member for MacDonnell is being disorderly in bellowing across the floor. There has been far too much of that from both sides of the Assembly tonight.

The Assembly divided:

| Ayes 17 | Noes 5 |
|---|---|
| Mr D.W.Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Dondas | Mr Leo |
| Mr Finch | Mr Smith |
| Mr Firmin | |
| Mr Hanrahan | |
| Mr Harris | |
| Mr McCarthy | |
| Mr Manzie | |
| Mrs Padgham-Purich | |
| Mr Palmer | |
| Mr Perron | |
| Mr Robertson | |
| Mr Setter | |
| Mr Tuxworth | |
| Mr Vale | |

Motion agreed to; bill read a third time.

## LAND AND BUSINESS AGENTS AMENDMENT BILL
(Serial 104)

Continued from 6 March 1985.

Mr SMITH (Millner): Mr Deputy Speaker, there has been a fair amount of lobbying by land and business agents to change certain aspects of the bill. It appears from the amendments that we have before us that they have been successful. Considering the lateness of the hour, I indicate that we support the amendments and therefore we support the bill.

Mr DALE (Wanguri): Mr Deputy Speaker, I am very pleased that the Deputy Leader of the Opposition has recognised the fact that this government always consults and receives delegations from people in the community. This is just such an occasion. We are very pleased indeed to have reached some compromise which is reflected in the amendments before us tonight. We are sure that this will assist land and business agents to conduct their business in a much more efficient way which will of course help the people of the Northern Territory.

Mr FIRMIN (Ludmilla): Mr Deputy Speaker, I agree with the circulated amendments which remove the contentious part of the other minor proposed amendments to the bill because I think they will play an important role in the administration of the legislation.

The main feature of the bill is to clarify the rules and conduct of agents. It now addresses quite clearly the grounds on which the board may revoke an agent's licence. It now specifically includes provision for revocation following removal from the Territory or closure of the office. The board also has the right to revoke a licence on other reasonable grounds and direct the registrar not to renew a licence.

There is a further amendment which provides power to the board in extreme cases. This is partly the reason why I wanted to speak tonight. At one

stage, there were some fears within the industry that the all-encompassing powers provided for in this bill would allow the registrar to revoke an agent's licence temporarily while hearings were taking place. That might be seen as extreme. I would like to suggest that that amendment clearly demonstrates that an individual matter or a multiplicity of occurrences could be so severe that a member's licence could be suspended while the matter is in the hands of the inquiry.

The remaining amendments are minor. They tidy up matters relating to the functions of the trust funds. As has been suggested by the member for Millner, the licensed agents in the Northern Territory have been canvassed widely and certainly support these amendments to the bill. I commend it to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr PERRON: Mr Chairman, I move amendment 42.1.

This amendment omits clause 25(c) and inserts a new clause 25(c). It removes a requirement under the proposed clause that, unless otherwise approved by the minister, half the persons by whom the firm is constituted are licensed agents. The clause, as amended, provides that a company or firm constituted by 2 or more persons is eligible for the grant of a licence where the board is satisfied that, firstly, in the case of a company, the company by its memorandum of association is authorised to carry on business as an agent and all the directors and persons concerned in the management or control of the company are fit and proper persons. In the case of a firm, all of the persons by whom a firm is constituted and all the persons concerned in the management of the firm must be fit and proper persons. Before the board grants a licence, it must be satisfied that each person in effective and substantial control of the business to be operated under the licence sought is a licensed agent.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 15 agreed to.

Clause 16:

Mr PERRON: Mr Chairman, I move amendment 42.3.

This amendment removes the transitional provisions of clause 16 dealing with a requirement under proposed section 25A and proposed section 25C that half the directors of a company or half the members of a firm be licensed agents. Both of these are now omitted. The clause, as amended, provides that, subject to the provisions of proposed section 95B(2), any determinations made relating to the consolidated interest account and fidelity guarantee fund shall remain in place should clause 14 be passed and come into effect as legislation.

Amendment agreed to.

Clause 16, as amended agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr TUXWORTH (Chief Minister): Mr Speaker, I move that the Assembly do now adjourn.

The member for Stuart raised in the Assembly both yesterday and today the issue of the Ti Tree incident. I think it is appropriate that I make a comprehensive statement on this matter and table some papers that I believe are relevant.

I have received by telex press releases from Aboriginal organisations in central Australia calling for a judicial inquiry into the Ti Tree incident that occurred in 1980. I note with regret that this call has been made with a view to maximising publicity and with little indication that it has the support of individuals directly concerned. The release of the press statements coincided with a settlement this week in the Northern Territory Supreme Court of civil actions by Freddy Pepperill Jagamara and the widow of Johnny Ross Jabanardi. This amicable settlement was on the basis of a denial of liability.

The incident at Ti Tree took place more than 5 years ago. Since that time, there has been a series of investigations and inquiries, including a murder trial at which the police constable charged was acquitted. In answer to questions which have been raised, I am able to inform the Assembly that I am certain there has been no subsequent police cover-up and no improper behaviour by senior police officers or the government in this matter. On the contrary, neither the coroner nor an independently-commissioned barrister found any basis for such allegations. One of the conclusions of the coroner, Mr Galvin, was:

> 'I am satisfied that there can be no finding that the police investigation was biased, incompetent or proceeded on the basis of seeking to protect the police officers'.

In 1981, the Police Commissioner called for a report from a barrister in the community, Mr Dean Mildren. Mr Mildren represented the Police Commissioner and the Northern Territory Police Force at the hearings. I am tabling Mr Mildren's report, but let me quote from his concluding remarks:

> 'Nevertheless, put in the proper perspective, whilst I do not contend that the investigation was a model of forensic elegance, as there were mistakes made and important matters overlooked, I do not consider that it was a biased or incompetent investigation. On the contrary, I think that, on the whole, the investigation was well done, but there were a few slip-ups, no doubt explicable by the complexity of the investigation in that the police were given a number of different accounts by Aboriginal witnesses which could not be reconciled ... I felt that a fair assessment of the investigation was that it was competently done and that, whilst perhaps police sympathies lay with Clifford and Warren, there was no attempt at a cover-up - on the contrary, quite detailed and proper inquiries were

made to test the version of events given by both Constables Warren and Clifford'.

A number of significant comments made by the coroner have been taken up by the Police Commissioner. Internal forensic procedures were reviewed which led to a decision to place greater reliance on external forensic testing and examination. The review also generated a considerable upgrading of the forensic facilities and procedures such as more rigid cataloguing of exhibits and the introduction of methods to ensure that there can be no cross-contamination of exhibits. This area is now directly controlled by a superintendant.

The situation now is that, if another incident of this type occurs, external forensic expertise would be employed. As early as 1982, the Police Commissioner wrote to the editors of newspapers in both Alice Springs and Darwin reporting that:

'The force became aware of certain deficiencies in investigation management, due to the type of difficulties referred to by Mr Galvin. Consequently, a major crime plan has been developed and staff trained for the purpose of better coordination of the collection and collation of the evidence in serious crimes'.

That crime plan has been implemented since 1982.

As to the question of police investigating police, the Police Commissioner instigated a review which has led to procedures being developed for increased involvement through oversight and review by the Ombudsman. There is now a far greater degree of cooperation with and involvement by the Ombudsman in any circumstances requiring investigation.

I should mention that, soon after the incident at Ti Tree, Constable Clifford was transferred by internal police direction to non-operational duties. In August 1981, following the findings of the coroner, Constable Clifford was charged and, upon being charged, was suspended from all duties on full pay, as is provided by the Police Administration Act. Upon his acquittal by a jury, he was reinstated to full operational duties. A subsequent review by Commissioner McAulay, Assistant Commissioner Grant and Deputy Commissioner Textor found that no further disciplinary action was appropriate.

I am concerned that the groups now raising these allegations waited until the day of a Supreme Court settlement to do so. After all, the incident happened almost 5½ years ago. I regard the timing as mischievous and aimed at eroding community confidence in the police. The Northern Territory Police Force continues to have the full support of the government.

In all the circumstances, the Territory government does not consider that a judicial inquiry is justified. I would like to put on the record answers to the questions on the telex that were circulated earlier. I do not have a copy with me but there are certainly a few floating around. The questions were sent to me by organisations in central Australia.

In answer to the first question, the coroner did not conduct the inquest for 12 months and he admitted responsibility for the delay. See page 3 of the coroner's reasons for the decision on the inquest.

Question No 2: the answer is no. See the coroner's reasons on page 22 and my statement tabled in the Assembly today.

Question No 3: the answer is the same as for question No 2.

Question No 4: this is answered in the coroner's report itself. Some measures to improve facilities and procedures are detailed in my statement.

Question No 5: Clifford has the same legal rights as all other citizens in the community.

Question No 6: this is a statement, not a question.

Question No 7: the government does not control what appears in the press.

Question No 8: the Ombudsman now has a role. Please refer to my statement.

Question No 9: new procedures have been developed involving the Ombudsman. Refer to this statement.

Question No 10: yes. Refer to this statement.

Question No 11: yes. He was acquitted of the charge.

Question No 12: yes. Please refer to the statement.

Mr Deputy Speaker, I table also Mr Galvin's decisions in relation to the Ti Tree incident.

Mr McCARTHY (Victoria River): Mr Deputy Speaker, I have a petition which was handed recently to the Minister for Community Development in Adelaide River. It is signed by 38 residents of Adelaide River protesting about the recent power outages in the town and the poor condition of the town water supply. The petition is not in a form suitable to be presented through the normal channels and I do not think it was intended that it should be presented. I would like to read what the petitioners signed:

> 'The recent power cuts the town has been experiencing cause inconvenience and eventual damage to electrical equipment when surges take place. Another factor is the town water supply when these power cuts occur. The water difficulties cannot be tolerated for much longer as it eventually leads to health hazards by dirty drinking water and lack of sanitation. There have been various complaints regarding the water contract for the past 6 months, regarding the filthy condition of the water and the lack of pressure. With the high cost of electricity and water, we should expect a better service for our money than we are presently experiencing.
>
> If you agree with the above statements, please sign on the next page. This petition will be handed to Mr Barry Coulter, the Minister for Community Development, when he visits Adelaide River at the ARSS club. Please come along and voice your opinions'.

Adelaide River was not alone in suffering power cuts recently, but I will come back to that later. Adelaide River has been suffering from very poor water supply for some time and the problem has been difficult to overcome. I

know the Minister for Transport and Works is aware of the problem and attempts have been made to overcome it.

The problems referred to in that petition were brought about by the power outages which occurred every night for about 3 weeks in both Batchelor and Adelaide River. They had no power from about 9.30 pm until 7 am and most of us suffered pretty badly. I suffered more than most because, since there is no other specific government person in that area, I received all the complaint calls. I was often up at 1.30 am answering calls from people who were experiencing a lack of water in Adelaide River. One man had been out to an accident and had towed a vehicle. He was covered in grease and dirt yet could not have a shower. He decided at 1.30 am that he should ring me and tell me about it. That not only wakes me up but also wakes the kids up. I was getting a bit toey about it too.

The power outages and the eventual water supply breakdowns in Adelaide River were apparently caused by flying foxes. NTEC told us that flying foxes were in far greater numbers than usual. That may or may not be so. However, people cannot remember ever having suffered from power outages every night for 2 to 3 weeks and over the same time period - 9.30 pm until 7 am. It was very difficult to believe that the flying foxes were the only cause of the power outages. The problem was overcome by the installation of temporary generators in both towns for a period. Obviously, the flying foxes were causing the initial problem but there was insufficient power to start appliances up again. Many people lost the use of their fridges and freezers because they burnt out. I lost a freezer full of meat and many stores suffered that sort of problem.

I have a problem with flying foxes - I don't like them. For years, I have seen the mess they make. During the last school holidays, I spent 3 days with my family at Mataranka. While we were at Mataranka, we went down to the thermal pool each day to have a swim. Over that pool, there were literally millions of those stinking bats hanging from the palms. You grind down a path through these old palms. You have to push the fronds out of the way and there is bat dung all over them.

The smell hits you as soon as you get out of your car. It is absolutely shocking. Many interstate visitors thought the terrible smell was the thermal pool. The droppings were everywhere. Obviously, they were in the water and only the flow over the top of the wall kept the top few inches clean. We swam because it was hot and the pool was at least a little bit better than not being in it. Something must be done about the numbers of bats down there. I was angry anyway at that time. We had left power outages at Batchelor and went down there and saw the bats that were supposedly causing the problem. Mr Deputy Speaker, earlier in the year, I was fortunate enough to walk into the Chief Minister's office at a time when he was knocking back a trip to Guam and he suggested that I go in his place. I guess that is the only reason that I got the ride. I thoroughly enjoyed the trip. Our group consisted of the Lord Mayor of Darwin, Alec Fong Lim, the Mayor of Katherine, Pat Davies, armed service heads and various other people.

We travelled in a tanker and refuelled a B-52 en route. We were feted very well by the Americans in Guam. While there, I had the opportunity to meet the Speaker of the Guamanian Assembly. He told me that he had just come back from Washington where he had been asked to provide their national dish to the Congress. He took an esky full of fruit bats. I tried to eat fruit bat when I was living at Bathurst Island because it was a delicacy over there. The people loved them. If you brought back a bag of fruit bats after a night

out bush and gave them to the people, they would love you for a week. However, you could not get near them because the smell was terrible. When you lift them near your mouth, they stink terribly. However, the people like them and I do not knock them for that. The Guamanians love them so much that, with the growth of their population in the last few years - and I understand it has grown from 16 000 or 20 000 to over 140 000 - they have eaten out their bat population.

They are paying $10 a carcass for fruit bats. If ever there was a market for the Northern Territory, it is the export of fruit bats to Guam. I do not have the money to set it up but I am sure that there must be a few people around who have the money to set up such a project. We could export fruit bats to Guam - dead or alive; I do not care how it is done. I would just like to see the last of them. There is a tremendous market there. You could never kill them out of the Top End or Queensland. Honestly, at sunset, they fly over Batchelor and block out the sunlight for half an hour on occasions.

The Speaker would have paid me anything if I had had an esky full of fruit bats. We really ought to consider this as an export market for the Northern Territory. I understand that fruit bats are considered a delicacy not only in Guam but also right throughout that area. By the way, I understand that they went down very well in Washington so perhaps there is a market over there as well.

Getting back to Mataranka, the mess down there was shocking. I would not happily take my family back to the thermal pool at Mataranka again. Not only did we suffer from the fruit bat dung and its smell but, on the verge of the pool on the first day, there was a pile of dung that was obviously not from a dog. It was obviously human excreta. That was still there on the second day and it was still there on the third day. I do not know what the people who are supposedly looking after that area are doing but they are certainly not doing their job well. The path to that pool should be cleaned up. The fronds of the palms should be cut back so at least you can walk down to the pool without getting yourself into a mess. The edges of the pool should be kept clean. Somehow the fruit bats must be removed either by shooting or perhaps by helicopter. The greenies would be upset about it. They would reckon we were upsetting the ecology of the area or the domicile of the fruit bat. I really feel we need to do something about it. We suffered from power outages in Batchelor and we suffered from the smell and the mess at Mataranka. The market is there in Guam and elsewhere. Let us do something about it.

Mr EDE (Stuart): Mr Deputy Speaker, in relation to the Ti Tree incident, I had expected a ministerial statement at the appropriate time. I thought that was what the Chief Minister had promised. However, I suppose we should acknowledge that, what for us lesser mortals is simply an adjournment debate, for the Chief Minister assumes the gravity of a statement. It is unfortunate that this will restrict our opportunity to debate the issue and to discuss the very important points that were raised. I will not go through the contents tonight. I would like to have a close look at the papers that he has tabled and hopefully have an opportunity tomorrow night to discuss this report. I will simply make a point about the arrant nonsense in regard to the 5½ years. The matter has been sub judice for 5½ years and members very properly could not debate it during that period. I think that it does not sit well for the Chief Minister to rub people's noses in something which they have done quite properly.

The member for Victoria River raised his concerns about fruit bats. While the feral cats which infest my electorate do not block out the sun for half an hour at sunset, they are about the only living thing that I will shoot and not eat. I make a point of eating anything I shoot. With feral cats, I draw the line because I feel that I would choke on them, because I hate them so much. I have travelled through the Tanami a number of times. In fact, I was the second person to travel through there in a 50-year lull. At that time, the area abounded with wild turkey and various types of kangaroo and wallaby. I was back there the other day and I did not see one turkey. However, I did see 3 enormous feral cats. These cats become so ferocious and have adapted so well to the area that they can bring down an adult bush turkey without any problems whatsoever. Imagine what they do to the young turkeys. There are fines for shooting bush turkey. I do not know whether we still have them but there used to be a bounty on the dingo. If there is one living creature that I would put a bounty on, it is the feral cat.

There is another point that I wish to raise today. It is a response to another statement made by the Chief Minister. During question time yesterday, the Chief Minister was virulent in his abuse of the opposition's stance on government proposals such as the gas pipeline. He attacked us by saying that we had tipped buckets on the pipeline idea and that now we are riding on its back. This sort of criticism of the opposition is becoming commonplace in this Assembly. I cannot let the Chief Minister's abusive criticisms stand without correction. I will enjoy doing it.

If the Chief Minister would just take the time to look carefully at the history of the debate relating to the Northern Territory's energy needs and the pipeline project, he will very quickly see the folly of the statement that he made in the Assembly yesterday. If those other members of the government opposite, who roared with laughter yesterday when we attempted to point out the gross inaccuracy of the Chief Minister's comments, would also care to study Hansard a little more carefully, the ridiculousness of their behaviour yesterday will become obvious to them also. I can forgive some of them because they were not here at the time. I myself had to do some research.

I would like to impress upon the Chief Minister and his government that the opposition is becoming fed up with constantly being attacked and criticised for lack of cooperation with the government on matters of importance to the Territory such as the pipeline and the railway. The facts simply do no support such attacks. How the Chief Minister can make a public plea for bipartisan support for the railway proposal less than 24 hours after he wrongly accused us of, and abused us for, bucketing the pipeline proposal is beyond me. His approach could do nothing but strengthen opposition everywhere to his particular style of government.

To set the record straight, the opposition has never bucketed the pipeline project. As early as April 1980, the Northern Territory Autralian Labor Party announced its policy on the development of the natural gas resources of the Territory as the long-term solution to the Territory's energy supply problems. It has been threatened before by people on this side of the Assembly that we would table our policies and ask for their incorporation in Hansard. I will not do that this time but I have a copy of our energy policy which was released in April 1980. It is headed: 'Natural Gas - The Key Fuel'. The ALP's policy included proposals for government involvement in the export of the natural gas resources to ensure that all Territorians shared the benefits. The Australian Labor Party policy most importantly included a proposal to use pipelines to exploit those gas resources and this was a clear statement in support of the gas pipeline concept.

Only a few weeks after the ALP policy statement was released, the Chief Minister, in his then capacity as Minister for Mines and Energy, made a statement to this Assembly on electricity supply plans for Darwin. His statement set out the government's plan for construction of a coal-fired power plant in Darwin. He pointed out that the government was having 2 bob each way by making allowance for a possible conversion at a later date.

The Leader of the Opposition at the time, Mr Jon Isaacs, was firm in his stance to develop the natural gas reserves and the exploitation of gas in the planned Darwin power-station. How that stance can possibly be regarded as negative, I cannot say. However, the facts and the events have shown that the opposition displayed a great degree of foresight in its policy at that time. If one cares to study the Hansard, it is obvious that the only ones bucketing the national gas pipeline idea at the time were the honourable members opposite. The then Treasurer, now Minister for Mines and Energy, in fact attacked the opposition for having what he saw as the audacity to make statements pointing out that the infrastructure costs of gas would end up being cheaper than coal. He ridiculed the opposition proposals to build a pipeline from Palm Valley to Alice Springs. In fact, he said: 'It seems to be a cheap way to try to impress people and it surely smacks of a lousy financial policy'. If that is not a classic case of the government bucketing the pipeline idea, then I do not know what else you could call it.

There is wide evidence to refute the Chief Minister's inaccurate accusations yesterday. The Chief Minister, then Minister for Mines and Energy, made a statement to this Assembly in June last year in which it became clear that he and the government had suddenly become converts to the pipeline idea. In that speech, he pushed the natural gas pipeline as if it was his own baby. Few could imagine that, only a few years before, the coal idea was being pushed by government members with the same enthusiasm.

In speaking on the minister's statement, the present Leader of the Opposition gave his total support to the pipeline concept. Initially, he expressed surprise at the sudden emergence of the proposal in the wake of the NTEC investigations into the fuel options available at the Channel Island Power-station. They had, we were firmly told, ruled out gas. As the Leader of the Opposition pointed out at the time, it was a conversion on the part of the government which would rival that of Saul on the road to Damascus. This was what shocked the opposition at the time. Neither the Leader of the Opposition nor any other opposition member has in any way bucketed the pipeline proposals. In fact, the Leader of the Opposition described the pipeline as 'without doubt an exciting prospect'. He concluded his response to the statement by saying: 'If it does prove up, and I have no doubt at all that it will prove up, in the short term it will be one of the most dramatic boosts to the Territory's economy that could be possible'.

As you can see, the opposition has never bucketed the pipeline proposal. We have in fact been supporters of the exploitation of natural gas and the building of pipelines from the days when the members opposite were advocating the use of coal for electricity generation in the Northern Territory. The evidence exists. Those who care to check the Hansard will see that the Chief Minister's statement yesterday was, as usual, completely inaccurate. I would simply like to point out in conclusion that, should the Chief Minister be serious about enlisting bipartisan support for his government's policies on matters like the railway, he should consider being a little more responsible before pushing headlong into beating the opposition around the head with nothing but inaccurate verbal abuse.

Mr D.W. COLLINS (Sadadeen): Mr Deputy Speaker, I cannot just let that go without some challenge ...

Mr Ede: Read the Hansard.

Mr D.W. COLLINS: I can read it.

Mr DEPUTY SPEAKER: Order!

Mr D.W. COLLINS: The coal-fired power-station did not originate from some Labor Party conference where decisions were taken on the spur of the moment. The government considered all the options seriously on economic grounds. Very reluctantly, the coal option was accepted as having the best economic value. There were 2 reasons in particular. One was that the cost of constructing a pipeline was high. Since then, the technology of pipeline construction has improved and the cost has been reduced dramatically. The other was that gas reserves were not proven. The member for Stuart just alluded to this himself when he used the expression 'provided the gas reserves are proven up'. We saw that there was a chance that gas might be viable, but much would depend on its proving up.

It is all very well for the Labor Party to have a conference where somebody suggests a bright idea such as 'gas is the way to go'. You notice they talked about a national grid and the notion that private money could be used to finance it. What delights me is that we were able to decide on gas because of the improved technology and the proving up of reserves. There would always have been a problem with getting Queensland coal to the wharf in Darwin. There were about 20 unions involved in mining, transporting and landing the coal. Any one of those could have fouled up the system and held the Territory to ransom whereas the gas pipeline will be very difficult for the unions to disrupt.

All members have expressed from time to time their real concern at the motor accident rate and the deaths on our roads. This year, it is running at a very high rate indeed. Often alcohol is the drug which is blamed for these accidents and, no doubt, in many cases that is true. I have expressed in this Assembly and I have asked the previous Minister for Health, now the Deputy Chief Minister, to see if anything can be done at least to initiate testing for other drugs which are abused by certain people so that we can determine what effect they have and obtain some statistics on the number of people who use marijuana, heroin or whatever else. By that means, perhaps we can get some idea of the effect that drugs other than alcohol have. At that time, no simple testing procedure was available. Tests could only be conducted through blood samples and that was fairly difficult and very time consuming.

However, I would bring to the attention of the Assembly an article in the Bulletin of 8 October 1985, at page 144, which refers to testing brain waves. Basically, a particular company has developed a system called a Veritas 100 which involves placing a band with electrodes over the eyes of a person. It can pick up electrical impulses between the retina and the back of the eye and these patterns can be digitalised and thrown onto a cathode ray screen and compared with known patterns for various drugs. Apparently, each drug will have its own particular pattern which, it is claimed, is as unique as fingerprints. These tests could be undertaken quite simply and statistics could be compiled from the results.

The time may come when, as well as breathalisers, there may well be this test which has the fancy name of an electronystagmograph (ENG) test. Possibly, it could be used to determine to what extent accidents are related to the use of drugs. I think we need to look at that and, when statistics are determined on such things, perhaps we can look at appropriate legislation to try to combat the accidents upon our roads caused by drugs other than alcohol.

Mr SMITH (Millner): Mr Deputy Speaker, I wish to do 3 things tonight. First of all, I wish to express my concern that this is the second late night sittings in a row and, although I have no objections to late night sittings if they are unavoidable, I think it is quite evident that, if the government had organised its business a bit better last week, we would not have faced this situation of 2 late night sittings in a row. I must admit last night the lateness of the hour was not unconnected with the efforts of some of our members on this side of the Assembly. However, Mr Deputy Speaker, last week we were moving the adjournment at about 5 pm or 5.30 pm at the latest. If the government had put more business on last week, which probably would have necessitated it organising a couple of issues a little faster, it would have saved the wear and tear that is showing on many of us at present.

I want to speak reasonably briefly on the adoption laws in the Northern Territory. I hasten to reassure you, Sir, that I shall not refer to matters relating to a bill presently before the Assembly but on the need for adoption laws to give a greater opportunity for adoptees, once they become adults, to find out more about their natural parents if they wish to do so. Natural parents may wish to find out what happened to the child they may have unwillingly had to give up when that child was young.

The current situation in the Northern Territory is that there is no provision in legislation for people in that situation. The only information that can be provided by law is what is called 'non-identifying information'. That is very general information, such as the age of the mother, or relevant medical records if there was something peculiar about the health of the mother that the child should know. We will all be aware that, through the activities of organisations like Jigsaw, there has been a freeing-up of the traditional approaches to adoption. I guess that is best summarised by saying that the law has traditionally held that, if the natural mother has given a child up, she relinquishes all rights to that child in the future. In some of the states, there is a freeing-up of that attitude and provision is being made for natural mothers and adoptees to get together if that is their desire. I will take Victoria as an example. That state has established a register and, in the event that both parties make an approach and are placed on the register, the law provides that initial contacts can be made through an approved counsellor, in the first instance separately. The natural mother would be told: 'You are on our register and your daughter is on our register. Are you interested in seeing her or are you simply interested in finding out more about her?' A similar exercise takes place on the other side. Meetings only occur after much counselling has been given and if both sides are happy for that meeting to take place.

The experience is that most people in those circumstances, out of curiosity if nothing else, appreciate at least 1 meeting. Some of them find that they have nothing in common and do not want to meet again. Through this meeting and the release of information, others have found whole families that they did not know existed. I think it is a very humane way of treating what for many adopted children in particular can be quite a horrifying experience. Once they are informed that they have been adopted, many people have a very

normal desire to find out more about their natural parents. At present, the laws in the Northern Territory does not provide for that to happen.

I would hope that we could give consideration to moving towards the implementation of a scheme similar to the Victorian one because that would make many people happy. Of course, I guess we cannot expect the same sort of results as those in Victoria because of the transience of our population. In many instances, one of the parties will have moved out of the Northern Territory and therefore outside of the Northern Territory's jurisdiction. However, the possibility of having such a scheme is something that we should all examine.

I want to turn now to some intriguing aspects of the recent and well-publicised speech delivered by the former Public Service Commissioner, Mr Ken Pope. As I have said, the speech entitled 'The Sudden Death Concept and Public Service Reform in the NT' was given considerable publicity when it was delivered at the Darwin Convention Centre on 4 November. However, a number of questions, which I believe need to be clarified, were raised by public comments from both Mr Pope and the Chief Minister regarding Mr Pope's early retirement.

Mr Pope's address was attended by a number of public service departmental heads, senior public servants, suspended or otherwise, middle-level public servants and, of course, Labor politicians. Unfortunately, the occupants of the Treasury benches were conspicuous by their absence.

Mr Robertson: We were not given an advance copy like you.

Mr SMITH: Neither was I. Do you mean to say you would have gone if you had had an advance copy?

Mr Robertson: Come to think of it, no.

Mr SMITH: It is hardly surprising that the Leader of Government Business and other ministers and even backbenchers were not given the contents of the brutally frank speech of the former Public Service Commissioner.

Those who attended heard Mr Pope recount a very interesting tale about being wheeled - his word not mine - into the office of the Chief Minister in December last year and told in the presence of the Deputy Chief Minister that he should retire. He was told, to use Mr Pope's own words again, that he was 'past it'. Mr Pope told his audience that he pointed out that he had 2½ years to run on his contract and he did not appreciate that advice. Would you if you were only 62½ and life was just beginning?

It is interesting to consider this story in the light of subsequent events. As all who attended Mr Pope's speech know, he decided to retire in July this year in protest at the introduction by the Chief Minister of the Public Service and Statutory Authorities Amendment Act into this Assembly on 6 June. The Leader of the Opposition and I claimed at the time that this was the case. That claim was hotly denied by the Chief Minister. It is interesting to look at a press release issued by the Chief Minister dated 17 July which announced Mr Pope's decision to retire early. No reason was given for that decision. However, that was not what interested me. It was the following extract from the text of the release:

'The Chief Minister said he was pleased that Mr Pope would continue to live in the Territory and he said that the government was keen that the Northern Territory will continue to benefit from Mr Pope's skills and experience. In this regard, Mr Pope has agreed to become a consultant to the government on administrative issues that will need to be identified and resolved in the Territory's move towards statehood.

Mr Tuxworth also praised Mr Pope for the major contribution he had made towards the development of the arts in the Northern Territory. The Chief Minister said Mr Pope's expertise would be utilised in 2 arts-related areas. First, he would be taking up a position on the Museums and Art Galleries Board and, second, he would undertake on a consultancy basis a role promoting and developing the performance and appreciation of music in the Northern Territory'.

The questions I wish to raise must surely be obvious by now to everyone in the Chamber. Why did the Chief Minister offer 3 positions to a man he had earlier considered to be past it? Why indeed did he announce that Mr Pope would take up these positions when clearly he had not even given the Chief Minister an answer? This whole affair smacks of a hamfisted attempt by the Chief Minister to buy off a man who was clearly working in constant fear for the independence of the public service which he headed.

After all the harassment that he had received from the government, Mr Pope obviously had the good sense to take up appointments elsewhere. However, I must say he certainly helped in his final act in Darwin to further develop the arts in the Territory - in this case, the art of honest public debate about the excesses of this government. It is too bad none of the members opposite, particularly the chief architect of the sudden death concept, was there to face the music.

Mr Pope asked one question in media interviews after his speech concerning the Chief Minister. It was a simple question of principle which, as he pointed out, did not require any thought: 'Will the Chief Minister repeal the draconian public service legislation he introduced and pushed through the Assembly on 6 June?' We are still waiting for an answer on that particular point. We are still waiting to see what the government is planning to do in terms of the amendments that the Leader of Government Business forecast would be placed before the Assembly at these sittings.

The Leader of Government Business should stop giving press conferences before sittings of the Assembly because he was right 2 out of 5 times by my count.

Mr Robertson: It really hurt.

Mr SMITH: It really hurt?

Mr Robertson: I can promise you another bucketing next time, my word.

Mr SMITH: We do not mind a bucketing so long as you get your facts straight. That seems to be harder and harder for you to do.

Mr SETTER (Jingili): Mr Deputy Speaker, this has been a very entertaining adjournment debate. We had the lighthearted address by the member for Millner. We heard about the fauna abounding in the electorate of Victoria

River. In fact, I can assure the member that Ludwig Leichhardt found flying foxes most palatable a century or more ago when he explored the area south of the Gulf of Carpentaria. The poor fellow was starving at the time and they saved his bacon. Of course, the member for Stuart told us all about his feral cats. They are indeed a pest.

However, tonight I would like to tell members about some of the problems that I have in my electorate. I have a dog problem, for example. That is one to which I will address my comments a little later. I would also like to draw attention to the problem that the Darwin City Council currently has - a problem of pedestrians. It has thousands of them crawling over the city and it really does not know how to accommodate them. I thought I would tell the Assembly of my experiences in this regard.

On several occasions this year, I have had representations from constituents regarding their problems with pedestrian crossings controlled by the Darwin City Council. I have on each occasion addressed these matters with the council and I regret to say that I have failed to achieve much success. I have come to accept that the Darwin City Council is basing its decisions regarding pedestrian crossings more on its ability to cut costs than its regard for the safety of the pedestrians of this city.

Earlier this year, as a result of concerns expressed to me by the school councils of both Jingili and Moil Primary Schools, I approached the city council and requested it upgrade the various crossings adjacent to those schools. I requested the repainting of lines marking the crossings and the erection of additional signs. The council refused to implement any of my suggestions. However, it was most helpful. It forwarded a copy of its handbook which provides details of how it approaches the problem of pedestrian crossings. This book describes the standards it lays down for such crossings. It has a policy of placing the emphasis on the pedestrian and the motorist avoiding each other rather than accepting the responsibility itself. The council suggested that schools should accept a greater responsibility in ensuring the safety of their students. Whilst I accept that schools do have a responsibility in this regard, I cannot accept the Darwin City Council's approach.

Recently, I was contacted by a resident of Anula whose children attend the Moil Primary School. This requires these children to cross the busy Lee Point Road twice daily. In the morning, they cross during peak hour traffic. They do this by using the crossing adjacent to Lee Point Road and Parer Drive. After receiving this complaint, I inspected the crossing and found it to be very poorly identified. The paint marking the crossing had worn away and the signs were obsolete in style, too few in number and poorly located. In fact, during peak-hour traffic on this 3-lane each-way carriageway, with a nature strip down the middle, it is impossible for a motorist travelling in company with other traffic to sight a pedestrian stepping off the nature strip or the kerb, particularly if that pedestrian happens to be a child. In fact, a week or so ago, a young girl was involved in an accident with a motor vehicle as she wheeled her bike across that particular crossing. I understand that the child was not badly hurt but the potential is there for a very serious accident.

Following my inspection, I wrote to the council expressing my concern and requesting that it upgrade and better identify that crossing. I pointed out at length that children frequently used the crossing and I feared for their safety. In due course, the council replied. It did not agree to my request

but it advised me that it was considering removing that crossing altogether. As the result of my further representation, the council agreed to delay its action and monitor the use of this crossing for several months before making its final decision.

I have learned that the council recently advertised in the newspaper for objections to the closure of that crossing which is contrary to what it told me. This indicates to me that it intends to pursue its original plan of removing the crossing. If this is done, there will not be a pedestrian crossing along Lee Point Road between McMillans Road and Vanderlin Drive, a distance of 2.1 km. This means that people wishing to cross this busy road will have to run the gauntlet and cross at their peril. This will be compounded early next year when we introduce the senior high school system. Many students from the Anula-Wulagi area will be coming across to Casuarina High School and, therefore, the amount of pedestrian traffic will increase quite considerably.

I am very concerned about the council's attitude. I certainly do not intend to let it lie there. I am quite sure that the member for Wagaman and the Minister for Transport and Works do not intend to let it lie there either. I certainly hope that the people who have complained to me about the crossing put their complaints to the Darwin City Council in writing because it is only by group action to put some pressure on the council that we will achieve the upgrading that that particular crossing demands. I understand that there is a petition being circulated as well.

I believe that this action by the council, and indeed its policy of removing pedestrian crossings, is totally irresponsible, particularly when it is spending public money erecting a sign marked 'Mindil Beach' in front of the Diamond Beach Casino simply because it is engaged in a dispute with the operators of that casino over the name change. That is the only reason. It is absolutely crazy. Indeed, it erected 4 stop-signs on the corner of Mitchell and Knuckey Streets in the city some 6 months ago. I am pleased to note that, recently, it removed one of them and replaced it with a give-way-to-the-right sign. It is quite happy to spend its money doing things like that but it is not prepared to spend its money on pedestrian crossings which demand upgrading for the safety of pedestrians, particularly children. If these are examples of the council's approach to road traffic control signs, then it certainly needs to change its approach. It must consider the safety and the needs of residents and not make decisions based mainly on financial considerations. The matter will not rest here.

I would like to turn my attention to another issue for which the Darwin City Council is responsible, and which concerns me greatly. I refer to the control of dogs which abound in our community. I am quite sure that all the members who live in the northern suburbs of Darwin will understand the problem. Let me make it quite clear: I do not for one moment question the right of residents to keep dogs as domestic pets. Having said that, let me hasten to point out that I believe people who keep domestic pets have a responsibility to ensure that they are well looked after. They should be given ample room in which to roam within the confines of the owner's property. They have a further responsibility to ensure that their dogs do not interfere with other residents going about their lawful duty. Regrettably, some people refuse to accept this responsibility and allow their animals to roam the streets making a nuisance of themselves. They do not supervise the actions of these pets, but turn a blind eye to their misdemeanours.

We often learn of residents being attacked and their property damaged. There have been a couple of incidents widely reported in the media in Darwin in the last 2 or 3 weeks. First of all, there was the fellow who was knocked off his bike in Anula at about 5 am. As a result, he suffered some very bad lacerations. I do not think he was bitten by the dog but the dog ran into his bike and over he went. In the last few days, a case went before the court involving a 15-year-old girl who was attacked by a dog some months ago. The owner was fined $475 for not controlling that animal properly, and rightly so. This lack of control of pets is totally unacceptable to this community. The responsible authority, in this case the Darwin City Council, must ensure that residents interests are protected. It must take whatever action is necessary to solve the problem.

I fully realise that the council currently employs several dog catchers who are required to cover a huge area of the city and suburbs. I understand the staff work flexible hours and, while I can indeed understand the reasons for that, let me point out that it is essential that regular patrols are conducted during the early mornings and late evenings. It is common knowledge that many animals are confined to their owners' premises during normal working hours, but let loose and allowed to roam during the late evening, night and early morning. That is when the problems occur. I believe the council should roster its dog catching staff to ensure their efforts are maximised and should firmly enforce its bylaws against those dog owners who treat them with contempt.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, tonight I will speak about a certain educational matter connected with the rural area. I say at the outset that it has nothing at all to do with the debate that occurred earlier today. I believe in the competence of the minister. He has always appeared to me to listen to what people want. In voicing certain complaints this afternoon, I am not saying that the minister has not listened to the request of the people in the rural area. I am quite aware that he has supported, encouraged and done everything he can with regard to educational interests in the Northern Territory. However, there is a certain matter that must be aired again. It relates to certain deficiencies at Taminmin High School regarding establishment grants and the appointment of band 2 teachers and ancillary staff. With regard to this question and other matters that have occurred in the rural area, I sometimes think we are a bit like the lost tribes of Israel out there. I think people forget that there are about 10 000 people in the rural area. Some public servants and certain government departments would like to forget about us. The only way we seem to get things done in the rural area is by strenuously pointing out our problems to the people who have the power to do something about them. I am not saying that people at Taminmin High School have made themselves objectionable and I do not think I make myself objectionable when I request things but I believe that that is often the only way.

I would like to draw a comparison between the situations relating to the establishment of the Taminmin, Sanderson and Driver schools. There are 3 areas of concern at Taminmin: the establishment funding, the appointment of ancillary staff and band 2 teaching staff. I will say at the outset that I think the appointment of the band 2 teaching staff may have been addressed by the Department of Education. All the other schools had vacancies notified in May so their positions were filled first. Taminmin School had to wait until October before the 2 band 2 appointments were made. The school council has been told that these appointments have been made but, to date, it does not know who the teachers are.

With reference to the establishment funding, I would like to read out certain figures. When Taminmin High School was established in 1982-83, Years 8 and 9 were catered for and there were 180 students. Remember that number: 180 students. The establishment grant was $80 000. I would like to compare that to the establishment of stage 1 of Driver High school which is in Palmerston. That was opened to cater for 190 students from Years 8 to 10 and an establishment grant of $250 000 was made available. Admittedly, 10 more students were catered for. Taminmin in its first year received $80 000 for 180 students; Driver received $250 000. There is a big difference. In 1983-84, to cater for Year 10 students at Taminmin, a grant of $43 000 was made. In 1984-85, to cater for Year 11 and stage 2 with student numbers up to 420, an $85 000 grant was made. Adding together the 3 figures for 1982-83, 1983-84 and 1984-85, we have a grand total for Taminmin of $208 000. This was to establish stages 1 and 2 and to cater for 400-plus students from Years 8 to 11. I want to compare that to the Sanderson High School stage 1 which was established to cater for 400-plus students from Years 8 and 9. It received an establishment grant of $350 000 in 1984-85. There were additional grants but I do not have the details. Compare the inequality of $208 000 for 420 students at Taminmin to $350 000 for the same number at Sanderson. You wonder why we think we are hard done by in the rural area. Those figures do not lie. They are correct.

Next, we come to the appointment of ancillary staff. When Sanderson High school was established, the registrar was an A6 appointed permanently 6 months before the school opened. It makes sense to appoint the registrar 6 months before the school opens. It makes sense because the registrar can get the office and the school organised so that there will be a smooth opening. When Driver High school was established, the registrar was a permanent A6 appointed 5 months earlier. When Taminmin High School was established, it had 420 students, the same as Sanderson High School. However, the acting registrar was an A3, which was 3 levels lower than the one at Sanderson High School and 3 levels lower than the one at Driver High School which was established with only 190 children. That acting A3 registrar was appointed 2 days before Taminmin High School opened. Compare that with the 5 months and 6 months that I mentioned. The registrar was not a newcomer to the rural area, nor a transient, but a lady who had lived in the area for some time. She was an acting A3 until 1984 when she was appointed as an acting A5. Six weeks ago, she was still acting in an A6 position.

Mr Deputy Speaker, I would like to know why permanency cannot be granted to the registrar at Taminmin High School when permanency has been granted to the registrars at Sanderson and Driver High Schools. If that is not an inequality, I am a monkey's uncle. Being a realistic or perhaps a cynical old girl, I hope there is no reaction against the staff at Taminmin High School because of my publicising this information. I have full faith in the teaching staff at Taminmin High School, as does the school council. I know the people on the school council and I respect their opinions. I have been to some of their meetings and I have seen the high regard that they have for the teaching staff.

I come to another matter. This relates to an item which appeared in the NT News under the heading of 'Secondary Schools Will Be Considerably Improved'. It said that more than $9m would be spent over the next 4 years in providing new and improved facilities in existing secondary schools. Taminmin is a comprehensive school; it is a secondary school. Where will that money be spent? Standby air-conditioning will be provided at Nightcliff High School. Some of the money will be spent at Casuarina High School on specialist

teaching areas and the library. Some will be spent at Dripstone High School which will get an art studio, new basketball courts and a bus layby. Some will be spent on stage 2 of Sanderson High School which will have additional classrooms. Some will be spent at Darwin High School on additional computer facilities. An impressive secondary college will be built at Palmerston. That is separate from the $9m at a cost of $13m. What will Taminmin High School get out of this $9m, Mr Deputy Speaker? You would probably ask me to withdraw my remark if I said it was sweet FA, but you know what I mean.

This inequality has to stop. The people who live in the rural area are ordinary, decent people. Since the beginning, there has been resistance to Taminmin High School and Humpty Doo Primary School. There was a certain resistance to their establishment. I did not get this from the school council or the teaching staff but I know for a fact that there has been resistance from certain people in the Department of Education. Perhaps it was because the people in the rural area dared to go against the advice of the Department of Education and proved conclusively that the children were there to fill these 2 schools. For some reason, nobody has had a clear go right from the beginning. There have been difficulties that the school council and parents' committees had to overcome time and time again. At the moment, this is the only farm school in the Northern Territory. Considering the turnout of the students and the standard of their education, I do not know how these teachers are coping out there. I do not support people unless I believe they have a good case to work for.

At the beginning of October, after meetings and letters had been passing backwards and forwards since the beginning of 1984, I understand the Department of Education agreed to add one A3 to the office, plus 2 teacher assistants at SA3 level. I understand that the department has agreed, but it is yet to be agreed to by Cabinet. As well as the inequality with the position of the registrar at Taminmin High School, we have the inequality that I have just spoken about. Taminmin High School has 6 office staff to look after a school of 420 children, whilst Sanderson High School from the very beginning had 9 office staff to look after the same number of children. There is something wrong somewhere and I do not know what it is. I think there is a cork in the bottle somewhere which the Minister for Education must get rid of or pull out. Somewhere along the line, the minister is not being told what is necessary for the Taminmin High School. Somehow, the information is being kept from him.

In his reply to my question, he said: 'All that I can say now is that I understand that the issues have been addressed and that the chairman is satisfied with the responses from myself and the Department of Education'. The school council will not be happy until full equality exists between Taminmin High School and other high schools of comparable size in the Top End. The minister has urged the chairman of the school council to take up the offer from his ministerial officer to contact his office again. I relayed that information to the school council and I understand that it did so today. I hope that, by publicising this matter and approaching the minister and the Department of Education, we can finally achieve equality for the Taminmin High School.

Mr PERRON (Attorney-General): Mr Deputy Speaker, my attention has been drawn to an article entitled 'Caught Out' in the magazine 'Matilda' which, according to its cover, is supposed to contain current affairs, humour and satire. My normal reaction to decently-presented current affairs, humour and satire would probably be to ignore honest attempts to entertain readers.

However, the article 'Caught Out' makes a series of derogatory remarks concerning specific members of the Territory judiciary, the judiciary generally and the Solicitor-General. The anonymous author of the article and the editor of the publication well know that the persons named are holders of high public office and, out of respect for that office, would be unlikely to hit back at these insults. The persons mentioned in the article are men of great learning and integrity, all of whom have the confidence and trust not only of the Northern Territory government but of the community generally. I regard the scurrilous article in 'Matilda' as nothing more than a contribution to gutter journalism. It is not current affairs reporting nor can it be considered as humour or satire by any person of normal intelligence.

Motion agreed to; the Assembly adjourned.

Mr Speaker Steele took Chair at 10 am.

## MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have received the following message from His Honour the Administrator:

'I, Eric Eugene Johnston, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to amend the Law Officers Act which, in part, appropriates money from the Consolidated Fund for the purpose of paying certain pension benefits to, or in respect of, a Solicitor-General.

Dated this 13th day of November 1985.

E.E. Johnston
Administrator'

## DAILY HANSARD

Mr SPEAKER: Honourable members, because of the late sittings on Tuesday and Wednesday this week, unfortunately, copies of the daily Hansard will not be available today. The Hansard staff will have copies available as soon as possible although they may not be ready until early next week.

## TELEVISING OF PROCEEDINGS

Mr SPEAKER: I have given permission for certain television stations to televise proceedings in the Assembly Chamber this morning for purposes of library footage and background pictures for news and other such programs. Permission has not been given for the use of sound.

I further advise members that I have given permission to television stations to film the special sittings of the Assembly to be held tomorrow, and I have given permission for them to rebroadcast the proceedings later in the whole or in part.

## MOTION
## Noting Ministerial Statement on Submission from Chamberlains' Legal Representatives

Continued from 12 November 1985.

Mr PERRON (Attorney-General): Mr Speaker, in continuing my remarks to the Assembly on this important matter, I would like to start by commenting on the action which has been requested of me by the Chamberlains' representatives in their submission. That was the institution of a judicial inquiry with power to consider all the evidence of the trial and additional new material without being fettered by the technical rules as to fresh evidence.

Having regard to the trial proceedings and the appeal opportunities which were exercised by the Chamberlains, one obviously would not move to establish an inquiry such as the one sought without very good reason. The trial itself was conducted at a time and place suitable to the defence. The trial was before a jury comprised of persons acceptable to the defence. It lasted from

13 September to 29 October 1982 - 35 days, with 145 exhibits tendered and 73 witnesses called to give evidence. The transcript of evidence covers over 2000 pages.

Subsequent to the trial, the conviction was referred to both the Federal Court of Appeal, comprising 3 learned judges, and the High Court of Australia, comprising 5 judges. The jury decision was not found to be unsafe by those appeals.

The jury system of trying persons charged with criminal acts has been the cornerstone of justice administration in Australia, first established in 1892. During that time, various appeal options have been or are available to the defendant. Despite the fact that the administration of justice by the courts is not infallible, it is regarded as the best system in practice in the world. It is a fundamental part of democracy and I believe, despite recent criticism, retains the confidence, so necessary for its survival, of the citizens of Australia.

No thinking Australian would lightly cast aside our established judicial process or act in a way that would undermine the respect and confidence that I have mentioned. The application submitted by the Chamberlains seeks my intervention in the judicial process. The submission was accepted in good faith with the will to so intervene if cogent new material was demonstrated.

Some members might draw from my earlier remarks that to me the court processes must not be set aside under any circumstances. This is not the case. My preamble was intended to show briefly that intervention is a very serious matter.

A decision to hold an inquiry, therefore, should be made only upon the receipt of accurate information demonstrating that important new motives have been found since the trial that could not have come to light prior to the trial if it had been sought. The submission I received was not examined by the Soliciter-General with a view to finding fault. Its contents were examined objectively against the records of the trial proceedings and appeal hearings. Relevant sections of the submission were shown to and discussed with people expert in their field, some of whom gave evidence at the trial and were therefore familiar with the details of the case. The applicants' submission was prepared largely on the work of persons who were also involved at the time of the trial.

The results of the examination is shown in the Soliciter-General's report that I tabled last week. Nine primary claims are made in the submission. I will touch briefly on each of them. The first claim was: 'The reagent used to detect foetal haemoglobin was unsuitable for that purpose and that the manufacturer has confirmed this. Blood tests using this reagent are therefore invalid'. Advice from the manufacturers is that the reagent is suitable for identifying the presence of HbF when used in accordance with proper methods. The manufacturers also provided a detailed report and the 2 photographs which Professor Boettcher withheld concerning his blood tests claims.

The second claim was: 'Similar spray patterns to that found under the dashboard have been found in a number of similar model Toranas. The substance is not blood. It is sound deadener'. The proposition that the Chamberlain's car may have had sound deadener under the dashboard is not disputed. What the Crown submitted at the trial was that there was evidence of foetal blood in material removed from a bracket under the dashboard of the Chamberlains' car. The 3 propositions are not mutually exclusive.

The third claim was: 'The jumpsuit was not cut by scissors or a similar instrument but by canine dentition'. The submission lacks credibility in regard to methodology and is of dubious value for many reasons. The vague and unscientific generalisations do not, in my view, seriously challenge the intense scrutiny of the trial and by appeal judges of damage to the baby's clothing.

The fourth claim was: 'Hairs on the jump suit were definitely canine hairs and, at the trial, the Crown's expert said they were "probably cat's hairs"'. The Crown's expert also told the court 'a dingo is a possible source of the hair'. He also agreed that it was not easy to discriminate between dog and cat hair. The question of the original source of the hairs detected on the clothing carries little weight in the overall context of the case. Their numbers are too few and their origin too contentious to warrant a finding one way or the other.

The fifth claim was: 'Thirteen statements by eye witnesses were submitted; 11 of those had given evidence at the trial'. Such evidence was subsequently the subject of analysis and scrutiny before the judges of the Federal and High Courts. In so far as the statements confirmed what was given in evidence at the trial, the case for the Chamberlains is not advanced. To the extent that they vary from or add to what was previously said on oath, those witnesses call their credibility into question. The 2 people who did not give evidence at the trial could have been called by the defence if they wished. One gave evidence at the first inquest and the other statement adds nothing significant to the case.

The sixth claim was: 'Dingoes are predatory mammal killers sufficiently cunning and dexterous to have killed Azaria. The Crown Prosecutor told the jury that it was common knowledge in the Northern Territory that dingoes were notoriously tame and placid animals in contrast to crocodiles, which were notorious man-eaters'. The trial transcript shows that the Crown Prosecutor did not say that. The capabilities of Ayers Rock dingoes were fully canvassed before the jury. Five attacks and incidents concerning dingoes and humans were described to the court. The trial judge's summing up to the jury could have left it with no illusions about the behaviour and propensity of dingoes. The jury was told that Ayers Rock dingoes had become a pest and a potential danger to children, and had the strength and capacity to carry or drag away a 9-week old baby. Most appeal judges agreed. The Crown's case was not that it could not happen but that it did not happen. It was open to the jury to so find, as they must have, in order to convict.

The seventh claim was: 'The New South Wales Ombudsman has severely criticised the division of forensic medicine of the Health Department for its testing procedures on "alleged blood"'. The New South Wales Ombudsman's report does not support that claim.

The eighth claim was: 'Sergeant Cocks was criticised as to his methodology and expertise in the Splatt Inquiry'. The Royal Commissioner has stressed in his criticism of the forensic science system which operated at the time of the Splatt trial that his observations were not intended primarily as personal criticism of Sergeant Cocks or of the scientists. The trial judge, in summing up the Chamberlain case, directed the jury as to its approach to Sergeant Cocks' evidence. This was commented upon favourably by the appeal judge. The dominant role played by Sergeant Cocks' in the Splatt case cannot be compared to his role in the Chamberlain case.

The ninth claim was: 'Professor Cameron has been severely criticised in England in relation to his methodology and expert evidence in other cases'. Professor Cameron was questioned at length during the Chamberlain trial in regard to his credibility and methods, including the English Confait case in which he was involved. The defence used its opportunities to question his credibility in front of the jury. Nothing in the submission adds new relevant material.

Mr Speaker, setting aside for the moment the subject of the identification of HbF in blood, all the other matters submitted and examined are, I believe, relatively easy for the layman to understand. An objective assessment, in my view, demonstrates that those items fall far short of being cogent new evidence.

Returning to the subject of testing for HbF, I acknowledge it to be a very complex matter requiring close study to comprehend the procedures involved. For new evidence, Professor Boettcher primarily relies on the results of a test he conducted using a reagent at the manufacturer's premises in Germany, and a letter from the manufacturer which the professor claims confirms his conclusion that blood tests using this reagent are invalid. In a detailed report from the manufacturer, supported by photographic material, both claims are refuted.

At the trial, Professor Boettcher told the court how absolutely important it is that a scientist write down strictly all the results that are observed so that his conclusions can be accepted by other scientists. He called this 'scientific method' and he lectures his students on the procedure. Despite the professor's advocacy of this procedure, in his submission to me regarding the tests he conducted in Germany, and on which he bases his case, he chose to selectively provide a single photograph of the results when, in fact, 3 photographs were taken over time to record chemical reactions. It seems that the standards that Professor Boettcher sets for his students are different from those he practises himself.

Readers of the Behringwerke Report and the Solicitor-General's report, to which it is attached, can draw their own conclusions as to why the professor chose to provide selectively 1 slide to demonstrate his point when the other 2 slides disproved his point. I doubt that such action will improve his standing in the scientific community.

In addition to those comments, the subject of forensic tests on the blood found in the Chamberlains' vehicle was dealt with in great detail at the trial. Appeal Judges, Jenkinson J, Gibbs C J, Mason J and Brennan J, concluded that, even if the jury were not satisfied beyond reasonable doubt that HbF was present, it could reasonably have reached its verdict on other evidence before it.

I am compelled to refer to comments reported in the media attributed to Senator Mason from New South Wales and his statement to the Senate on 13 November. I do this on the basis of Senator Mason's prominent role as a spokesman for a group calling itself the Chamberlain Innocence Committee - as is his right. Much of the recent discussion in the media in southern states about an inquiry into the trial and alleged new evidence has stemmed from Senator Mason who is clearly annoyed that the submission was examined to ascertain if the evidence was new. He wanted the submission to be referred directly to a full-scale judicial review into the whole case regardless of merit and the accepted rules relating to new evidence.

He deliberately overlooks the fact that an inquiry has first to be justified. He advocates that I, as Attorney-General, should not bother myself about whether there is substance to the claims in the submission. I should simply take his word for it and order a full inquiry. If I agreed to such a course of action as Attorney-General, it would make a mockery of the criminal justice system. The senator has chosen to interpret the section of the Solicitor-General's report dealing with avenues for an inquiry, if one was held, as being a plea for assistance by the Territory government. This man has a remarkable imagination. The Solicitor-General included a section in his report on options for an inquiry because that was what the Chamberlains' submission sought. The report would not have been complete without providing such information to me.

The senator also stated that references on pages 3 and 106 of the Solicitor-General's report were: 'something of a strangled cry for help'. He goes on:

> 'One can read between the lines and say that possibly there is a feeling in the Northern Territory that this is a matter which is too big for local consumption. In saying that, I am not criticising anyone. It is not right that an inquiry on this matter should be held in Darwin, a small community where there is so many bitternesses, so many superstitions, where so much has been built up over the last 3 years concerning the Chamberlain case'.

The senator falls just short of saying that Darwinites poke pins into dolls at midnight. He does himself no credit by demonstrating such ignorance.

There are references attributed to Senator Mason by the media such as Mrs Chamberlain is a 'political prisoner' and that I was in Canberra to reach a 'political consensus' with senior politicians over her release from gaol. Such comments are deserving only of contempt by all decent people.

I will not bore members with more on the senator. Hansard transcripts are available if further gripping reading is desired. Suffice it to say that this man has lost any objectivity he may have had on this subject and I suspect he is so emotionally caught up in it all that no finding by anyone, other than the result he seeks, would ever satisfy him.

The Leader of the Opposition has also demonstrated that his emotions are clouding his objectivity in this matter. I would have thought that, before concluding that an inquiry was necessary, he would at least consider what the Solicitor-General's examination revealed. Instead, he made up his mind months ago that a full inquiry was needed. It appears that his decision was made without even the benefit of access to the Chamberlain submission. It was reported that in Canberra recently he pushed for the federal government's intervention. This action, of course, was also before he had access to the findings of the Solicitor-General. That backfired in a big way, as we all know. Undaunted, he has persisted with his public stance that nothing the Solicitor-General or anyone else says will change his mind.

The real danger here is that compassion can be confused with emotion, and the ability to consider material objectively is lost. The Leader of the Opposition now has the additional problem in that he is locked into the public position he adopted prior to receiving the information now tabled in the Assembly and he must defend that position vigorously. It is indeed an unwise position for a person who holds responsibility in this Assembly for the opposition's views on law.

In concluding my remarks, I wish to place on record my continuing attitude as Attorney-General in regard to the Chamberlain case, and that is, irrespective of the term Mrs Chamberlain serves in prison, any material submitted to me by the Chamberlains' legal representatives on the basis that it casts significant doubt upon their convictions will be accepted and studied. If action by me is warranted, it will be taken. For obvious reasons, action will not be taken on any submission which does not stand up to the test of being cogent or new. As I said earlier, to do so would make a mockery of our respected judicial process.

SUSPENSION OF STANDING ORDERS

Mr TUXWORTH (Chief Minister)(by leave): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Leader of the Opposition from speaking for such time as would permit him to conclude his speech.

Motion agreed to.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I thank the Chief Minister and the Assembly.

Mr Speaker, on ABC radio this morning, I heard myself described as being an implacable foe of the Attorney-General. I say categorically that I do not see myself in that light in respect of this matter at all.

I would also like to point out to members and to the Attorney-General that it was brought to my attention shortly after my suspension from the service of the Assembly last week that a member in another place had raised a speculation concerning a possibility that my suspension was linked with some desire on the part of the government to prevent me from speaking in the Chamberlain debate. I advise the Assembly that I categorically and immediately refuted that assertion and, indeed, was very pleased to see that my rebuttal of that assertion was carried accurately in today's Canberra Times. As soon as I was aware of that assertion, I made it clear to the press that not only had the government stated clearly that the debate would be brought on today but that I would be given the courtesy that has just been extended to me to complete my speech.

Unfortunately, the Martin Report will not resolve any of the doubts surrounding the Chamberlain case in the Northern Territory. It will, in fact, simply add to the controversy. Most Australians, and I count myself among them, were expecting that the Northern Territory government, in the examination of new evidence presented by the Chamberlain Innocence Committee, would obtain the services of scientists to re-examine the physical forensic evidence connected with this case. This has not occurred. The problem is worsened by the significant errors contained in the Solicitor-General's report and, more particularly, the unsupported assertions made by the Solicitor-General. There is no doubt that this report will be subjected to intense scrutiny and criticism in the coming months and it will be found wanting. The doubts surrounding the case can only be resolved by an independent judicial inquiry. I must be honest enough to say that, even then, I do not know whether that would resolve it.

I noted with interest a recent interview with Mrs Joy Kuhl in which she said she is totally satisfied with the Martin Report. I found that interesting because, at the same time, her former boss and the person who supervised the very tests she conducted in this case, Dr Simon Baxter, is

calling - and, I might add, extremely aggressively - for an independent inquiry into the case on grounds that are disturbing indeed. He was reported with some prominence yesterday in the Centralian Advocate.

In fact, Dr Baxter said that the Northern Territory Police Force had completely messed up the original forensic investigation into this case. There is nothing new about that. That was demonstrated convincingly at the first inquest into the case and nobody is protesting that it did not happen. The statements made by Dr Simon Baxter demanding a judicial and independent inquiry into this case are certainly interesting and they stand alongside those of Mrs Kuhl.

The fundamental approach that the Solicitor-General has adopted in this report is found at the bottom of page 4 of the report where he says:

> 'They do not say that the material could not have come to light prior to the trial if it had been sought. That is, no one has suddenly come forward to give evidence which could not have been given at the trial by that person or somebody else, nor are they putting forward any recent scientific advances which cast doubt upon the Crown's evidence given at the trial, such an advance in science or methodology not being known at the time of the trial'.

In my view, this approach is not only in error but is quite plainly wrong. Even appeal courts which are extremely restricted in their considerations can consider further evidence in the following categories: (1) fresh evidence - which is evidence which was not actually available to the appellant at the time of the trial or which could not have been available to an appellant by the exercise on his part of reasonable diligence in the preparation of his case; and (2) new material which, although not satisfying the test of fresh evidence, is nevertheless so convincing that it demonstrates that there has been a miscarriage of justice. The only opportunity that the Chamberlains had of presenting this new evidence was at the Federal Court of Appeal and none of the forensic evidence, so painstakingly assembled in the submission, was then available.

There is little doubt that this evidence would fall into category (1) and no doubt in my mind at all that it would certainly fall into category (2). The evidence would certainly be regarded as new material because, in my opinion, it demonstrates that: the Crown's case relating to the blood was wrong; the Crown's case relating to how the material was damaged was wrong; and the Crown's case in respect of the analysis of hairs found on the jumpsuit was wrong. On a reading of the submission by any reasonable person, it is clear that the majority of the new evidence could not have been gathered prior to the trial. The whole tenor of the approach taken in this, as in other sections of the Solicitor-General's report, is a narrow, ivory tower, legal approach which does not seem to relate to the real world. I hasten to say that I am not suggesting for a minute that the Solicitor-General is wrong in taking that approach, but I simply say that it is not the approach required in the peculiar nature of this case.

On page 5 of the Martin Report, the 7 extraordinary aspects of the case are simply dismissed as being nothing new. The Solicitor-General dismisses the evidence of the eyewitnesses, which attests the Chamberlains' innocence, as being matters that have already been taken into account by the jury and the respective appeal courts. He simply ignores the reality that, at the trial, where the eyewitness evidence was simply overwhelmed by the non-stop parade of

expert evidence, the doubts raised by the new forensic examination contained in the submission, and dismissed so wrongly by the Solicitor-General, would have placed the evidence of those witnesses in an entirely different light.

I am not saying that the statements of the eyewitnesses, apart from that of Mr Lowe, take the matter any further than the situation at the trial. The importance of this evidence is simply that it has always supported the Chamberlains and was clearly overwhelmed by the forensic evidence. In fact, we are still being overwhelmed by the forensic evidence to such an extent, I believe, that evidence is discredited. The eyewitness evidence assumes new importance as a result.

I do not place any great weight on the rebuttal by Mr Martin of the alleged words of the Crown Prosecutor on page 6. Mr Martin does take some considerable trouble to rebut those alleged words, but they are taken out of context. One must consider the paraphrased words about the tame dingoes and the voracious crocodiles in the whole context of what was a brilliant address to the jury by Ian Barker. I do not hesitate to say that, if I were in some sort of trouble - if, for example, I had been denied natural justice or treated in a tyrannical fashion - I would head straight for Mr Barker. He is indeed a brilliant barrister and knows his audience well.

I simply ask members of this Assembly to listen to this brilliant final address to the jury, and to consider how clever it is, how able it is and how, in the eyes of ordinary people, the paraphrasing contained in the submission is in fact reasonable paraphrasing of what the prosecutor said. I ask you to consider the paraphrasing in the sense that a reasonable person would consider it, and not as a legal draftsman would interpret it. I am not disputing the Solicitor-General's flat statement that the words used were not the precise words used by Mr Barker.

We have all seen episodes of Rumpole of the Bailey. This was Rumpole of the Northern Territory Supreme Court, and brilliantly done. I wonder if any members here would recall the Rumpole program in which he had to travel north to Grimsby to defend in a case. He was up against a local barrister who spent some time talking to the jury about the Grimsby Arms Hotel which everyone knew because they drove past it to go to the local football match to watch Grimsby United play and so on. Rumpole was sitting there thinking: 'What you are saying is that here is this smart alecky London lawyer who has come up to do battle with the locals'. It was the same ploy here and it was done brilliantly.

People on occasions have accused me, very unkindly and inaccurately, as being something of a ham. You can slice this final address up very nicely and feed the Northern Territory with it for a long time. I refer to the opening comments to the jury. Mr Barker's first words were:

> 'It's just as well, isn't it, that we wear wigs and gowns in courts. I do not know why law reform societies and commissions seem to want to do away with them. It permits people like me to take one faltering step towards people like Mr Phillips in elegance if not in eloquence and a gown, of course, enables me to cover up my old shirts. That's what distinguishes the Melbourne Bar from the Sydney Bar'.

It is brilliant stuff:

'You have heard a very skilful address by Counsel for the accused in which references to evidence have been selective, perhaps necessarily so, but nonetheless selective. I will try to fill in the deficiencies'.

Then there was the ever-increasing humility. I quote again from Mr Barker's speech:

'You see, it was very sweet of Mr Phillips to announce that I was one of the best men in the business in the context of this question of motive but, sadly, I have to concede that that part of his statement was really no more accurate than the rest. What he said was that I might as well turn it against him. I have got a record of it. Ah, Mr Pauling has lost it as usual. What he said was:

> "You know the learned prosecutor put many allegations to Mrs Chamberlain when she was in the witness box, didn't he? Many, many. But there was one allegation, the most important allegation in this trial, that was never put and it's the allegation which would have started with the words: 'Mrs Chamberlain, I put it to you that the reason you cut your child's throat was ...'. That's the most important allegation that was never put because Mr Barker ...".

And then there came the bit about the best man which embarrasses me to read. I just cannot think of any reason why she should do it'.

It is very cleverly done throughout this whole speech. Without doubt, I would rate this final address as being one of the best final addresses ever delivered to a jury in a criminal trial in this country. I know at first hand what effect it had on the jury. Here is some of it:

'Mr Phillips supports Dr Scott as a witness, so let us examine his evidence about these sprays and put the matter to rest. I know your eyes tend to glaze over when I mention that I have got to read the transcript, but I am afraid I have to do it. Jurors and husbands, you know, are the only people as a class who are required by law to listen.

The tufts that fell from that area where it was cut, you would not expect to have been contaminated by blood. This is a very important issue, and I do not say this facetiously when I say that dingoes don't use scissors. In spite of what Dr Orams was pleased to call dingo scissors, they are incapable of using a bladed instrument. Only human beings can use a pair of scissors. Nothing in the dentition of a dingo is capable of making a mark which can possibly be confused with a mark made by a pair of steel scissors.

The vital significance of all that, of course, is that it indicates beyond doubt the jumpsuit was damaged by human intervention because dingoes don't use scissors, even those intelligent dexterous dingoes that live out in Ayers Rock national park. It may be that they own the scissors because they seem to be stealing tourists' suitcases from time to time. But whether they can use them or not, I suggest is not difficult - they can collect them, but they do not use them'.

I quote again from the transcript - page 3047. This was a consistent theme throughout the whole address:

'Miss Letsch told you that an inquisitive, if not an eccentric, dingo stole her pillow and tried to steal her sleeping bag to add to the collection. Mr Billingham told you that a dingo followed them, snapped at his heels, pulled his sock, tried to steal his daughter's cardigan and then attached himself to the seat of his son's pants. Now all this is very bizarre but it seems the animal bit no one and, again, having regard to their known proclivities out there, perhaps he was merely trying to add a few more clothes to his collection.

Whatever he was doing, I suggest to you with respect, it has precious little to do with this case where the defence suggests the dingo raided the tent and, pursuant to its natural instincts as being a predator and a hunter, carried off a human being.

We heard from Mrs Fisher about how a dingo grabbed her son's bottom and did bite him and then ran off with a soccer ball. Well, what has that got to do with this notion of a predator entering a tent and carrying off a human being for the purposes of food? You may wonder. But don't be confused by all this. The way the defence is presented, we are here dealing with a man-eating dingo who raided the tent like a tiger in an Indian village.

Now I don't contend, ladies and gentlemen, that dingoes are gentle creatures. Nor do I contend that they are never dangerous. But what we do know as Australians, and you do not need experts to tell you, is they are not notorious man-eaters. In the same way as you know as Australians, and particularly as Northern Territorians, you do not need experts to tell you that crocodiles are notorious man-eaters. Now, no doubt the ordinary crocodile would go out his way to eat this baby. The experience of Australians suggests that the dingo does not bear such a reputation. In saying this, I am conscious of Mr Roth's evidence about the purity conduct of dingoes at Ayers Rock and that is something which you will take into account.

But if this case was set at Cahill's Crossing on the East Alligator and not at Ayers Rock and if this were a crocodile case and not a dingo case, well you might have much less difficulty with it, and questions of inherent improbability may not arise. But you are entitled to take account of your general knowledge and common sense in a case like this and, if your general knowledge tells you that dingoes are not known as a species for killing and eating human beings, then you can take all that into account.

Then he went on to tell you Constable Morris found some dingo droppings:

"Do you know whether they were analysed?"

"I do not know".

"I believe they were collected but what happened to the articles that were collected?"

"I do not know".

Mr Phillips quite promptly pointed out that that was the end of the matter, telling you that what they should have been doing was looking for dingo droppings. Now, clearly, ladies and gentlemen, he is right. Instead of shooting dingoes, Constable Morris should have been out with a shovel and a garbag and should have got his shovel and his garbag and he should have followed those big tracks down the sandhill to the Curtain Springs Road picking up dingo droppings for 4 or 5 km. Then, no doubt, he should have called in others with shovels and covered the ground from there to where the clothes were found, which is 10 km to the north, and had the exercise been efficiently undertaken, they could have cleaned up about 100 km² of dingo droppings. The ground would have been tidier, the air sweeter and the evidence clearer, and on that issue, I surrender - Mr Phillips is right.

Let me talk about the tracks in the sand. When I opened this case, I said they were a red herring and I still say they're a red herring. If there were as many eccentric snow-dropping dingoes out there as the evidence suggests, ladies and gentlemen, it would be surprising if the ridge were not covered in dingo tracks, and strange dingo tracks, as these busy marauding creatures ran about resting from time to time with their suitcases and portmanteaux, washing assorted articles of underwear stolen from tourists. Well, that's the evidence. One wonders where all this material finished up. But the point I make is that the evidence of tracks is totally at variance with the evidence of Mr Harris ...'.

Mr Speaker, I will not take up any more time of the Assembly looking for references, but I simply close by saying that there were continued and repetitive assertions throughout the entire final address to the jury, cleverly presented, which formulated inexorably the growing conviction that the defence's case was a farce, a joke and something out of Gilbert and Sullivan. It was brilliantly done: eccentric snow-dropping dingoes, carrying portmanteaux full of tourists' clothing, pausing to wash the underwear they had stolen from the tourists and so on. Throughout the whole address, the impression was created successfully and repeatedly that not only were dingoes tame and placid but that they were friendly eccentrics which could do no one any harm.

With respect to Mr Martin's report, it is simply not good enough to take one extract from a very long final address, in which dingoes were mentioned persistently and in the same manner, and then submit that the assertion made in the submission was that dingoes could not have done it because they are tame and placid animals whereas crocodiles are not. It simply does not stand. It is correct legally. Mr Martin is perfectly correct to state that the words were not exactly the same, but the effect of this address on the jury had that effect. As I say, it was extremely well done.

On page 8, Mr Martin says: 'The Ombudsman does not criticise the testing procedures investigated by him at all'. That is a categorical assertion. It reveals the highly-selective approach adopted by Mr Martin which resulted in an incorrect and unsupportable conclusion. Mr Martin again selectively quotes one section of the New South Wales Ombudsman's report. He has ignored the fact that the New South Wales Ombudsman recommended that there be a review of the procedures for the testing of anti-sera in the laboratory in New South Wales. As far as testing procedures are concerned, which are quite different from the testing of an anti-serum, it is clear that the Ombudsman found that the majority of complaints were sustained.

The Solicitor-General makes no reference at all to the other conclusions and findings of the Ombudsman. The Ombudsman found that part of the testing procedures of the laboratory were unreasonable, the Chamberlain case was prejudiced and Dr Baxter was guilty of wrong conduct. He also recommended that there be changes and reviews of the current procedures in New South Wales laboratories. In the face of all that, how could the Solicitor-General come to the conclusion that the Ombudsman did not criticise the testing procedures at all? That conclusion simply does not stand up in the face of the evidence.

For some reason, the Solicitor-General emphasises the personal aspects of the criticism of Sergeant Cocks. On page 9 of the report, the Solicitor-General seeks to distinguish between Sergeant Cocks' role in the Splatt Inquiry and his role in the Chamberlain case. In particular, he seeks to rely on the comments of His Honour Judge Shannon, which are quoted on page 9:

> 'Here again I stress that these observations are not intended primarily as personal criticism of either Sergeant Cocks or of the scientists. It seems to me that these matters which I am presently discussing are illustrative of a system which was then operating; a system which, in my view, was an incorrect one with serious defects'.

It is clear that the reference to Sergeant Cocks in the submission was not a personal reference, but it was directed to the system of investigation and collection of evidence, which was the same system for the Splatt and Chamberlain cases in which Sergeant Cocks played an integral role.

On page 9, comment is made concerning criticism of Professor Cameron at the trial. We can see from the transcript of the trial that Professor Cameron was cross-examined in respect of the Confait case. However, since giving evidence in the Chamberlain case, he was severely criticised on 5 November 1982 by the presiding judge in the English case of Regina v. Marginson. Professor Cameron's approach in giving evidence in these cases, and I include the Chamberlain case, demonstrates his willingness to tailor his expert evidence to fit in with the Crown case rather than ensuring that he is aware of all the surrounding circumstances and has explored all other reasonable hypotheses.

Although I am not suggesting that this is directly relevant to the matter at hand, I must make some personal comment on the evidence that was given by Professor Cameron concerning the bloody print of a small adult hand on the jump suit. By inference, it was a small female adult hand. By further inference, it was Lindy Chamberlain's hand although that was never said except by the press. Although this evidence was totally discounted by all the other expert witnesses in the case, it is my view that the cumulative effect of this kind of sensational evidence being given in a trial by a witness of Professor Cameron's eminence, together with the personal hype provided by the prosecutor with his references to the Turin shroud, was significant. I believe it would have had a cumulative effect on any jury, particularly one that had been exposed to such a high level of pretrial publicity. In the High Court judgments, reference was made to the bloody handprint, and all of us who were here at the time would remember just how sensational that was on the front pages. The judges who commented on the hand simply had not been able to find it. They physically examined the evidence under ultraviolet light and the handprint just was not there. They commented about it. I am quoting from the joint judgment of Chief Justice Gibbs and Justice Brennan:

'No other witness saw this imprint and we confess it was not visible to us when we examined the jumpsuit, and it was not visible to us when we examined ... the photographs of the jumpsuit'.

There are other references from the judges which indicate that, for the life of them, they simply could not see it. I return now to Mr Barker's final address to the jury:

'Now I would like to deal with this question of the hand mark. In my submission, it is very significant evidence but you will appreciate the Crown case hardly stands or falls on it. We say it is another pointer to murder. Professor Cameron told you what he thought of it. You are the judges of the fact. You may or may not accept it as being the impression of a hand according to the view that you come to. The view we respectfully urge upon you is that it is the impression of a hand. I will show you the slides in a little while'.

Mr Justice Murphy of the High Court thought so badly of that particular episode that he made some comment about it in his judgment. I will not quote from it. I am sure members will accept from me that it is there. I agree with Justice Murphy that that evidence was sensational and entirely uncorroborated by any other Crown witness or defence witness. Nor could the judges themselves see what Professor Cameron imagined that he saw. The judge described it as being fanciful. He said that the trial judge should have directed the jury to disregard it completely.

I followed the trial word for word through the first inquest, the second inquest, the trial itself, the appeal to the Federal Court and all the judgments I have here. I must admit I was extremely amused to see that extraordinary reference in the Attorney-General's speech about how strange it was that I could call for a judicial inquiry into the case before the Solicitor-General's report was available. With respect, I do not think that there is another member of this Assembly who would be as familiar with this case as I am or who has been as familiar with it for the last 2½ years as I have been. If the Attorney-General would like to see the collection of transcripts and documents and Federal Court-High Court judgments, trial transcripts and so on that I have in my office, I would be pleased to show them to him.

I remember when that evidence was presented. The jury was not locked up. For the 7 weeks of the trial, the members of the jury went home every night and watched the television coverage of the case and read the newspaper coverage. There was that sensational evidence of the bloody handprint, in the convenient position which meant the baby was being held upright while its throat was being cut. Even though it was discounted by every other witness in the trial, this magnificent expert was called. I remember people saying to me: 'This fellow is coming from London'. I remember certain people of pre-eminence in this community telling me that this top world expert was coming and that he had this incredible evidence about a cut throat and a bloody handprint. I thought: 'My God, she did it - no risk'.

Even though that evidence was discounted, there is no question that it had a cumulative and dramatic effect on the jury. The reason I emphasise this is that I have said many times before that the issues connected with the Chamberlain case are not restricted to that case at all; they go far beyond the Chamberlain case to the role that an expert witness plays in a modern criminal trial.

The Chamberlain case will stand as a watershed in future years as to reforms and changes that will be made - and they will have to be made - in the role that expert witnesses play in a modern criminal trial. Twenty years ago it was dead easy because we had 4 blood groups; now we have 400. We had marks on bullets, ballistic evidence and so on - that was about it. These days, it is different. Read the transcript of the trial, read the Martin Report or read the submission. I have read them all with great care. It is very easy to get lost. It is at a level of expertise that is beyond most people. It gets to the very root of the psychology of a courtroom, because the courtroom is composed of human beings.

Can I assert that I am a total supporter of the jury system? In my view, the jury system gets it right more often than not. But juries make mistakes. In a trial as bizarre as this one was, with the extraordinary evidence that was presented and a prosecutor who was brilliant in terms of his courtroom psychology and his knowledge of the Territory jury, over 7 weeks there had to be an accumulative effect on the jury. This renowned expert was cleverly questioned on his expertise. He was asked a question about his work on the Turin shroud and then about the bloody handprint on the jumpsuit. Without a doubt, that must have had a profound effect on the jury even though that evidence was destined to come in for further attention. It has already come in for considerable forensic attention and papers have already been written on it. It will come in for a much more attention.

To quote Mr Justice Michael Kirby, it would have been almost impossible in this case to have constituted a jury anywhere in Australia that had not been exposed to this kind of publicity and formed some kind of opinion prior to this case. That is not an attack on the jury system; that is just a statement of fact.

On page 9 of the report, the Solicitor-General embarks upon his explanation of the submission in respect of the blood testing. I believe that this entire section contains significant errors, misconceptions and false conclusions. Members must accept from me the rider that there has not been time for me to consult with specialists in this field in the last few days and my remarks are drawn from my own close knowledge of the details of this case. There is no doubt that this section of the Martin Report will draw criticism far more expert than mine. In fact, we already know that the author of the report contained in this document from Behringwerke, Dr Baudner, has already been reported as making very serious criticisms indeed of the conclusions that were drawn from his report in this document. I would say to the government that those public comments alone by Dr Baudner demand immediate clarification.

It is my advice that the government has already dismissed these criticisms on the ground that Dr Baudner was simply responding to a verbal report from a journalist who could have been misinterpreting the conclusions of the Martin Report. To give one example in the report itself, this is consistent with the same kind of unacceptable dismissal of the statement of the panel of immunological experts without the slightest attempt by the Solicitor-General to validate whether such a dismissal could in any way be justified. Such an approach in a matter as grave as this is simply not good enough.

I would like to quote - and members will be aware why when I take them through the report - from the Northern Territory News report, headlined 'Behringwerke Slams Report':

'A scientist for the West German chemical firm, Behringwerke, makers of the reagent that was crucial in Lindy Chamberlain's murder conviction, said that the Northern Territory government was ignoring his advice about faults in the forensic procedures used in the case. Dr Sigfried Baudner, who heads the plasma protein research laboratory at Behringwerke in Marburg, expressed surprise that his report to the Northern Territory government had not led to a reopening of the Chamberlain case.

The reagent was used to prove the presence of baby blood in the car of the Chamberlains when 9-week-old Azaria was killed by her mother on 17 August 1980, according to the prosecutor. Dr Baudner's statements were the cornerstone of a report by Mr Martin to the NT Attorney-General, Marshall Perron, this week rejecting calls for a new inquiry.

Dr Baudner, who is a widely-known expert on protein said: "High temperatures are very likely to have affected the blood samples. This is a very, very important consideration". He said he had also told Mr Martin that the methods used by Mrs Kuhl were prone to error for other reasons. "There are far better methods available to test for baby blood. I would not have used the procedures employed by Mrs Kuhl. There are far, far more sensitive ways which would have been adequate for the purpose of the trial"'.

Mr Speaker, I do not need to contact Behringwerke to find out what was told to Dr Baudner who expressed these grave concerns about these conclusions so blithely accepted by the Attorney-General. I will demonstrate that these statements are correct by the simple procedure of taking Assembly members through the report from Behringwerke which is annexed to the Martin Report itself. There were many press releases, emanating from Behringwerke prior to the report being released, which cast doubts on the trial. The Northern Territory News received a telex from Behringwerke categorically stating that the anti-serum is not suitable on its own for the identification of foetal infantile blood and adult blood.

This probably is the most serious section of the Martin Report and I do ask for the patience of members while I canvass these issues because it is not the easiest part of the report to go through. The prosecutor in the trial used to talk humorously about the eyes of the jury glazing over when he started mentioning haptoglobins which he 'used to think were creatures which lived in the bottom of the garden'.

The Solicitor-General relies on the fact that Mrs Kuhl was able to confirm the results of the reagent testing with the polyacrylamide gradient gel electro-phoresis technique and that Dr Scott, another Crown witness, used the same technique and was not attacked in that regard. You will find that in the Martin Report.

When using this technique, haemoglobin bands for foetal haemoglobin and adult haemoglobin should appear in different positions in the gel and, depending on the amount of haemoglobin present in the gel, present bands of varying intensity. There was considerable controversy at the trial over Mrs Kuhl's test in this regard because, in her work notes, she had recorded the presence of 'a foetal haemoglobin band only'. But in giving evidence at the trial, she said that she did not record the presence of an adult haemoglobin band because she had expected to see it.

She further gave evidence that, notwithstanding apparently seeing these 2 bands, she was not able to give any estimate of the varying proportions between the foetal haemoglobin and adult haemoglobin bands. This was in contrast to Dr Baxter's evidence; that is, her boss who is now publicly calling for a judicial inquiry into this case. His evidence was in contrast to hers because he claimed that his estimate of both bands was of almost equal intensity; that is, that there was as much adult haemoglobin in the blood as there was foetal haemoglobin.

It is obvious that Dr Scott's evidence in this regard was not attacked because the blood that Dr Scott tested was conceded by the defence to be Azaria Chamberlain's blood and he found, using the same technique, that he observed 2 bands of different intensity. The feotal haemoglobin band had a content of 25% and the adult haemoglobin band had a content of 75% which was the norm for a child of Azaria's age. This evidence, unchallenged by Professor Boettcher, in itself is sufficient to show that the bloodstain tested by Mrs Kuhl could not have been the blood of Azaria Chamberlain.

Dr Scott tested the blood in the tent, on the clothing and on the jumpsuit, which was conceded at all times by the defence to be Azaria Chamberlain's blood. Mrs Kuhl tested the blood in the car which was asserted not to be Azaria's blood. Dr Baxter found in respect of the blood in the car that it was 50-50 adult haemoglobin and foetal haemoglobin. All one has to do - and it is a simple exercise - is to examine the tables for the varying proportions for those 2 haemoglobins in blood and one will find that a 50-50 proportion of foetal haemoglobin and adult haemoglobin could not have been the blood of Azaria Chamberlain. In fact, the proportions that were found by Dr Scott are in fact correct in terms of what the haemoglobin level should have been and are completely at variance with Mrs Kuhl's results. This does one of 2 things. It either indicates that the blood was not Azaria Chamberlain's blood or there was something drastically wrong with the testing procedures that Mrs Kuhl used - one or the other.

The Solicitor-General makes the point that Dr Scott had used this technique and was not attacked in that regard. Why would he be attacked? He was presenting evidence that agreed with the case for the defence. Why would the defence or the Chamberlain Innocence Committee attack him? I am at a complete loss to understand why Mr Martin labours that point. He completely ignores the evidence that this technique, as Dr Scott explained at transcript 1023, 'is only an indication to confirm it; you have to carry out further tests'. That is exactly what Dr Baudner said when he criticised the Martin Report. Dr Scott confirmed the bands he saw by conducting further immunological tests using anti-serum. Further evidence that such confirmation is necessary is evidenced by Dr Baxter who also used this procedure on a fresh sample he received from Mr Lenehan, the hitchhiker in the car. Dr Baxter subjected Mr Lenehan's fresh blood sample to this technique and observed 1 band and then confirmed this result by subjecting the blood sample to an immunological test using anti-serum.

It is noted that it is alleged that Dr Baxter did not initial Mrs Kuhl's work notes and that this was Mrs Kuhl's notation alone. Irrespective of whose notation it was, the point is made that no notation appeared next to that very important test, whereas it did appear next to all the other tests.

The double banding demonstrated that the reagent was not mono-specific and in fact was bi-specific. The Solicitor-General suggests that Mrs Kuhl provided information and answers to the Supreme Court which were not

scientifically accurate, and I quote the Solicitor-General, 'merely because she was trying to explain scientific terms to lay people and wanted to make that explanation as simple as possible'. How can the Solicitor-General of the Northern Territory make a statement such as that? I cannot accept it because, in a number of incidents, Mrs Kuhl gave wrong information when the right information would have been just as simple to explain. One example of this is where, at transcript 1564 and 1687, Mrs Kuhl gave evidence that it was a 'well-known fact that foetal haemoglobin was more stable than adult haemoglobin', and used this fact to explain the strength of the reactions with the anti-sera and tested samples. In fact, the absolute reverse is true. When the defence presented further evidence of this at the Federal Court to say exactly that, it was never challenged by Mrs Kuhl or any other Crown witness.

Mrs Kuhl herself gave sworn evidence - at transcript 1441 - that her work notes and notations were accurate, precise and formed the basis of her sworn testimony. Further, as these are merely work notes recording results of well-known scientific techniques and procedures, they should be able to be clearly interpreted by any person with expertise in these procedures. It is interesting to note that Dr Scott, a most experienced forensic scientist who was a Crown witness at the trial, has been asked to comment on Mrs Kuhl's work notes and has said: 'Her work notes are so bad that you cannot comment'. This was reported in the Sunday Territorian of 29 September 1985.

Further, the Northern Territory News reported on 28 September 1985 that Dr Baxter, who has been advising Mr Martin in respect of the blood evidence, was quoted as saying as follows: 'Dr Baxter said, even though it would be a costly exercise, he felt a judicial inquiry was necessary'. Mr Speaker, he said a lot more than that yesterday.

I simply do not accept that Mrs Kuhl's PGM grouping test and the estimate of age should be accepted, and it is certainly not supported or endorsed by any other scientist. I note the Solicitor-General gives no weight to the fact that many of Australia's most senior and respected members of the Australian Society for Immunology have put their signatures to the following statement:

> 'We the undersigned members of the Australian Society for Immunology, having listened to a report by Professor B. Boettcher of the evidence relating to the blood and items associated with the trial of Lindy and Michael Chamberlain, and having had the opportunity of inspecting a number of the items relevant to the evidence, on pursuing the forensic biologist's work notes and the transcript of the evidence from the second inquest in the Chamberlains' trial related to the items tested for blood, agree in our opinions that it should not be accepted that haemoglobin F has been adequately demonstrated to have been present on the items belonging to the Chamberlains'.

This statement is dismissed by the Solicitor-General by saying: 'It is of no weight given that only the professors presented the matters which led to their signatures, and we do not know what they were told'. That was the end of the story as far as the Solicitor-General was concerned. He did not make even the slightest attempt - and, from his heights, perhaps he thought that was reasonable - to find out what this very large group of eminent scientists was told. There was no evidence in the submission about what it was told, so he simply rejected its statement because that result could not be trusted. That is just not good enough.

Mrs Kuhl formed her opinion of the results of the tests after the test slides had been washed. She did not proceed to have any of the plates stained. Mr Culliford, the man from Scotland Yard, was brought out from England. In giving evidence in support of Mrs Kuhl, he said that he saw nothing which caused him to doubt Mrs Kuhl's conclusions. Since then, Mr Culliford has given quite contrary evidence. When advising the Splatt Royal Commission, he said:

> 'Baxter states that washing and staining of the plates is not normal practice in his laboratory. Much of the time this will give quite satisfactory answers. However, I believe that a final answer should not be given on a plate immediately after running. Only a provisional answer can be given if there are unequivocal results. The plates should preferably be soaked in molar saline overnight, then washed in distilled water to remove the salt, dried, and stained'.

This expert has made completely contrary statements. The Solicitor-General dismisses this submission by arguing that this procedure is set out in the biology methods manual written by Mr Culliford. He argues that it is a guide only. He totally ignores the further contrary evidence that Mr Culliford has given.

The Solicitor-General also claims in respect of Professor Boettcher: 'The professor has no support from anyone who has been acquainted with all of the facts'. At the end of this exercise, I will link together these extraordinary unsubstantiated assertions of the Solicitor-General of the Northern Territory. I have counted 16 of them in all. He makes them as flat assertions of fact but they are supported by no evidence whatsoever. This is one of them. The Solicitor-General's statement about Professor Boettcher is absolutely wrong. Even at the trial, Professor Boettcher was supported wholly by Professor Nairn, a most distinguished immunologist. Since the trial, he has been supported by many experienced and distinguished immunologists who have been acquainted with all of the relevant facts. I stress this again, leaving aside the support he has had from scientists acting in the relevant field: Professor Boettcher was actually supported at the trial by another forensic scientist. Despite that, the Solicitor-General states categorically in his report: 'The professor has no support from anyone who has been acquainted with all the facts'. This is a very shoddy job indeed, and it is going to fall.

The Solicitor-General argues that the same reagent was used by Dr Scott and Mrs Kuhl, but that the defence has only attacked the use of it by Mrs Kuhl. As I have said before, this is because the defence witnesses found error, not just in the use of the reagent by Mrs Kuhl but also in her work notes and recordings. She claims they are accurate, but they demonstrate by themselves alone that the blood she was testing was not the blood of Azaria Chamberlain. Defence witnesses have thoroughly checked Dr Scott's work notes and found them in order and above reproach. The defence has never contended that the reagent used by Mrs Kuhl cannot detect foetal haemoblobin. This mistake is made again and again. That has never been contended. What is contended is that the reagent can also detect adult haemoglobin. As I will demonstrate shortly, that is exactly what the report from Behringwerke says it does.

Obviously, this distinction is only important where stains have been tested from areas where it is alleged that others have bled. Dr Scott

obtained positive results to the reagent only from items from the tent and from the baby's clothing. They were items on which it was conceded the baby had bled and that the blood tested was Azaria Chamberlain's. Mrs Kuhl tested items from the car. It was not conceded that those bloodstains were caused by the baby. It was argued that they were caused by other bleeding incidents involving adults. Yet the Solicitor-General points up that distinction as a matter of some note. Mrs Kuhl was testing white and finding white while Dr Scott was testing black and finding black. Yet the Solicitor-General says that that produced a consistent result. It is illogical and nonsense, yet it is in the Solicitor-General's report.

The Solicitor-General refers to the letter from Behringwerke dated 21 July 1983. He says that paragraph 4 of that letter means, and I quote because it is another completely unsubstantiated assertion, 'that the anti-serum will give a specific reaction to HbF if the testing procedures employed by the user are properly and correctly carried out'. This is not what paragraph 4 of the letter says at all. The relevant part is as follows: 'Behringwerke does not guarantee that the anti-haemoglobin F anti-serum will react only with haemoglobin F in all test conditions'. That is what it says, not what the Solicitor-General says it says.

Again, although this is not directly relevant to the Martin Report, it does bear some examination. I was astounded to read an interview with Mrs Kuhl in yesterday's NT NEWS. I realise that this is a newspaper report. It may be inaccurate. For Mrs Kuhl's sake, it had better be inaccurate. If it is inaccurate, it is consistently inaccurate.

I have demonstrated that, in evidence, Mrs Kuhl has made statements involving kindergarten areas of forensic testing and she was absolutely wrong. Some of the answers Mrs Kuhl gave to questions in this interview yesterday are astounding. Again, I place the rider on it that she may have been misquoted. I have not had the chance to check yet. It was only published yesterday:

> 'Question: If you could do the tests again today, would you do this any differently?
>
> Answer: Maybe I would attempt to use more methods than we used but I would probably still rely on the tests that I reported on anyway'.

That is an astounding answer, and a very revealing one as I will demonstrate shortly. The Behringwerke Report, which the Solicitor-General wrongly says supports the Crown evidence, says precisely that: that other tests should have been used. Mrs Kuhl says that maybe she would use other tests in future. Behringwerke says she has to.

> 'Question: Is there any doubt in your mind that the blood you tested had foetal haemoglobin in it?
>
> Answer: No, none at all'.

Of course, there could not be any doubt at all because all blood contains foetal haemoglobin. Every single person in this room has a percentage of foetal haemoglobin in his or her blood. This mistake is made again and again. It is the proportion between those 2 haemoglobins that differentiates between adult blood and infant blood and not the fact that the foetal haemoglobin is present. It is about 1% in adult blood. But there it is again. The assertion could have been made even before conducting the test.

'Question: What do you see as the most relevant part of the Martin Report.

Answer: I think the fact that Martin points out that evidence given by Dr Scott from the forensic laboratory in Adelaide where he was testing articles from the Chamberlain tent at exactly the same time I was testing samples from the car, 13 months after the offence, and Dr Scott reported on the presence of foetal haemoglobin on various articles using exactly the same techniques with the same anti-sera from the same batch. Yet Dr Scott's evidence was not challenged at all. His evidence was not attacked by Professor Boettcher at the trial or subsequently'.

That is astounding. I have just explained that the reason he was not attacked was obvious. He tested blood from the tent and from other places where the defence conceded that the blood was the baby's because that supported its case. Mrs Kuhl was testing blood from an area in which it was contested that the blood came from Azaria Chamberlain. Mrs Kuhl was testing white; Dr Scott was testing black. Yet Mrs Kuhl says that the results demonstrate not only that they were consistent but she considers it was the most important part of the Martin Report.

'Question: How do you react to the criticism that the Chamberlain car went through a whole summer and was subject to environmental conditions which could have affected the blood test?

Answer: I found one of the most interesting parts of the whole investigation was that the blood on the back of the hinge, which was metal, which obviously gets much hotter than other materials, was completely unreactive to everything. I did not get any results at all from the blood which was on the hinge. However, blood flakes which were suspended behind the hinge, and therefore protected somewhat, and protected blood on the vinyl, were the ones that gave me some of the best results'.

Coming from a scientist, that is astounding. I will read it again: 'the blood on the back of the hinge, which was metal, which obviously gets much hotter than the other materials, was completely unreactive to everything'. You do not have to be too smart to work out that, if you take a piece of vinyl or a feather, and a nail made of metal, and you put them inside a chamber, and you heat the interior of the chamber to 40 degrees centigrade, the feather will be 40 degrees centigrade and so will the vinyl and so will the metal. I would be extremely interested to see the strange car which has a hinge which generates its own heat source, making it hotter than anything else inside the vehicle. Of course, the conductive properties of those substances are different to the effect that metal loses that heat a lot faster when the sun goes down. As a matter of pure physics, inside a closed container, at a fixed temperature, under the same conditions, all of the substances inside that container would be at the same temperature. I was astounded by that answer because she is the person at the very centre of this case. She says that metal parts inside a locked car are hotter than any other parts inside the same locked car. That is absolute nonsense.

She then goes on to say: 'I believe that the result of heat and age on blood samples is a complete denaturation in that you get no result, not a false result. I stress that again because we are talking about the kind of blood that was at the very centre of this controversy: denatured blood. 'I

believe that the result of heat and age on blood samples is a complete denaturation in that you get no result, not a false result'. That completely flies in the face of the Behringwerke Report on the reagent contained in this document. I concede that, under particular circumstances, denaturation can cause there to be no result but it is utterly false to say, as a categorical statement, that that is what it does. In many cases, it affects the result but does not destroy it.

That interview was published yesterday - and Mrs Kuhl makes no bones about it - in order to defend her position, in terms of her validity as a scientist, in the testing of this case. Unless there is a contrary statement published from Mrs Kuhl in this newspaper claiming she has been misquoted, scientifically it makes her a laughing stock and destroys her credibility utterly.

I will deal now with the question of the spray pattern under the dashboard. The defence submitted at the trial that what the Crown alleged to be human blood containing haemoglobin F was not blood of any type whatsoever, but rather it was Dulux Dufix HN1081 - a sound deadener. The Solicitor-General deals with this submission between pages 28 and 34 and, in the main, concentrates on 2 points: the inference that the spray pattern was something other than blood was put to the jury at the trial and therefore does not constitute new evidence; and the spray material identified by Mr Smith as being deadener may have been identified correctly. On page 29, he says that there is no dispute with what Mr Smith found but that it was a different spray material from that analysed by Mrs Kuhl as being blood.

Mr Martin also concludes that it would be a pointless exercise to have the remaining material reanalysed since 'a positive result identifying HbF would not assist the Chamberlains, and a negative result would be inconclusive given that the material is over 5 years old'. Again, that is an astounding statement. We know from the Behringwerke Report appended to this document from the Solicitor-General that age and heat, causing the denaturation of blood, produce problematical results. We have a situation where the Solicitor-General says, on the one hand, that one can categorically accept as fact the results from blood tests taken after 18 months from the inside of a locked, hot car, but this 'forensic scientist' now says just as categorically that it would be no use re-examining the material because, after 5 years, any results would be inconclusive. That is astounding.

That is 1 of 16 assertions made by the Solicitor-General. They are completely outside his field of expertise and, along with 100 other questions I have listed, I am demanding answers on them. In all justice to the Chamberlains, how can the Solicitor-General say categorically in this report that the blood tests can be relied upon absolutely even though they were denatured for 18 months inside a baked car in Queensland but, mysteriously, after 5 years, the results simply would be inconclusive? It is a categorical statement. I would like some evidence from the Attorney-General as to what forensic expert provided the Solicitor-General of the Northern Territory with an opinion that would allow him to say something as outrageous as that. He cannot have it both ways.

I would suggest that there is probably a strong forensic argument. I am doing this straight off the top of my head because I am not an immunologist. However, there are probably a few immunologists who would say - and Behringwerke says it, as I will demonstrate in a minute - that indeed a re-examination of the physical material would not help the Chamberlains, as

the Solicitor-General says, because the results would be inconclusive. I submit that the results of the tests after 18 months, under exactly the same conditions, would also be inconclusive unless certain specific, sensitive tests, as outlined by Behringwerke, were carried out. In the Chamberlain case, they were not carried out. That is a gross and glaring anomaly in the Solicitor-General's report and it must be addressed.

Mr Martin misses the whole point of this submission, which is that there is sufficient material left to determine whether the material is blood and, if it is not blood, what it is. I rebut and refute the Solicitor-General's assertion completely. If that material is re-examined, after 5 years of denaturation, it may well be difficult to determine whether it is infant blood but there would be no difficulty in determining whether it is blood or not. That would assist greatly in determining this matter. But the Solicitor-General, a newly-qualified forensic scientist, simply asserts - with no evidence to back up his assetion - that, after 5 years, one cannot obtain a result. It is just not good enough. In fact, it is dreadful.

If the material is found to be blood, it will prove that the submission made by the Chamberlain Innocence Committee to the Attorney-General is wrong; that is how useful that test would be. If the material is found not to be blood, then not only would that assist the Attorney-General to realise that an important and prejudicial part of the evidence used to convict the Chamberlains was wrong but that the Crown witnesses wrongly identified material as being blood and, therefore, all the evidence relating to the identification of blood should be totally disregarded.

The Solicitor-General places great weight on the fact that a number of the appellate judges found that they could not place great weight on the spray evidence. It is true that they did find that. I am not attacking the judicial system by saying that we all know the strict limitations under which appeal courts operate. It is easy enough for the appeal court to separate that evidence and say it was not conclusive, but the fact is that the evidence of the arterial spray of blood from a live infant being murdered is the only evidence that the baby was killed in the car. All the other evidence relating to blood could indicate only that the body had been in the car. The spray of blood from the cut artery of an infant in the process of dying was the only blood evidence presented in the trial that identified the car as the place of death. I would describe that as being very crucial evidence indeed. I cannot assert that strongly enough.

In respect of that crucial evidence, and it was dramatic and sensational evidence, the Solicitor-General makes the bold assertion that it would be useless to re-examine the material to find out if it was blood because one could not get a conclusive result after 5 years of denaturation. But, according to him, one could get an absolutely convincing, irrefutable and unarguable result after 18 months. That is a new forensic theory in respect of blood denaturation that I would like to test with a few forensic scientists - and I intend to. It is in the Martin Report which the Attorney-General supports so strongly.

Despite what the appeal judges said, the arterial spray under the dashboard was one of the most important pieces of evidence against the Chamberlains. It was the only bloodstain that, if accepted, showed that a child had been killed in that car. Further, it was the only bloodstain in the car that could not in any way be explained away by other undisputed bleeding incidents that occurred in the Chamberlain's car. No one from the defence

asserted that Mr Lenehan had had a spurting artery that had sprayed under the dashboard. That evidence is vital. I ask the government and the Attorney-General to instigate the re-examination of that physical evidence to find out whether the material was blood or not. Despite the categorical statements of his Solicitor-General, I am confident that, even though there might be much dispute about the relative proportions of haemoglobin F to haemoglobin A, we can still find out whether it was blood or not. That arterial blood was the point at issue in the case. The baby was killed in the car; that was the Crown's case. The arterial blood proved it.

The samples tested by Mrs Kuhl were removed by Dr Jones and he has confirmed that there is sufficient material left from those areas. He obtained the test samples which can now be used for further analysis. The Crown's case to the jury was put by Mr Barker as follows: 'We know that on the steel plate there is blood. We know the blood is part of the pattern. It has been dug out of the pattern. It is not incidental to or somehow covering up what is there'. That in itself confirms that it was never part of the Crown's case that the spray material being tested was contaminated with anything else. I cannot understand how the Solicitor-General can believe that this submission can be ignored until further testing is carried out. If there are any lingering doubts in the minds of members opposite, I hope that they will be given the opportunity to exercise that much-vaunted right of Liberal Party members to speak freely. I concede it is a very basic difference between my party and theirs. Members of a Liberal Party are free to speak their minds and their consciences when they want to. I hope that members in this Assembly will listen to this debate and exercise their right to speak if they feel that they should.

I wish to quote from the Sunday Territorian of 29 September 1985 from an article headlined: 'Lindy's Not Alone in Gaol. Crown Witness Speaks Out - Dr Andrew Scott'. How can one ignore this? I quote:

> 'The head of the Department of Forensic Science, Dr Simon Baxter, has resigned his position, partly blaming the Chamberlain case. Dr Andrew Scott, a biologist with the South Australian government's Forensic Science Centre, who gave evidence at the trial for the Crown relating to foetal blood on Azaria's clothing, said that he believed the spray pattern found beneath the dashboard of the Chamberlains' car was not blood'.

That is from a Crown expert in the relevant area we are talking about. In fact, he tested Azaria Chamberlain's blood.

> 'Dr Scott said: "There might have been some blood there, but it seems to me the Crown never adequately proved there was a spray pattern of blood. There was a spray pattern, but the nature of the spray pattern is such that it is probably not blood".

Dr Scott, a supporter of the findings of Mr Smith, the Seventh Day Adventist scientist who found that it was sound deadener, is the first expert Crown witness to cast doubt on parts of the prosecution's case. The report continues:

> 'The Crown drew the inference that there was a spray pattern of blood based on bits and pieces of evidence. "The majority of that spray pattern, it would appear from the evidence", said Dr Scott, "is not blood". Dr Scott said: "The only way to clear the air is for a fresh inquiry into the case"'.

Dr Scott said on the same day that the notes Mrs Kuhl had made in the Chamberlain case were totally inadequate. He said: 'The notes on their own do not substantiate the claims that she made in her testimony and she must be relying on data which is not in her notes'. The New South Wales laboratory took the view, and I guess it still takes the view, that the notes are there to jog the memory and nothing else. Mrs Kuhl is now in Darwin working for the Northern Territory government and she had no comment to make.

Mr Speaker, the Attorney-General knows the importance to the Crown of Dr Andrew Scott. He was the Crown witness who tested the blood in the tent and on the clothing. Dr Scott says categorically that he does not believe that the stain under the dashboard was blood at all. Dr Andrew Scott calls publicly for a judicial inquiry into the case. If nothing else in the Solicitor-General's report demands some inquiry, even of a limited nature, I would say to the Attorney-General, in all justice, that this statement does: 'The Chamberlains' interests would not be served because, after 5 years, physical re-examination would produce an inconclusive result'.

I wish to turn now to the report on the cause of damage to the jumpsuit. On page 35, the Solicitor-General claims: 'The methodology, experimental design and the value, significance and relevance of the stated conclusions are open to criticism'. He then specified his criticism as follows:

> '1. All but one of the experiments were conducted using a (i) domesticated (ii) 13-year-old dog (iii) presented with meat (iv) wrapped in cloth (v) in a household environment. In no respect does this experiment relate to the version put forward by Mrs Chamberlain involving an (i) undomesticated (ii) dingo of unknown age (iii) presented with a live infant (iv) clothed in a jumpsuit and wrapped in blankets (v) in a tent'.

Since the experiments referred to in the report, there have been a number of experiments using different animals, including dingoes, and the results of those experiments have merely served to corroborate and substantiate the earlier experiments and submissions of this report. The aim of the experiments was to obtain dingo-dog damage to jumpsuit material. In my view, criticisms of the methodology used are not valid. In fact, the criticisms made by the Solicitor-General are specious. The reason for that is very simple. The methods that were adopted by the authors of the submission were very similar to that adopted by Crown in the only experiment conducted by it to obtain dingo damaged material. In any event, the first 2 criticisms have now been answered by further experimentation in which a number of other animals of varying ages and states of domestication have produced similar damage. As it is most unlikely that the damage to the Chamberlain jumpsuit was caused when the infant was alive, the latter 3 criticisms cannot be sustained.

At page 36, the Solicitor-General says: 'One experiment was conducted using a male half dingo cross, aged about 9 months. Part of the damage observed consisted of "about 10 holes ranging in size from about 2 mm diameter to 5 x 10 mm". No such holes were found in the Chamberlain jumpsuit'.

The assertion that there are 'no such holes' is wrong. Dr Brown, a Crown witness, documented the existence of 3 such holes at page 3 of a report dated 20 November 1980. It is foolish to expect that the same damage will be caused in every experiment. In some experiments, such holes have been observed while, in other experiments, they have been absent. The extensive

experimentation program conducted has simply served to show that there is significant and recurring dingo-dog damaged material which can also be observed in the Chamberlain jumpsuit and cannot be duplicated with the use of scissors.

At page 36, the Solicitor-General says: 'Although sought, no information has been provided as to the qualifications of any of the authors in any relevant field of science'. That is yet another breathtaking, bald assertion by the Solicitor-General which cannot be substantiated by the facts. The curriculum vitae of each author was provided with the submissions made available to the Northern Territory government. In addition, the report on the material damaged sets out extensive details of the experimental work each author has had working with live animals to obtain the material damage relied on. Without fear of contradiction, I assert that the authors of the submission have now examined more dingo-dog damaged jumpsuit material than any expert called by either the Crown or the defence at the Chamberlain trial.

At page 36, the Solicitor-General says:

> 'The photographic comparisons are of dubious value. Those of the Chamberlain jumpsuit are from an exhibit which has passed through many hands in the course of the investigation, by the Crown and defence experts, at inquests, trial and on appeal'.

From the time it was found, the damage to the jumpsuit has been photographed and subjected to close examinations which have been recorded in a number of carefully prepared scientific reports. Those photographs and reports evidence the fact that the relevant damage has been faithfully preserved and has not been subjected to any appreciable interference or depreciation. The photographic comparisons of the Chamberlain jumpsuit to those of experimental samples speak for themselves and are compelling demonstrations of the real cause of damage to the Chamberlain jumpsuit. Even more compelling, however, is examination of the actual Chamberlain jumpsuit and the experimental samples. It should be noted that the Solicitor-General has never requested any experimental samples for examination, despite offers from the authors of the submission to provide those facilities.

At page 36 the Solicitor-General says:

> 'The material displayed in the photograph 18b as similar to the meat fragments said to be displayed in 18a was not seen under microscopic examination or otherwise by any of the experts who gave evidence at the trial. It should be noted that the jumpsuit and many other articles were in the possession of the defence from 24 March 1982 to 24 August 1982. They had it for 5 months and no evidence was given on the part of the defence that any such material was seen. In any event it can hardly be flesh or any other body tissue, dated from 17 August 1980, given the natural effect of deterioration such as dehydration in the intervening period. Contamination of the jumpsuit by some other material during the lengthy period after its examination by sundry experts cannot be excluded'.

I am not surprised that Crown witnesses did not observe this material because neither was it observed by any defence witnesses who gave evidence at the trial. It was only after extensive experimentation following the trial that minute meat fragments were found embedded in the samples of damaged clothing obtained. Following this observation, the jumpsuit was subjected to

an examination specifically designed to locate similar material and it was only during that examination that material as demonstrated in photograph 18b was found.

I would like to know on what forensic or expert evidence the Solicitor-General of the Northern Territory is happy to base the bald assertion: 'In any event, it can hardly be flesh or any other body tissue dated from 17 August 1980 given the natural effects of deterioration, such as dehydration, in the intervening period'. We have the Solicitor-General of the Northern Territory blithely asserting that 5 year-old blood stains will not help the Chamberlains if they are re-examined because, after 5 years, you cannot get a conclusive result. We have the same instant forensic expert now making another bald assertion that it cannot be human tissue because human tissue would simply not survive that long in the fabric. Even though I did enough biology and histology when I was with CSIRO to know a few things about it, I make no bones about asserting off the top of my head as a mug forensic scientist that it is not at all surprising that, in a climate such as that found in the centre of Australia, human tissue in a dehydrated state certainly could survive that long without any problems at all. I do not know how many members were in the Boy Scouts, but I certainly was. I remember making hardtack, as we used to call it, or jerky beef. It ends up a dreadful mess when you try to make it in the Top End but it works well in the Centre. When one cuts those little strips of beef thinly, lays them out on wire mesh and dries them in the dry air of central Australia, one will obtain a preserved food supply that will last literally for years. I am mug enough to know that.

Last night, I telephoned 2 medical practitioners in Darwin - not members of the Labor Party - and I read that out to them. They said: 'That is a disgrace'. On what evidence can the Solicitor-General of the Northern Territory flatly assert that it is impossible to concede that flesh or any other tissue could survive on the jumpsuit for 5 years? They said: 'That is absolute nonsense'. One of them reminded me about the Egyptian mummies. It is generally conceded now that the amazing state of preservation of mummies has as much or more to do with the climate of the desert in Egypt as it has to do with the oils that were used to preserve them. In fact, the opposite is the case. Many of the mummies in the worst condition had been damaged directly by the ointments that were used. The ones that have survived best were the ones in which the guts and intestines were removed so that only muscle remained wrapped in bandages and left in a good dry climate for 2000 years. The Solicitor-General boldly asserts - and completely outside his field of expertise - that flesh or any other tissue cannot survive for 5 years. I ask the Solicitor-General to contact the relevant experts in the pathology department of the Northern Territory's own Department of Health and ask them if the bald assertion in the Martin Report that fragments of flesh simply could not survive for that length of time are correct or not. I would be interested to know what reply he gets.

Could I just tell the Attorney-General that there are now scientific tests available which not only could determine whether this material is flesh - and I do not like saying this but I must say it - but in fact that it is the flesh of Azaria Chamberlain. I therefore urge again, and I think that the evidence is mounting, that an inquiry be set up in order to guarantee that such tests are carried out. The Solicitor-General does not say anywhere in his report that the tests on the panel cannot be carried out because the material is not there to be re-examined. It is. Tests on this flesh could be carried out which would disprove or prove the submission instantly. Firstly, he says that it would not work because the blood is 5 years old and then he says it would

not work because the flesh is 5 years old. I read page after page of the Solicitor-General's report with growing disbelief. I would ask again the Attorney-General - and it is a serious question - to provide me with the expert medical evidence upon which the Solicitor-General makes the categorical assertion in this report that that material could simply not be flesh after 5 years.

At page 37, the Solicitor-General says:

> 'The absence of blood in the area of the damage to the Chamberlain jumpsuit sleeve is not explained, especially bearing in mind the invitation to compare the material displayed in photographs 18a and 18b'.

The assertion that there is no blood in the area of the damage to the sleeve of the Chamberlain jumpsuit is wrong. Bloodstaining can be seen on most of the circumference of the sleeve damage.

On page 37, the Solicitor-General says:

> 'The finding by the authors of the damage caused by canine dentition to cloth subject to dog bites is not inconsistent with the findings of experts that the damage to the Chamberlain jumpsuit was caused by an instrument other than canine dentition'.

At the Chamberlain trial, Crown experts expressed opinions that dogs-dingoes could not possibly cause the damage observed in the Chamberlain jumpsuit. Since the trial, the experimental work carried out has proved these opinions to be wrong and has established as fact not only that dogs-dingoes can cause similar damage but that the damage to the Chamberlain jumpsuit was caused in this way.

I say in all seriousness that the Northern Territory's credibility is on the line in respect of this report. It has not yet hit the deck but it will be hauled over the coals over the next 6 months by people who are much smarter than I. I did this as a mug in 3 days, and I could be completely wrong. I could be made look like an idiot very shortly but I do not think so. The Northern Territory's credibility is on the line. I wonder if the Attorney-General could satisfy himself that the Solicitor-General's assertion that the new forensic evidence relating to the damage caused to the jumpsuit is not valid was made on exactly the same basis as the assertions that the blood testing on the panel was not valid and the testing of the tissue on the cloth was not valid. I will be interested to know if he has made that assertion on the same basis.

At page 37, the Solicitor-General says:

> 'The finding of tufts is equivocal and does not explain the finding of that material in the car and camera bag. However, it is important to note that the ends of tufts were bound together with saliva, a feature absent from the tufts examined in the Chamberlain case. The origin of the tufts found by the authors is not conclusive that they were derived as a result of damage to the cloth caused by the actions of a canine'.

The Crown witness, Professor Chaikin, considered that the finding of tufts in the damaged area of the Chamberlain jumpsuit was 'probably the strongest

evidence' that Azaria Chamberlain's jumpsuit had been cut. This is recorded in the transcript at pages 1079 to 1080. It is wrong to suggest that the tufts found by the authors is not conclusive that they were derived as a result of damage to the cloth caused by the actions of a canine because tufts found in damaged experimental samples could only have been caused by such action. The presence of saliva or otherwise varies from experiment to experiment. It was never asserted at the trial that the Chamberlain jumpsuit did not contain any saliva but merely that, in the areas tested, none was able to be detected. This could have resulted from the fact that the wrong places were tested or that saliva may have been present but, owing to the conditions to which the jumpsuit had been subjected - and there was a question of rain - it could no longer be detected.

There were many fibres and tufts found in the Chamberlain car and camera bag. The Crown witnesses acknowledged that most of those were irrelevant but expressed opinions that a small number of tufts were similar to those from the Chamberlain jumpsuit. However, it could not be established that they had come from the jumpsuit. As none of these tufts was blood-stained, it is more likely that they did not come from the Chamberlain jumpsuit but from other jumpsuits the Chamberlain children had worn in the previous 7 years.

At page 37, the Solicitor-General says:

> 'The comparative photographs are not of like with like. Different scales were used - for example, photos 12a, 12b, 13c and 16a, 16b and 16c - and the underside of the cloth is compared with the upperside of other cloth; the samples are artificially displayed and arranged on varying materials with differing backgrounds. In one case, the total damage cannot be observed. In others, damage to the author's experimental cloth does not equate with that to the Chamberlain jumpsuit'.

The photographs contained in the report, although of considerable value, can be treated only as a guide and were never intended as anything else. No formal conclusion should be made until the experimental samples are examined and compared to the Chamberlain jumpsuit. The experimental samples on the Chamberlain jumpsuit were made available to the Northern Territory for its examination and the authors of the submission recommended that course of action. However, the recommendation was rejected.

At page 38, the Solicitor-General says: 'The authors' experimental results have not been subject to the same microscopic examination employed by Professor Chaikin'. The experimental samples have been subjected to microscopic examination, as evidenced by the photographs in the report. The Crown witness, Professor Chaikin, however, examined the Chamberlain jumpsuit with an electron microscope and gave evidence that this examination did not play a large part in his opinion that the jumpsuit had been cut by scissors as he gave evidence that such examination was, by itself, inconclusive. If the Solicitor-General believes that the samples should be subjected to the same microscopic examination, then why have the samples not been requested in order that this can be done?

At page 38, the Solicitor-General says: 'The report is limited to the damage to the jumpsuit and does not address the other related features of the case, the subject of evidence at the trial, such as damage to the singlet and nappy, and vegetation and soil found in the jumpsuit'. The Crown witness, Professor Chaikin, agreed that the damage to the nappy could have been caused

by a dingo's teeth or claws and was not prepared to give any opinion as to how the small amount of damage to the singlet had been caused. This evidence was similar to that given by the defence witnesses and so there seems little point in any further experimental work on both those items as the evidence given at the trial has been accepted by both sides.

The real dispute at the trial related to how the jumpsuit was damaged. For that reason, the report has dealt with that damage only. Evidence regarding vegetation and soil found in the jumpsuit is not compelling in its support of any particular hypothesis. At page 38, the Solicitor-General says:

> 'No effort was made to document the dental health of the principal dog used in the experiment. For example, the damage or lack of damage to the aged dog's teeth, or the numbers and type of teeth intact or missing'.

I say again with respect that, if the Solicitor-General believes this is important - and he obviously does because he has included it in his report - then why were no particulars requested? I can advise the Attorney-General that the animals used in the experiments are still alive and are available to have their teeth checked.

Mr Speaker, at page 38, the Solicitor-General says:

> 'Some of the experimental cloth was impregnated with colouring material which may alter the texture and sheer resistance of the cloth when compared with the cloth not so impregnated'.

I note again for the attention of members that, if it is coloured, the Solicitor-General says it 'may alter the texture and sheer resistance of the cloth...'. I have searched carefully. I can find no evidence in any of the papers that the Attorney-General has provided to me that that statement by the Solicitor-General - who has now become a textile expert - is substantiated by any evidence whatsoever. In fact, the manufacturers of the jumpsuit advised the authors of the submission that they would not expect any behavioural differences in dyed jumpsuits to the Chamberlain jumpsuit. I would respectfully request the Attorney-General to provide me with the expert textile evidence which the Solicitor-General sought in the compilation of this report that justifies his making the bold assertion that, if it were impregnated with colouring material, that might alter the texture and sheer resistance of the cloth when compared with the cloth not so impregnated. I am prepared to be supplied with that evidence but I cannot find it. I have spent 2 days now going through the documents. I would ask the Attorney-General to provide me with it. The manufacturers of the clothing disagree with the Solicitor-General of the Northern Territory.

At page 38, the Solicitor-General says:

> 'The use of the word "canine" in the report suggests the possible lack of understanding by the authors of the definition of that word by experts in the field. There is no clear indication in the various contexts in which it appears whether the word "canine" refers to the canine family, or of the teeth of a canine animal or the specific scientific term of a particular tooth in a canine dentition; that is, the canine tooth also known as the eye tooth or cheek tooth'.

The authors have conceded that the word 'canine' could be misunderstood by experts in the field. They adopted this word - and I direct the attention of the Attorney-General to the Martin Report - because it was used extensively by the experts in the field at the Chamberlain trial, no doubt in an attempt to explain scientific principles to the jury. We have heard that before. If the Solicitor-General believes this to be a serious criticism, and apparently he does, it is most surprising that he uses this term ambiguously himself. I ask members to note page 7 of annexure 1 of his report where he says: 'No evidence to suggest canine damage'. That is all it says. It does not indicate whether 'canine' means a canine of the species or a canine tooth. It does not say a word. This is from the Solicitor-General's report: 'One would have at least 2 or 4 canines going in dragging'. I assure members that that appears in isolation. If the Solicitor-General can spend 2 pages of his rebuttal and his attack on the authors of the submission because of their unspecified use of the word 'canine', perhaps he could explain to the Attorney-General why he used it twice himself in his own report without any elucidation.

Before I go any further, I really feel that I must change the subject and come back to the blood. I was going to leave it to the end but I will do it now because it is very important. Not too many people in this Chamber would disagree that the Behringwerke Report is vital to the validity or otherwise of the Solicitor-General's report although I pointed out some major concerns I have about other sections of the report. I refer all members to the Solicitor-General's conclusions about the Behringwerke Report. These are set out on page 23: 'Applying the above' - that is, the results of the Behringwerke Report - 'to the facts in the Chamberlain Case and the submission, it is submitted that nothing in the report detracts from the evidence given at the trial by Crown experts'. You cannot have a more categorical statement than that. The second conclusion is: 'The anti-serum to HbF 2456 is specific when used in accordance with proper methods'.

With some trepidation, I refer members to the Behringwerke Report. It has been asserted that this report is a dreadfully complicated document which only a Rhodes scholar could understand. I do not think so. I am not asserting that the Attorney-General said that. In fact, it was somebody from the press, and I do not accept it. I think we should work our way through it because, when it is studied, it becomes clear that the conclusions in the Solicitor-General's report are literally unbelievable. I do not know how the Solicitor-General could possibly have arrived at his conclusions. I refer all members to the first page of the Behringwerke Report, paragraph 1.2:

> 'In foetal and newborn blood, the presence of alpha-Fetoprotein (AFP) can be demonstrated. By means of a sensitive immunochemical method, AFP can be used as a parameter to differentiate between adult and foetal blood up to one year after birth. The concentration of AFP in adult blood is extremely low'.

It is important to note that and then relate it back to the public statement that has now been made by Behringwerke attacking the conclusions that the Solicitor-General has drawn from its report. It also relates to a very key paragraph at the end of the report. The report continues with an outline of how the material was tested, filtered out and so on. I might add that this report also refutes assertions made by Professor Boettcher although not to the same extent as it makes nonsense of the conclusions drawn by the Solicitor-General. It casts a great deal of doubt on Boettcher's conclusions and absolute doubt on the Solicitor-General's conclusions. That in itself is

enough evidence to have an inquiry into the case. I know that the people at Behringwerke think it is. I draw members' attention to paragraph 3.1:

> 'As a rule, an experienced scientist assumes that, with the use of a monospecific antiserum developed against a specific protein - eg, against haemoglobin F - the protein named in the antiserum can be specifically identified and indicated in the investigation of diverse samples. That's correct. But in connection with the differentiation of foetal/infantile and adult blood, the following arguments for the interpretation of the results are not allowed:
>
> Case 1
> Assumption: The used antiserum against haemoglobin F is monospecific.
> Conclusion: A positive precipitate demonstrates that haemoglobin F is present (correct) and, therefore, foetal blood is identified (false).
>
> Case 2
> Assumption: Adult blood precipitates with antiserum against haemoglobin F.
> Conclusion: The antiserum is faulty and defective because it is not monospecific for haemoglobin F. This conclusion is incorrect'.

This is where Boettcher falls down. If we look at the expanded explanation of those 2 cases, we can recognise them. One parallels the Chamberlain assertions about the blood. The other is of course Boettcher's situation. Under case 1 it says:

> 'Beforehand, it should be noted that the specificity controls be made using fresh samples so that no objections can be raised concerning the properties of antigen-antibody-reactions in the case of denaturation due to ageing of the blood or alteration of the antigen structure as a result of temperature effects.
>
> When a blood sample is investigated with the use of antiserum against haemoglobin F in Agargel double diffusion technique and a positive antigen-antibody-precipitate band is observed which is identical to a reaction between antiserum and control antigen - eg, highly purified haemoglobin F - then the evidence of the haemoglobin F protein in the sample is clear-cut. This finding is a necessary condition for the interpretation that the sample could be infantile/foetal blood, but however it is not sufficient because the conclusion whether it is foetal or adult blood is a question of the proportions of haemoglobin F and haemoglobin A for this case.

We then move on to adult blood. I say again to the Attorney-General that I am not placing great weight on this. I am simply proceeding from my memory of the trial transcript of Dr Baxter's evidence. It concerned foetal haemoglobin in adults being around 1%, and non-detectable. From a rough calculation, it can be shown that an adult 30% haemoglobin constituent consists of 0.2 to 0.5 haemoglobin F. That is less than the 1% Baxter talked about. I think my memory is correct. There is still a concentration of 60 ml to 150 ml haemoglobin, and so on. The classical immunochemical precipitation techniques - for example, Agargel double diffusion - give a distinct positive reaction at this concentration. They do that even in dilutions up to 1 to 20 and 1 to 50. Haemoglobin F can still be detected

using Agargel double diffusion. It is assured that, in the use of counter-current-electrophorosis, the sensitivity is such that the dilution factor can be raised further by 1 to 4 or 1 to 6.

I indicate to the Attorney-General that I have not had time to check any of this with the so-called experts. I am purely working my way through this using my experience from working in a CSIRO histology laboratory and from a commonsense interpretation of this material. I am sure that Simon Baxter said that foetal blood in an adult, which is around 1%, could not be detected. This report indicates that, even at only 0.2% concentration, it can still give a positive reaction.

We come to paragraph 3.2.3, which deals with denaturation effects in the blood:

> 'The above explanation is valid for the investigation of fresh blood samples. In a case of storage at high temperatures, and under diverse conditions, changes in the immunochemical properties of haemoglobin A and haemoglobin F due to denaturation and ageing are to be expected. These changes are such that the immunochemical proof using antisera will be made more difficult. It is especially difficult to draw conclusions about the relative proportion of haemoglobin A and haemoglobin F from the precipitation band obtained'.

I stress that. People look at photographs of those plates with precipitation bands. They hold them up and compare one band with another band. They say: 'It looks roughly 50:50 to me'. The report continues:

> 'In such cases where denaturation of the sample material is a factor, one should be fully aware of additional difficulties for the interpretation. Furthermore, the lability of haemoglobin A and haemoglobin F cannot be taken as the same.
>
> The immunochemical detection of haemoglobin F in blood samples by the help of antisera against haemoglobin F, of which the specificity is described above, is possible by using a distinctly defined controlled antigen giving an identical immunoprecipitate band and can clearly be established. Such a positive protein finding is not however the same as the interpretation that the sample is foetal blood.
>
> Such a conclusion assumes the answering of the question of the relative proportions of haemoglobin F and haemoglobin A; ie, a quantitative immunochemical estimation of haemoglobin A and haemoglobin F is required. In such a quantitative determination it must not be ignored that the denaturation of haemoglobin in old blood samples and the changed immunochemical properties make a quantitative test problematic and difficult to carry out ...
>
> The important question is: In which dilution step could a detection be demonstrated or not? But better if possible is the determination of haemoglobin F and A and then to decide the question of the origin of the blood under investigation.
>
> Moreover, the additional detection of AFP means a highly valuable and necessary aid for the differentiation between foetal and adult blood. This protein is more stable and has a very low level in adult blood samples'.

Mr Speaker, the significance of that is that a test for alpha-foetoprotein was not carried out on the blood that was found. It then goes on to case 2. I do not want to bore people to tears so I will not worry about that because it is the denatured blood case that is of crucial interest.

The final conclusion of the Behringwerke Report is totally at odds with the final conclusion of the Solicitor-General:

> 'Haemoglobin F is present in foetal, infantile and adult blood (component of the erythrocytes) but with different concentration as a function of the age. Therefore it is self-evident that antiserum against haemoglobin F reacts positive with foetal, infantile and adult blood. This means that an antiserum against haemoglobin F is not suitable for the differentation of foetal, infantile and adult blood...
>
> The correct interpretation of results requires controls especially with respect to the effects of the denaturation and alteration of proteins in old blood samples'.

We then come to the final paragraph of the conclusion which is highly relevant when one considers the public statement that has been made by Dr Baudner in attacking the conclusions drawn by both Professor Boettcher and the Solicitor-General of the Northern Territory. It is also relevant when one considers the answer Mrs Joy Kuhl gave yesterday as to how she would carry out tests in future. She said that maybe she would carry out other tests in future. The final paragraph says:

> 'For the differentation of foetal, infantile and adult blood the detection of alpha-foetoprotein is more suitable than haemoglobin F because the concentration differences are more distinct. Moreover, the use of a second parameter would be of further help'.

The AFT test was not used. No one in this Assembly disputes that it was a weird case which had some pretty bizarre aspects. I have read the judgments of the High Court and the Federal Court. It is easy for appeal court judges to take this sort of evidence in isolation, set it aside and to say that there was sufficient other evidence to convict without the blood. If I was serving on a jury, that would not be the way it would work in my head at all. All of that evidence is cumulative. Mr Speaker, if you want any evidence of the importance of that, let me refer you, once again, to the prosecutor's final address to the jury:

> 'One of the things you have to do in this case, as in any other criminal case, is to look at the evidence as a whole. It is of particular importance in a case of circumstantial evidence because you have got to consider one fact in the light of another fact. It is a mistake, and you will realise that it is illogical thinking, to extract a fact in isolation and say: "Well, we believe or do not believe that by itself. Therefore, we reject it". What you have to do is to look at that fact alongside all the other facts'.

The majority, if not all, of the judges in the High Court indicated that there were some doubts about whether it was foetal haemoglobin in that car, but felt there was sufficient other evidence given in the trial to justify the verdict as sound. I am not criticising decisions like that. The jury system is at the heart of our judicial system and I believe that appeal courts are obliged to uphold it as a very major priority in making their determinations.

Mr Speaker, I ask you to cast your mind back to the trial. What effect did that Mickey Mouse discovery - that amazing technological discovery that not only was there blood in the car but that it was foetal blood from an infant under the age of 6 months - have on you? It had a profound effect on me. Professor Cameron, the whiz-kid from London, who stumbled once or twice, said that the baby must have had its throat cut in an upright position with a bloody hand across its chest - and not just a hand but a small adult hand that no one else could see. When that was all put together over 7 weeks, it must have had a cumulative effect. Neither the High Court, the Federal Court nor any other court can tell me differently. Add to that the unbelievable publicity: the hundreds of journalists, the telephones on the front footpath, microwave dishes installed on the tops of buildings by enterprising TV crews and the daily dose we had of the Chamberlain case. The jury members were not locked up; they were copping it all day in court and then going home to watch it on TV and read about it in the papers every night. Over 7 weeks, it had an effect. One can say simply: 'There are doubts about the foetal blood. A majority of the High Court judges said there were. But that can be put aside because there was enough other evidence, particularly the contradictory statements that were made by Lindy Chamberlain'. Although, personally, I do not have any particular difficulty with them, they were there. Don't tell me that that can be taken out and the case still stand up because I will not believe it.

Mr Speaker, what the Behringwerke Report says is quite simple. It says that there is a better method available for such a crucial test. I will tell you the other thing Behringwerke said, and it is not surprising. Its reagent is not produced for forensic testing. That is not to say that it cannot be used for forensic testing, but it is produced for research. The commonsense comment it made was common sense: the only difference between using it for research and using it for forensic examination is that, when the life or liberty of someone is at stake, and the potential destruction of not only that person's life but the lives of the people close to them is involved, one must be a great deal more careful than one would be if one were using it for research.

This is a measured and careful report, and I respect that. People have criticised it by saying that it is trying to have 2 bob each way. I do not accept that. The people who prepared this report knew what was on the line when they wrote it. What the Behringwerke Report says clearly and very simply is that the results of testing blood denatured with precipitate bands and its reagent are 'problematic'. Many doubts are involved. One really must know what one is doing - it is a commonsense interpretation. After it said all that and raised all the difficulties, it said: 'There is a better way of doing it than by using our product'. It is as simple as that:

I say to the Attorney-General that there were so many doubts surrounding this case that Lindy Chamberlain deserved the very best the government could turn on for her. I am not laying blame at anyone's door; I am not blaming people who were possibly 10 years behind in their techniques. In an extraordinary interview, Simon Baxter said: 'If we are wrong, we have been consistently...uh'. I still have it on tape. Suddenly he realised what he was about to say and stopped on that last word. What Behringwerke said is that there is a much better way of doing it these days. It is not to use its reagent but the AFP test because it is much more sensitive.

In terms of simple justice, members of this government know that there are doubts about this case. They all know the crucial nature of the evidence of the baby blood in the car. The report of this company is perhaps just a reasonable interpretation and not a scientific interpretation. As a politician, I am pretty good at reading between the lines. I would ask all members to read it carefully and come to their own conclusions. It does not assert that its reagent cannot do the job; that is not what it says. In so far as the Solicitor-General has said that, he is correct. It does not say that its reagent cannot do it; what it says is that its reagent should not do it, particularly in such a case because the results are 'problematic'. There is now a much better and more sensitive test available that would give a more certain result.

Mr Speaker, I say to you that, in terms of simple justice, the Chamberlains deserve to have that degree of certainty. There it is in print. No doubt, it will be commented on in future months by people who know more about these things than I do. She deserved the edge. When there is no body, no witnesses, no weapon and no anything, anybody - and God help us if we ever change it - who is in court on the most serious charge of murder deserves that edge. I know where we stand if the jury accepts the forensic evidence. I know all that. I am not saying that Brian Martin is improper in his conclusions. He is correct in saying the jury had considered the evidence. But let us look at the case in terms of justice.

When persons are deprived of their liberty and accused of the horrendous crime of murdering their own child by cutting its throat, then they deserve to be tried on the results of the very best forensic techniques, not those that are good enough, that might do the job even if there is a problematic result. They deserve the very best forensic techniques available. In a country as sophisticated and wealthy as Australia is, I have no doubt that those techniques are available. But they were not used. Mr Speaker, I ask you to make your own judgment on Behringwerke's final paragraph which says that those techniques should have been used. I say that Lindy Chamberlain deserves the benefit of that doubt. In my view, she did not receive it. I know what the Behringwerke people think. I know that they think that their findings should lead at least to some limited inquiry. I do not say a judicial inquiry.

I will go through a few criticisms to support my case. On page 8, there is a criticism made by the New South Wales Ombudsman as to the testing procedures in the New South Wales Forensic Laboratory. The Solicitor-General says: 'The Ombudsman does not criticise the testing procedures investigated by him at all'. He ordered a review only of the procedures in the laboratory. I do not think it is supportable at all to say that he did not question them at all. We cannot let that stand. One might like to qualify it a little, but one should not make such a sweeping assertion.

I like this one too. I do not put this forward to the Attorney-General in any assertive sense; I am just recalling some of my knowledge of biology. At page 11, the Solicitor-General makes another assertion. I do not hesitate to criticise it because there is no evidence that a doctor or forensic expert made the assertion. He says:

> 'The professor pursued this aspect of the matter in another letter to the then Attorney-General dated 27 September 1984 in which he equates reproductive tract fluids with "tissues". The 2 things are completely different'.

Mr Speaker, I put it to you that that is absolute nonsense. It is completely untrue. I know that semen is a tissue; I know that blood is a tissue. One is more fluid and elastic than the other but they are biological tissues. They are composed of cells in a proper form. As far as I know, that is fact. I would like to hear that that is wrong. Ask a doctor as I did last night. He said that I was right. He is not a forensic expert but he is a medical practitioner. The Solicitor-General says the professor equates reproductive tract fluids with tissues and that the 2 things are completely different. I say that the Solicitor-General is completely wrong in another unsupported assertion. I would like to see again the expert evidence that was sought by the Solicitor-General before he made that assertion.

Under that assertion he says that 'support from a number of Australian senior scientists is of no weight'. The assertions in this document just do not stop. They have a cumulative effect, like the forensic evidence in the Chamberlain trial. He does not say they are of little weight. The Solicitor-General says that support from a number of Australian senior scientists is of 'no weight'. There was a whole string of them and they were all experts in immunology, the specific area of science that is relevant to this matter. I refute that assertion utterly. Of course their opinions are of some weight, no matter how much doubt might be cast on them. But the Solicitor-General says that they are of 'no weight' because the professor presented the matters which led to their signatures, and we do not know what they were told. Of course, the Solicitor-General did not make the slightest attempt to find out. I have looked at the names of the people and I know they are not medical practitioners in diverse fields; they are all experts in immunology, the relevant science concerned. I reject that assertion by the Solicitor-General.

There is a beauty on page 13: 'The professor has no support from anyone who has been acquainted with all of the facts?' That is a handy opinion to have. It happens to be completely false. Even at the trial, he had support from one forensic expert and, since then, he has had support from quite a number.

This one is particularly relevant. The Solicitor-General discussed the original letter from Behringwerke that was sent to Professor Boettcher. The letter is carried in full in the submission so members can read it themselves. It is easy to read, much easier than the report. The fourth paragraph of the letter says:

> 'Antiserum against haemoglobin F is not listed in our commercial catalogue since it is produced as a special laboratory product which does not have defined uses. Therefore, the application and suitability for use of the antiserum is the responsibility of the user. Behringwerke does not guarantee that the anti-haemoglobin F antiserum will react only with haemoglobin F in all test conditions'.

The Solicitor-General says this:

> 'The fourth paragraph makes it clear that use of the antiserum is the responsibility of the user and points out that the manufacturer does not guarantee the specificity of the product in all test conditions'.

That is correct, but then he leaps off the edge again and says:

'The qualification is important, and must be properly understood in its context. It does not mean that the antiserum is not specific. What it means is that the antiserum will give a specific reaction to foetal haemoglobin if the testing procedures employed by the user are properly and correctly carried out'.

That is quite simply a bold assertion by the Solicitor-General and, to the best of my searching, I can find no evidence to support it whatsoever. It is simply the Solicitor-General's definition of what 'all test conditions' means - and this is not his field. If one reads the letter from Behringwerke in its entirety and then reads the paragraphs below the fourth paragraph, the reason it is relevant becomes obvious. The fourth paragraph says that Behringwerke does not guarantee that its reagent will react only with haemoglobin F in all test conditions. It is simple English construction. It then goes on to explain the circumstances in which it may not do so. Firstly, it says that the antiserum must be adjusted and, secondly, that the antiserum might react with other proteins. There is no assertion that other proteins were involved in this case. The defence never made that assertion. The third circumstance comes right to the core of the matter: 'Thirdly, non-specific immune reactions can be observed under certain conditions due to denaturation of haeomoglobin A in adult blood or due to alteration of the relative concentrations of antigen and antibody'. It is simple English or, if you like, German construction. It cannot guarantee it will be specific in all test conditions. It then goes on to explain a number of the conditions which will make it not operate specifically. One of them is in respect of denatured or old blood that has been heated and aged.

One of the things that puzzles me about the Martin Report is that there is no account of what occurred in Germany. There is a paragraph indicating that Baxter and the Solicitor-General went there. There is a report from Behringwerke in the appendix that was posted months after they returned. There is nothing in the report about what they did, what they found or what they were told when they arrived there. That trip cost a fair bit of money. In all fairness, I expected a detailed report of what happened in Germany. I am giving the Solicitor-General the benefit of the doubt that his extraordinary interpretation of paragraph 4 is based on something he was told in Germany because I cannot find any evidence in the report to justify it otherwise.

In my view, in the absence of any other evidence, the guarantee that it will not operate in all test conditions refers to those following paragraphs. One of them refers to heated, aged blood. But the Solicitor-General says: 'The qualification is important and must be properly understood in its context?' Obviously, he is referring to a context that I have not seen. 'It does not mean that the antiserum is not specific. What it means is that the antiserum will give a specific reaction to HbF if the testing procedures employed by the user are properly and correctly carried out'. In my view, there is an alternative. I am happy to be proven wrong. There is an alternative interpretation of what 'in all test conditions' means. Until I see some evidence for it, that assertion will remain for me yet another baseless assertion by the Solicitor-General, which flies in the face of the evidence that is available in the letter itself.

There is another one on page 17: 'Thirdly, the certain conditions...'. We have already had a definition from the Solicitor-General of 'all test conditions'. We now have a definition of 'certain conditions'. That is contained in the paragraph dealing with denatured blood. The report says that

'non-specific immune reactions can be observed'. I really cannot try to get this across enough. The letter from the company uses the term 'non-specific' and it is used in the report. He simply says that they will be specific provided the conditions are carried out. The Solicitor-General says that 'certain conditions which might give rise to a non-specific immune reaction to denaturation of haemoglobin A are not set out'. That is true. He goes on: 'Thus, it is not possible to conclude' - he is not a very inquiring fellow - 'that any such conditions applied to the aged bloodstains tested by Kuhl'. This is breathtaking stuff. 'The non-specific immune reaction due to alteration of the relative concentrations of antigen and antibody are well recognised'. We all know that the blood in question - that blood that we are all sick of hearing about - was denatured blood that had been inside a car in very hot conditions for 18 months. The most crucial paragraph in this letter is the one dealing with denatured blood.

Mr Speaker, I have covered the question of the Behringwerke Report. I conclude by saying that, whatever else one makes of the Behringwerke Report, it is clear from the text of the report that Behringwerke is familiar with a technique which, in its view, is a superior, more sensitive and more definite test than that supplied by its own reagent.

I want to refer to one other aspect of the Solicitor-General's Report in respect of Professor Boettcher's testing of slides. Again, this is pure speculation on my part and may prove to be incorrect. When the Martin Report was released, I made a preliminary assessment of it on that same afternoon. One thing struck me on page 22 in respect of criticisms of tests carried out by the professor. The second paragraph says:

> 'The photograph of a test carried out by the Professor (refer to AII.5 and AII.6) and upon which he relies for this contention that antiserum to HbF from Lot No. 2456 was not specified is selective and not a complete record of the test. The unspecific precipitation depicted was observed after a diffusion time of 18 to 20 hours, disappeared after 26 hours and even after 48 hours, was no longer visible. After washing and staining this phenomenon was no longer found'.

The one reservation I have about this is that I fear there is at least a possibility that this is incorrect in that the Solicitor-General has confused a test carried out by Beringwerke with one carried out by Professor Boettcher. I have not had the opportunity of speaking to Professor Boettcher since the release of the Martin Report but I did have a long conversation with him about a month ago when we discussed at length the tests that he conducted. The one thing I remember from that discussion was that Professor Boettcher advised me that he had in his possession the physical evidence of those tests - the actual plates - under lock and key and he described very carefully to me what was on those plates. I think there is a strong possibility that the test referred to on page 22 as having been carried out by Professor Boettcher in fact refers to a test which was carried out by Behringwerke. I would simply ask for clarification of that point. I might add that Professor Boettcher himself has stated that he is returning to Australia. I do not know whether it is directly as a result of the release of this report. As members know, Professor Boettcher is working in Glasgow on cancer research. I understand he will be returning to Australia and will be making some major criticisms of the report. I imagine that will be clarified then. He has assured me that physical evidence of the test is in his personal possession and he will produce it when he returns to Australia.

I note that, between pages 38-44, the Solicitor-General refers to the judgments of the various appeal court judges. He says that the opinion of Professor Chaikin that a dingo dog could not have caused the damage to the Chamberlain jumpsuit was accepted by the appeal judges as they found it cogent and compelling. The Solicitor-General has failed to address the real point of the report on the cause of damage to the jumpsuit - namely, that Professor Chaikin's opinion is wrong and that it has now been established as fact that dogs and dingoes can cause damage to jumpsuit material and that that is the most probable cause of the damage to the Chamberlain jumpsuit.

The Solicitor-General also has overlooked the acceptance of the report by the world-renowned textile expert, Associate Professor Bresee and odentologist, Dr Orams. Since the report was submitted to the Northern Territory, it has been accepted by Professor Ronald William Fernhead, who is presently the Professor of Oral Anatomy at the Department of Anatomy, Tsurumi University, Yokohama, Japan. In a report received from him, dated 21 October 1985, he said:

> 'A negative result obtained from one experiment is scientifically unacceptable if it is proof of an interpretation, opinion or hypothesis. A statistically significant number of experiments with negative results would be mandatory. Crown witnesses and the court in general seems to have ignored or to have been unaware of this very important scientific principle during the hearing.
>
> Statements made by Mr B. Simms and Dr K. Brown, emphatically excluding the possibility of a dingo dog being responsible for the damage to the clothing of A. Chamberlain, is in my opinion therefore totally unacceptable from a scientific viewpoint'.
>
> Professor Fernhead also made the following observation:
>
> 'The damaged edges of A. Chamberlain's jumpsuit, however, have mostly regions which even a non-expert in textiles can recognise as being the result of cutting, stretching and tearing which is exactly what one would expect to result from the chewing action in the satorial region of a dog's dentition, namely, between the canacial teeth'.
>
> Professor Fernhead expressed his opinion in the following terms:
>
> 'In my opinion, it is highly significant that, with the aid of a border-cross collie dog, cloth damage was produced, the character of which is remarkably similar to the damaged areas of the jumpsuit belonging to A. Chamberlain. In fact, the characteristic features of each of the different types of damage to A. Chamberlain's jumpsuit have been impressively matched by these experiments. This experiment, therefore, has a positive result which presents a serious challenge to the speculative interpretation of the events which led the Crown witnesses to deny the possibility of a dingo dog being responsible for the disappearance of A. Chamberlain'.

On page 45 of his report - and I find this very strange - the Solicitor-General refers to the submission regarding the dingo hairs. He says: 'One should note there is no reference to the hairs vacuumed from the singlet'. On the very next page, we are told that Hans Brunner, the man referred to on the previous page, 'examined 2 microscopic glass slides labelled DW1 and DW2 on 17 September 1984' and that the 'slides contained hair

and fibre material vacuumed from the Chamberlain jumpsuit and singlet'. Those 2 statements are entirely inconsistent. I would like to know how the Solicitor-General could state categorically on page 45 that there was no reference from Mr Brunner to hairs vacuumed from a singlet and, on page 46, specifically refer to the slides examined by Hans Brunner containing hair and fibre material vacuumed from the Chamberlain jumpsuit and singlet.

On page 49, the Solicitor-General tries to draw a distinction between dog hairs and dingo hairs. I am informed by the CSIRO that no such distinction can be made. Mr Brunner has spent much of his life in the scientific examination of mammalian hair and indeed the techniques he has developed for identifying mammalian hairs are used internationally. I understand that his analysis has been accepted by Dr Harding. The same assertion is repeated by the Solicitor-General on page 50, where again he tries to make something of the lack of identification between dog and dingo hairs. I quote: 'Mr Brunner has limited his opinion to identification of some hairs as being dog hairs, not necessarily from a dingo'. If the Solicitor-General honestly believes that there is a distinction, it is my opinion that he has been wrongly advised.

Mr Speaker, as I said at the outset, all the remarks that I have made can only be considered preliminary. A great deal more work needs to be done. However, my initial examination of the Solicitor-General's report has produced, in my view, some very disturbing results. There is a great body of material presented in the Martin Report which is certainly arguable, as I have outlined. However, there are at least 16 to 17 examples where the Solicitor-General has put forward as fact his own totally unsubstantiated assertions on subjects in which he would have no expertise whatever. Also, he has made statements, such as the one on page 45, which are simply wrong.

There is an overall aspect to the report which, to me at least, is completely unacceptable. No attempt whatever has been made to instigate scientific investigation of a number of highly contentious aspects of the forensic evidence. Some of those - for example, the impregnated tissue in the fabric, the damage to the jumpsuit and the blood on the panel - cry out for such an initiative to be taken by the Northern Territory government. It may well be that the brief given to the Solicitor-General by the government did not provide for such an initiative to be taken. Perhaps the view was taken that the onus for such an investigation rested entirely with the Chamberlain Innocence Committee and that the government had no responsibility in that respect even though the authors of the submission had offered to assist with such an examination in a number of key areas. This position may satisfy an extremely narrow legal view of the matter by the Northern Territory government but I put it to you, Mr Speaker, that it falls far short of the expectations of the considerable number of legal, scientific, political, church and community leaders, as well as the many thousands of ordinary Australians who have been moved to express grave doubts about this case.

As I have said repeatedly during my speech, this report will be dissected thoroughly by forensic experts and others over the coming months. My own investigations have only just begun. I would alert this Assembly to the fact that the opposition has had preliminary talks with a medical and laboratory scientist from Western Australia who believes that she has found a major scientific error in Brian Culliford's manual. This scientist did not agree with Mrs Kuhl's evidence given at the trial. She could not put her finger on what troubled her for some time, until she studied the trial transcript. This scientist is directly involved in the relevant area of science. She compared

the transcript and the procedures with the Culliford manual and found a scientific error which may well disprove Mrs Kuhl's methodology completely. This will become the subject of another court action shortly. Reactions to this scientist's findings from other Australian scientists and from scientists in America, Germany, Britain suggest that she is correct. I await her final submissions in this case with considerable interest.

Mr Speaker, I am not trying to be cute. I am being totally frank in giving the Assembly that information. I am prevented from saying any more at the moment. However, within 1 month, a case involving similar methodology will be in a superior court of Australia for trial. It will be very interesting to see whether the serious reservations that have been expressed about the actual methodology used in this case, involving an error which this particular scientist claims was initiated some time ago and has been repeated again and again by others, are found to be substantiated.

I said at the outset that the Solicitor-General's report on the submission seeking a judicial inquiry into the conviction of Mr and Mrs Chamberlain, far from resolving the controversy surrounding this case, has merely added to it. I submit that the Northern Territory government is in a terrible dilemma. It sent 2 men to Germany and, figuratively speaking, only 1 of them came back. We have 1 report, the Martin Report, which decrees that there will be no inquiry. The report's conclusion is punitive and chilling:

> 'Mr and Mrs Chamberlain have reached the end of the processes available under the law applying in the Northern Territory to seek to have the verdict set aside. In my opinion, in the absence of any new legislation, either Northern Territory or Commonwealth, touching upon the subject, the verdicts against them can never now be set aside, nor can the penalties imposed upon them'.

One must ask - and I did so this morning - where Dr Simon Baxter's report on his visit to Germany is? Where is there any indication of his input to the report of the Solicitor-General? That would have been helpful. The only reference to Dr Baxter contained in the Martin Report in relation to that overseas trip is an acknowledgement that the 2 gentlemen shared a plane trip to Germany. That is it. As all members would know, Dr Baxter returned from West Germany and there has been a parting of the ways.

Dr Baxter resigned his position as head of the Forensic Science Division of the New South Wales Health Commission almost immediately after he returned to Australia, partly blaming publicity of the Chamberlain case for that decision. Unlike his travelling companion, the Solicitor-General of the Northern Territory, he supports the calls for a judicial inquiry, for his own reasons, and has gone about it in quite a spectacular fashion. I quote an article in yesterday's edition of the Centralian Advocate:

> 'A forensic scientist who went to West Germany with Territory Solicitor-General, Brian Martin, to investigate the Chamberlain case this week described the police investigation as "a foul-up from the start". Dr Simon Baxter, a former head of the forensic section in the New South Wales Health Commission, who supervised blood tests done on the Chamberlain's car, also called for a public inquiry. He said that the job of forensic scientists in the case had been made especially difficult by police bungling in the early stages of the case. "It was a classic case of an investigation foul-up from the start", Dr Baxter said.

Dr Baxter said he was calling for a judicial inquiry, not because of new evidence but because it was time the whole matter was thrown open so that people could see all the facts once and for all. Dr Baxter criticised comments by a scientist from the company Behringwerke which made the antisera used in the blood tests. He said that Behringwerke scientist, Dr Siegfried Baudner, who said very strict conditions must be maintained when using the antisera, was speaking "theoretically". He responded with surprise to comments made by Dr Baudner that, unless the test procedure was followed absolutely correctly, foetal blood tests were invalid. He said that Behringwerke did not lay down conditions for the antisera's use. "They just make it and sell it", he said. "It is up to the user to devise a way of using it"'.

Mr Robertson: That is inevitable.

Mr B. COLLINS: Absolutely.

'Once again that opens up what is an extremely unpleasant situation for the Northern Territory because Dr Baxter's department has come under criticism for its handling of the forensic investigation from the New South Wales Ombudsman.

Scientist, Mrs Joy Kuhl, has come under question for her methods of carrying out the tests, for not recording them properly, and for not using a control against which to compare the tests'.

I might add that that criticism came from a fellow Crown witness in the case.

'Dr Baxter said that the method Mrs Kuhl used was one he had researched and published in the early 1970s: "The method may be superseded by now", Dr Baxter said, "but the effect is still the same".

He said statements by Dr Baudner that foetal blood could not be identified using the reagent alone were "a theoretical point". They have not used the approach that we did'.

The situation is quite absurd. I state categorically, and I would be surprised if members in this Assembly would disagree with me, that the question of the foetal haemoglobin in that car is an essential part, if not of the particular legal processes surrounding the case, of the questions outstanding about it. Now we have a situation where the manufacturer of the reagent used in the testing of that blood is attacking the Solicitor-General's report publicly and, by implication, Dr Baxter and Mrs Kuhl. Boettcher is attacking Behringwerke, Mrs Kuhl and Baxter. Scott is attacking Kuhl and, by inference, the Martin Report. Culliford is involved. Kuhl is supporting Martin but attacking Behringwerke, by implication, and Boettcher specifically.

Mr Speaker, I am not making a political point: it is a complete 3-ring circus. I do not think that there is a member in this Assembly - and none of us is involved with forensic science - who would view this with anything other than disgust and alarm. Expert witnesses! At the moment, it is a fact that they are engaged in a public free-for-all. They are all eminent people. Their credentials were accepted by the courts as they had to be because their credentials are very impressive. Kuhl, Culliford, Baxter, Behringwerke and

Baudner - the whole lot of them - are getting stuck into each other and in multiple ways. They presented some vital evidence but they are all attempting one-upmanship over each other now and are disagreeing publicly.

Frankly, in the middle of all that, Mrs Chamberlain deserves the benefit of the doubt. At the very least, it is an absolutely compelling reason for some sort of an inquiry into this extraordinary case and the events surrounding this government's investigation of the new evidence. I know that the Attorney-General, and maybe some other members of this Assembly who are interested, have ploughed through all of the contradictory statements being made about each other by all of those eminent experts in the same field. It is with a total sense of frustration and despair that I have engaged in that exercise. There is a very real need for somebody somewhere to start looking hard at ensuring that this sort of performance is never repeated to someone else's disadvantage in a court case.

I want to separate, as the Attorney-General has separated, the issues of a judicial inquiry and the question of Mrs Chamberlain's release on licence. They are entirely separate issues and should be treated accordingly. Having dealt with the question of appeals for an inquiry and the government's dubious denial of the Chamberlain's final effective avenue of legal appeal in the Territory, I move on to the question of a remission of sentence. At the outset, I wish to emphasise my complete disagreement with the proposition which is now abroad that pleas for Mrs Chamberlain's early release from prison will in some way weaken her fight to clear her name. That - and I commend the Attorney-General for saying it publicly - is nonsense. The proposition appears to be based on the assumption that Mrs Chamberlain would have to trade her freedom for public silence. That has been in print, as the Attorney-General knows. No democratic government would ever consider releasing a prisoner in these circumstances by imposing conditions which prohibit his or her right to free speech. I commend the Attorney-General for making that very clear indeed.

In recent times, members on this side of the Assembly have had occasion to comment upon a new authoritarianism which is creeping into the administration of the Northern Territory under the false guise of law and order. One need look no further for an example of this than the initial responses from the Chief Minister to my call for a judicial inquiry into this case. I wish to be very specific in confining my remarks to the Chief Minister because the Attorney-General of the Northern Territory made no such remarks.

I made that call on 17 September this year. It was my first public statement ever on the most celebrated case in Australian criminal history. I could have chosen the path of least political resistance and simply remained silent and continued to have a long quarrel with my conscience. I decided to put political considerations aside and let my conscience speak. To their eternal discredit, the Chief Minister, and his advisers presumably, decided to ignore the issues raised in this case and to score some points. The Chief Minister accused me of setting myself up as a judge and jury in this case. He made the extraordinary public statement that I was undermining 'the very fabric of the Australian judicial system'. I stood condemned of a trumped-up assault upon the administration of justice and the police and of having impugned the rectitude of Territory society. What arrant nonsense that was! It is not for me to say whether Lindy Chamberlain and her husband are innocent or guilty. I have never done so publicly, nor do I intend to. Can I say that I was reported as saying so on a most unfortunate television program recently? I took issue and was told: 'Oh, well. We do not beat you up too often. It is a fair cop'. I have never made that statement and I never shall.

As for my alleged assault on the judicial process, there is not one. That is the essence of why I am on my feet in this Assembly today. I am arguing for a fresh judicial process to be established in this case. What I say, and I say it forcefully, is that much of this new evidence was gathered and submitted after all the normal judicial processes had been exhausted. I must say this with total conviction: this case is like none other. The profound and deep disagreements that are currently going on among eminent experts over the same piece of crucial evidence in this case are not doing anything for anyone's confidence in the judicial processes of this country.

The Northern Territory government has the power to open one final legal avenue of appeal. To do so cannot and should not be interpreted as any reflection on any of the processes which have gone before. I say that our system of justice is strong enough to open it to question in these extraordinary circumstances. The circumstances I have outlined earlier in my speech warrant the action that I am proposing. I take the view that the Northern Territory has nothing to hide, nothing to lose and everything to gain in terms of its credibility.

I want this matter taken out of the political arena and given to the judiciary. I dwell on this to put to rest the simplistic and politically opportune charge of the Chief Minister that I have little respect for the judicial process. I have absolute faith in our judicial system and wholeheartedly endorse the views recently expressed by Professor Vern Plueckhahn, Director of Pathology at Geelong Hospital, and everyone knows what his views are on the Chamberlain case. In a recent address to an International Criminal Law Congress in Adelaide early last month, he told delegates that unexpected findings by juries occur occasionally in all systems of criminal court proceedings but he was sure the great benefit of the jury system in enabling society as a whole to take their part in the pursuit of justice far outweighed their lack of ability to properly understand and adjudicate on clashes of complex opinion evidence. If anyone is genuinely interested in the role of the expert witness in a modern criminal trial, I would commend to him Professor Plueckhahn's paper on that subject.

The Chief Minister made a number of other specific charges, but I do not intend to address them in this debate. However, there is one in particular I feel compelled to take up. There was a charge from the Chief Minister that I had attempted to intimidate the Solicitor-General while he was drawing up his report on this case by making public comments that I intended to take this matter up with the federal government if the Northern Territory government did not act. At the time that this charge was levelled in a public statement by the Chief Minister, I said - and I will say it loud and clear again for his benefit - I believe a judicial inquiry into this case is properly a matter for the Northern Territory to act upon and it should act upon it. I have stressed in my discussions and correspondence with the federal government that I would consider it highly improper for the Commonwealth to consider intervention in this matter before the Northern Territory government had made its decision.

The point of my public statement in this regard was not to intimidate the Solicitor-General, but it was a public indication to the Chamberlains and to the many thousands of Australians troubled by this case - and I have filing cabinets full of their letters - that there was one final legal avenue available in the Territory, despite indications from the Chief Minister to the contrary. That is why I did it.

I turn to my alleged disrespect for law and order. This Legislative Assembly exists for one purpose: to provide a democratic forum to debate the laws of the Territory with a view to reforming the legislative mistakes of the past and to frame new laws, hopefully, for the betterment of the Territory society. In fact, we take an oath in the Legislative Assembly to do just that. If the shadow Attorney-General, and indeed all members of this Assembly, cannot ask constructive questions about the due process of the law in the Territory, then why are we here? If we accept the proposition that we should all fall silent, we might as well drop any pretence that we are living in a democracy. Let us have no more of that nonsense.

I wish to move on to the prison system and its role in society. The prison system has 3 roles which I will refer to in order of priority: it physically removes people who are a direct danger to society; it punishes people for crimes against society; and, hopefully, it provides rehabilitation, particularly for long-term prisoners. All of these can be linked under the general heading of the overall benefit to society. I would ask all members to ponder this question: would Mrs Chamberlain's release from prison pose any threat to society? I do not believe there is a member in this Assembly today who could honestly say it would.

However, in case there is any doubt about it, I would refer members to the one and only psychological report on Mrs Chamberlain. This was conducted by the then senior psychologist for the Northern Territory Department of Health, Dr Frederick Smith, who has assessed hundreds of prisoners in 9 prisons including many convicted murderers. He has said that Mrs Chamberlain is incapable psychologically of murder, let alone taking the life of her own child. His views have been well reported in the media. In one of the last interviews he gave before leaving Australia recently to return to a senior position in the United States, he said: 'In my firm opinion, I consider Mrs Chamberlain to be of unusually sound mental and emotional health. I believe without reservation that she presents no threat whatever to society in any violent or criminal way, either now or in the future'.

Dr Smith examined Mrs Chamberlain the day before she was due to give birth to her fourth child, Kahlia. His role was to ascertain whether Mrs Chamberlain was fit to be released on bail to care for her new-born baby until the Federal Court appeal could be heard. The day Kahlia was born in the Royal Darwin Hospital, 3 weeks after Mrs Chamberlain was convicted by a Supreme Court jury and sentenced to a mandatory life sentence, Dr Smith was in the Federal Court in Sydney supporting a bail application pending the hearing of an appeal. Dr Smith told the court that Mrs Chamberlain posed no threat to her new baby, herself or anyone else. The child was taken from Mrs Chamberlain as soon as it was born but was returned hours later when the Federal Court decided to grant bail. Mrs Chamberlain was reunited with her family and cared for them and her baby until she was sent back to prison in Darwin 6 months later when the appeal was lost. She has been in prison ever since.

Dr Smith's assessment was based on 2 visits to Darwin Prison, consisting of an evaluative consultation and 2 psychological tests. One involved an instrument used clinically as a screening tool for the detection of impairment of brain tissue function. Mrs Chamberlain had scored zero, meaning there was no impairment. The other test, a far more exhaustive procedure, was to achieve 'objective assessment of critical personality characteristics, behavioural anomalies and other behavioural traits'. It is a standard psychological test that is often used. Dr Smith said that this test, the

Minnesota Multi-phasic Personality Inventory, had been used internationally by clinical psychologists for more than 40 years and was widely considered as the best such instrument to date. Of the 10 most important scales used to gauge a personality, Mrs Chamberlain had scored comfortably within the normal range in each case. 'Something I do not see very often in my work', Dr Smith said in his report. 'Her psychological makeup and her sound mental health are totally inconsistent with aberrant behaviour or criminal actions', the report said.

I will now move on to the question of rehabilitation. It would be absurd in my submission to suggest any rehabilitation program could serve Mrs Chamberlain or society better than her release from Darwin Prison. This would have the crucial benefit of also providing an opportunity to rehabilitate at the same time the Chamberlain family. Let us hope so. It is indeed a minor miracle in my view that the family has been able to remain intact, given the thousands of kilometres which separate them and the emotional strain placed upon all of them in the past few years.

That leaves us with role number 2 - punishment. This needs to be addressed in 2 ways. It is my submission that Mrs Chamberlain has been punished enough. We have consulted with the Australian Institute of Criminology and the New South Wales Bureau of Crime Statistics and Research which employ the foremost criminal statisticians in this country. Both confirm that women found to be responsible for the deaths of children under the age of 12 months are likely to be released on a bond upon conviction. I could cite a number of cases today but I would prefer to let this case rest on its own merits.

This leaves me with the second role and this is a matter rightfully preoccupying the Attorney-General - the effect Mrs Chamberlain's release might have on other prisoners serving detention for serious crimes. I do not want to dwell too much on the attention this case has attracted from the media. It is self-evident. But I must say that the Attorney-General, having run a similar media gauntlet to the Chamberlains in the past few days, must have some sympathy for the position that press speculation has put them in. There is no doubt the Chamberlains have suffered in a unique way because of the unprecedented publicity given to this case. From the day Azaria Chamberlain disappeared at Ayers Rock in August 1980, the Chamberlains were the centre of the most intense media glare. They sought sanctuary in the village-type atmosphere at Avondale College at Cooranbong. That sanctuary very quickly became a prison. It was not uncommon for the family to be stalked during walks through the ground by a media helicopter. It is my submission that they were virtually imprisoned for 2 years in their own home.

The media bias in this case has been well documented elsewhere so I do not intend to dwell on that. However, I must say that the extent of that bias was brought home to me on the night the findings of the second coronial inquest inquiry were given on 3 February 1982. It remains for me one of the most enduring memories I have about the Chamberlain case. In Darwin that night, I listened to a radio news bulletin which will forever remain in my memory. The bulletin announcing that they had been committed for trial ended with the following words: 'When the trial goes to court, the world might find out just why Lindy Chamberlain cut the throat of her tiny daughter'. I am not the first person to air that radio broadcast in public; I have never forgotten it.

I echo the sentiments of the federal liberal member for the Northern Territory in his recent statement that Mrs Chamberlain will have to live with

this case for the rest of her life, as will her family. I will use the case of Edward Splatt as an illustration of what I am saying. I am sure that members would agree that Mr Splatt could walk into this public gallery right now and no one would recognise him. The Chamberlains could go to the remotest areas of Australia and still be recognised. This is not something that will go away in a matter of a year or even 5 years.

I submit that, because of the reasons outlined, this case cannot be compared with any other. The punishment has been unique and severe. I think the government should acknowledge that. There is a legitimate concern about parity with other prisoners serving long sentences for serious crime. I do not believe that there is a danger of any precedent being set in this case, nor of any injustice being delivered to any other prisoner by the immediate release of Mrs Lindy Chamberlain on normal parole conditions.

I have criticised publicly the current bout of media speculation on this case. I do not think it helps anyone, least of all the government and Mrs Chamberlain. I believe that the Attorney-General must accept some of the blame for the heightening level of speculation. His highly-publicised trip to Canberra has fueled that speculation. It is a minor issue in my opinion and I believe it should be placed in perspective.

I would applaud this government if it were able to announce a speedy decision on Mrs Chamberlain's application in spite of this frenzied air of media speculation. The list of politicians of all persuasions who have publicly announced support for a judicial inquiry and or Mrs Chamberlain's immediate release from prison grows longer with each day. They join, as I said before, a long list of senior judiciary and legal people, church leaders and hundreds of thousands of ordinary Australians. The former Chief Minister of the Northern Territory and current federal liberal member joined the list of those who now believe she should be released on licence. He joined 2 former federal Attorneys-General, Senator Gareth Evans, Labor, and Senator Peter Durack, Liberal. They are just 3 of the many politicians from all sides who have taken a public stand. I would hope that members opposite contribute to this debate in the spirit shown by them. I would point out that all of these politicians referred to have come out in the wake of the former Deputy Prime Minister in the Fraser government, Doug Anthony, who sent a telegram to the then Chief Minister, Mr Everingham, in July 1983. I quote from a front page report of the Brisbane Courier Mail of Wednesday 3 August 1983 which is headlined: 'Anthony Tries to Free Lindy': 'The National Party Leader, Mr Anthony, has intervened in moves to free convicted murderer, Mrs Lindy Chamberlain'.

It took more than 150 days to have the Martin Report tabled in this Legislative Assembly. It is my earnest hope that the Attorney-General will not take that long to give a decision on Mrs Chamberlain's application for release on licence. I believe that she should be released now.

Mr PERRON (Attorney-General): Mr Speaker, I do not intend to speak for very long. I simply wish to make a few points.

It is not really appropriate - and obviously I am not prepared at this time - to respond in detail to many of the matters raised by the Leader of the Opposition. I am sure that he does not expect me to. Some of those matters are complex. Others are not complex but require volumes of written material to be discussed in order to get right across them. That entails the enormous danger of not covering the whole picture on each matter. We could go on

forever, back and forth, quoting selectively as one must. It is not possible to read out everything in a debate like this. Selective quotation is the only way to demonstrate points. I accept that I too am bound by that necessity. That sort of action can lead to a situation where a matter is never resolved. To some degree, that is why this matter will remain in the minds of the community for a very long time. Irrespective of what happens in the next days, weeks, months or years, this matter will continue to be debated. There will be charges and countercharges. People in the media ask me: 'Don't you hope this will go away?' or 'Do you think that this will put the matter to rest?'. Of course, it will not put the matter to rest.

I think part of the reason why these debates will continue is because of the very democratic freedoms in this country. Of course, they are important. We have the ability to pick up a phone and ring almost anyone in the world. We can chat to people about a matter and then issue statements and so on. I think that licence is taken by some reporters in ringing up politicians. Often, questions are asked about something one cannot verify. One's reaction is sought and, of course, once given, it may be construed wrongly. The very fact that one has said something raises a storm. As the Leader of the Opposition said, we seem to have a situation where a whole range of experts, if we are to believe the media reports, are all attacking each other for various reasons. I think we need to be very careful about placing too much store on that fight. It will continue and I really think that it will be almost impossible to eliminate altogether.

I offer one small example. We have heard today that Dr Baxter has supposedly come out and said that he supports an inquiry. He says it must be cleared up and that the procedures were not correct. I do not recall all the details; I have not seen the report. However, a note that was slipped to me - and it may be as inaccurate as other interpretations - says that Dr Baxter has been quoted selectively. What he said is that he wants an inquiry because it will demonstrate once and for all that the Crown's case is unimpeachable. I do not know if that is true.

Mr B. Collins: That is correct.

Mr PERRON: But it has been suggested that the reason why Dr Baxter wants...

Mr B. Collins: I said: 'For his own reasons'.

Mr PERRON: I think I have demonstrated my point, and I am not claiming that that is what Dr Baxter said.

Mr B. Collins: That is what he said.

Mr PERRON: That is what was reported to me. We read stories in the paper every day by journalists who have that very generous freedom of ringing up people and saying: 'This has been said about you' or 'What do you think about this?' The fire continues to be stoked, as I am sure it always will.

I draw the Leader of the Opposition's attention to one matter which I think he will find important. He mentioned that perhaps the results of the blood tests that Professor Boettcher referred to in his submission may not have been the same as the Behringwerke information which tested some blood and resulted in 3 photographs of the 1 test taken over a period of time. For the information of the Leader of the Opposition, attached to the Behringwerke

Report is a page called 'enclosure 7'. This contains the photographs of the test that Professor Boettcher is relying on. The test, as the Leader of the Opposition will see - and he can check this with the professor of course - is numbered 767. Indeed, the number appears on each photograph. That is very important. The 3 photographs are of the same test referred to by Behringwerke on page 13 of its report where it said, 'See enclosure 7'. It then discusses the 3 photographs and the different reactions that appeared over a period of time. If the Leader of the Opposition refers to the bottom paragraph on page 13 of the Behringwerke Report and to enclosure 7, it may assist him in drawing those threads together. They are, of course, easy to lose.

I must say that I disagree with an enormous amount of what the Leader of the Opposition said. However, it is not the time nor place today to try to develop that. An enormous amount of what he said was not related to the submission to the Solicitor-General by the applicants for an inquiry. I think that is an important point. We need to know whether we have before us 2 submissions or one. Of course, we have one, and the Leader of the Opposition would accept that. He was demonstrating his view that there are enormous and widespread inconsistencies in the whole exercise. However, I would have thought that, after 2½ years of gathering information, the solicitors acting for the Chamberlains in making this very important submission would have included all the matters that they thought relevant to sustain a case for an inquiry. I just make that point without wishing to take it any further.

I will not go into the subject of Mrs Chamberlain's release here. I have made my position known to the media and I think all members know that position. I will not release any information on the matter until I believe that it has received due consideration and, of course, the appropriate persons are advised.

Motion agreed to.

## PETITIONS
### Community Facilities in Karama

Mr PALMER (Leanyer)(by leave): Mr Speaker, I received a petition this morning. It was too late for it to be certified by the Clerk and presented to the Assembly. It reads as follows:

> 'To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of 563 citizens of Karama respectfully showeth that the suburb of Karama is the largest of Darwin's suburbs with a population estimated to be in excess of 4000. The suburb of Karama has been largely occupied for over 3 years. The suburb of Karama remains without those community and commercial facilities expected and enjoyed by the residents of other suburbs of Darwin and there is no indication of the early provision of such services. Your petitioners, therefore, humbly pray that the Legislative Assembly recognises the needs of the citizens of Karama in respect of the provision of community and commercial facilities, and takes whatever action possible within its powers to ensure the early completion of such facilities, and your petitioners, as in duty bound, will ever pray'.

### Pornographic Material

Mr B. COLLINS (Opposition Leader)(by leave): Mr Speaker, I present a petition from 117 citizens of the Northern Territory, relating to pornographic material. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. The petition is in similar terms to a number of petitions presented recently and I do not propose that it be read.

## TABLED PAPERS
### Subordinate Legislation and Tabled Papers Committee
### Eighth Report

Mr FINCH (Wagaman): Mr Speaker, I table the Eighth Report of the Subordinate Legislation and Tabled Papers Committee.

### Department of Correctional Services Annual Report 1985

Mr COULTER (Community Development): Mr Speaker, I present the Department of Correctional Services Annual Report for the year ending 30 June 1985, and seek leave to make a short statement.

Leave granted.

Mr COULTER (Community Development): Mr Speaker, in tabling this report, I draw members' attention to the increasing number of services provided by this new department which range from custodial services through to community service orders. An extensive and detailed section of statistical information is included in this report which provides a valuable insight into the composition of the prison population, both in the remand and sentence sections, as well as an analysis of parole and probation case loads.

Statistics are given for the prison population in the Northern Territory prisons in 1983, 1984 and 1985 which indicate that the average prison population has increased from 265, as at June 1983, to 334 as at June 1985, figures which are self-explanatory and which bear out the government's grave concern for the climbing rate of prison receptions which are putting increased pressure on the available prison accommodation.

The statistics reveal also that, in 1984-85, Aboriginals comprised 73% of all initial receptions into our prisons. I am looking at possible solutions to this problem. In this regard, alternative approaches to institutionalisation need to be studied fully and, if found feasible, implemented as soon as possible. I move that the Assembly take note of the statement.

Debate adjourned.

## PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL
### (Serial 159)

Bill presented and read a first time.

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

This bill represents the Territory's response to a request from the Commonwealth to enact amending legislation to complement the Petroleum (Submerged Lands) Amendment Act 1985 which was passed during May 1985 by both

Houses of the federal parliament. In order to put this bill in its proper context, it is necessary to examine the background of offshore legislation, the basis for the request to the Territory from the Commonwealth and the way in which the Territory has reacted to that request.

In 1973, the Seas and Submerged Lands Act 1973 was passed by the Commonwealth, being an assertion of the sovereign rights on the part of the Crown in the right of the Commonwealth as against the states over the continental shelf. This was challenged by the states and resulted in the High Court case New South Wales v The Commonwealth. The High Court upheld the act's assertion and, in effect, decided that the Commonwealth's sovereignty extended right to the low-water mark. It was recognised, however, that local matters within territorial seas are primarily matters for the states and the Territory and, at the Premiers' Conference in 1979, the Commonwealth and the states, including the Northern Territory, completed an agreement for the settlement of the complex offshore constitutional issues.

Under this agreement, legislative authority for the sea and seabed from the 3-mile limit to 200 miles offshore is vested in the Commonwealth while that within the 3-mile limit is vested in the Northern Territory and the respective states. Under the constitutional agreement, the Commonwealth, the states and the Territory are committed to a uniform legislative regime for all offshore petroleum exploration. Therefore, the practical result is that, if the Commonwealth amends its legislation, the Territory is obliged to make amendments to its act in respect of those provisions which are applicable to Northern Territory waters.

The Petroleum (Submerged Lands) Amendment Act 1985 includes some provisions which have no application to the Territory; for example, royalty arrangements with Western Australia. However, the act incorporates provisions for the introduction of retention leases, a Territory initiative in our onshore Petroleum Act. Members will recall the wide-sweeping changes to the provisions for registration and new provisions regarding confidentiality of information.

The provisions of the Commonwealth act with respect to retention leases are modelled upon those in the Territory's Petroleum Act although differing slightly in detail. However, with the enactment of the bill before the Assembly, a 3-tiered structure for petroleum exploration and production, namely a permit stage for exploration, a retention stage for appraisal, and marketing studies and a final production stage for commercial exploitation, will be in place for all areas, both onshore and offshore, either within the Territory's jurisdiction or administered by the Territory on behalf of the Commonwealth.

In addition to the retention lease provisions, the Commonwealth act, and thus this bill, contain wide-ranging changes to the procedures for registration of petroleum tenements or associated rights or interests. These changes are welcome as they clarify an area which was previously subject to much uncertainty and, given the value of some offshore tenements, of considerable financial importance to the industry. The Territory, although not necessarily agreeing with every decision made regarding this area, welcomes the replacement of certainty where doubts have existed.

Confidentiality of information is another area affected by the amendments. The provisions are designed to allow a freer flow of information to the industry while protecting the legitimate rights of tenement holders.

Mr Speaker, the bill before the Assembly addresses itself to those issues relevant to the Territory and is complementary to the Commonwealth's amending Act. I commend it to honourable members.

Debate adjourned.

## LAW OFFICERS AMENDMENT BILL
(Serial 165)

Bill presented and read a first time.

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

Mr Speaker, in the days of an increasingly litigious and complex society, it is important that legal advice to government and advocacy skills of persons representing the Crown before the courts be readily available and be of the highest standard. In the Northern Territory, the developing and unique constitutional status of the body politic and the relationship between it and the Commonwealth create a special need for high-level advice on constitutional matters.

From 1978, the chief executive officer of the Department of Law has also held the office of Solicitor-General. The intervening 7 years has seen substantially increasing responsibilities in both fields. The time has come when it is unreasonable and not in the best interests of government that one person should be expected to discharge both functions. The 2 functions call for detailed personal involvement by the holder of those positions if they are to be properly discharged. On the one hand, as Secretary of the Department of Law, the holder of that office has all the responsibilities and duties of the head of a government department. On the other, as Solicitor-General, that person is the principal legal adviser to government.

In Australian jurisdictions, the most senior legal adviser to government after the Attorney-General is the Solicitor-General. The position of Solicitor-General is a most demanding one. Because of the level and range of legal advice and service that is demanded, the office of Solicitor-General in all jurisdictions is filled only by the most competent of lawyers. To attract and retain such people, bearing in mind that acceptance of a position of Solicitor-General often means a significant drop in income for an appointee from the private profession, reasonably attractive terms and conditions must be offered. Again, given the importance of the advice obtained from and work required of a Solicitor-General, it is important that the person appointed to that position have responsibility only for legal matters. In addition, so that there can be no question that the legal advice to government is given without fear or favour - although I have no doubt that is the case now with all legal advisers to government - the position of Solicitor-General should be independent; that is, the appointment should not rest solely with the minister. It is considered appropriate that the Solicitor-General be appointed by the Administrator. The Solicitor-General will not be the appointed by the Administrator. The Solicitor-General will not be the departmental head or chief executive officer, will hold no administrative responsibilities or functions and will not direct or control matters of policy or policy implementation. The Solicitor-General's role will be a legal one only.

All jurisdictions except the Northern Territory have special legislation creating the position of Solicitor-General, outlining the duties of office and setting out the terms and conditions of service. To a large extent, the terms and conditions of service in other jurisdictions are equivalent to the terms and conditions offered to a judge. I like to think that a person who might aspire or accept judicial office might also aspire to accept appointment as Solicitor-General. Having said that, it is hoped to bring the Northern Territory into line with all other Australian jurisdictions by this amending bill. While the Law Officers Act provides for a Solicitor-General, unlike similar legislation in other jurisdictions, it does not provide for the duties of office and terms and conditions of service.

Before proceeding to detail the contents of the bill, let me immediately deal with 1 important aspect of it. The legislation, in particular clause 7, the transitional clause, basically provides that the person now holding the position of Solicitor-General shall be deemed to have been appointed Solicitor-General under the amended act. As members will know, the current Solicitor-General is Mr Brian Martin QC. I do not wish to detail his career other than to say he has been a legal practitioner of the Northern Territory since 1963 and he has been Solicitor-General since 1981. This government is wholly satisfied that Mr Martin is an able person for appointment as Solicitor-General under the proposed act. He has the integrity, skill, independence and respect that the position demands.

Clauses 1, 2 and 3 are the usual preliminary clauses. Clause 4 repeals section 8 which previously dealt with the office of both the Crown Solicitor and Solicitor-General. The office of Solicitor-General is to be dealt with by another provision. The office of the Crown Solicitor, however, as will be dealt with by proposed new section 8, remains basically as it is under the existing legislation. Members may note that proposed new subsection (4) currently exists as section 10 under the principal act. Section 10 in the principal act is repealed by clause 5 of this bill. Members will also note that the Crown Solicitor's appointment is at the Attorney-General's discretion, as it always has been. It should be understood that the Crown Solicitor does not have an important administrative and policy role within the department.

The office of Solicitor-General is created by proposed new section 14. The Solicitor-General is to be appointed by the Administrator on such terms and conditions as the Administrator determines, either for a specified or unspecified period. To be eligible for appointment as Solicitor-General, the person must be a legal practitioner of at least 5 years' standing and may not hold a ministerial office. As indicated, the Solicitor-General will not be a public servant. The Solicitor-General will be entitled to a pension as if the Solicitor-General had been appointed a judge and was eligible for a pension under the Supreme Court Judges Pensions Act. Funds for that purpose are to be appropriated accordingly from the consolidated fund. If the Solicitor-General is appointed a judge - as is sometimes the case, considering that such persons are generally eminent - the period of service of Solicitor-General shall be deemed to be prior judicial service for the purpose of payment of a judicial pension. The Solicitor-General must retire at the age of 65 years and may resign by instrument in writing delivered to the Administrator. Acting appointments, including appointments from within the public service, may be made during the Solicitor-General's absence or in the event of a vacancy.

The provisions outlined above and as set out in proposed section 13 are not unusual. Basically, the provisions are common to most Australian

jurisdictions although, as may be expected, there are variations from state to state with regard to certain provisions such as the manner of payment of a pension. Members will note the degree of flexibility the proposed section provides. I hope this will allow the Territory to attract candidates of the highest calibre.

Proposed new section 14 sets out the functions of the Solicitor-General's office. They are normal functions of such an office and include the right to practise as if the Solicitor-General held an unrestricted practising certificate. Such a right is presently dealt with in section 10 of the principal act. I draw members' attention to subparagraph (e) which might allow the Solicitor-General to retain the role of private practice with the Attorney-General's consent. While the provision is not unique to the Territory, I believe it gives a further degree of flexibility which might be required some day to attract the right candidate.

Clause 15 provides for the removal of the Solicitor-General from office. As the position is an independent non-administrative, non-policy-making office more akin to a judicial or Ombudsman appointment than that of a departmental head, removal should be only for specific reasons. Basically, those reasons will be incapacity, misbehaviour or bankruptcy. Where any such circumstances apply, removal by the Administrator shall be mandatory. The proposed section 15 so provides.

Finally, clause 7, the transitional provision, provides that the present incumbent of the position of Solicitor-General, and I trust that he will be the Solicitor-General immediately before the commencement of this bill, is to be deemed to have been appointed Solicitor-General under the act, as it will be when amended, for an unlimited term, and upon such terms and conditions as the Administrator determines. I commend the bill to members.

Debate adjourned.

## PRESBYTERIAN CHURCH (NORTHERN TERRITORY) PROPERTY TRUST BILL (Serial 166)

Bill presented and read for a first time.

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

I have great pleasure in introducing this bill into the Assembly. In doing so, I am acting as a result of a request from the congregation of the Presbyterian Church of Australia in Darwin. Members will be aware that, on previous occasions, bills to facilitate the operation of religious groups in the Northern Territory have been introduced and passed by this Assembly. I refer to legislation for the Church of England, the Salvation Army, the Uniting Church in Australia and the Catholic Church. This bill is very much in line with those earlier items of legislation. It is directed primarily at facilitating the transactions of the Presbyterian Church of Australia in property matters.

Members may or may not be aware that the history of the Presbyterian Church in central Australia and northern Australia can be traced back to 1912 when John Flynn was authorised by the general assembly of the church to

implement his plans to meet the needs of the ministry in both central and north Australia. Up to 1940, the church's involvement in the Northern Territory was through Australian inland mission patrol work. From around 1940 until church union in 1977, the work of the church in Darwin and the Northern Territory functioned on a cooperative basis between the Presbyterian, Congregational and Methodist congregations and was known as the United Church of North Australia. The work of the church was under the auspices of the United Church Board comprising representatives from the Australian Inland Mission Board, the Methodist Missions Board and the Congregational Union.

The year 1977 saw the advent of church union between the Presbyterian, Methodist and Congregational Churches. For all practical purposes, the Presbyterian interests in Darwin ceased at that time. Despite the union of 1977, many members wished to retain their Presbyterian identity. Public meetings at Darwin held earlier this year have indicated to the church the need to re-establish itself in the Territory. Since Easter this year, the public worship meetings have been conducted at the Parap Primary School.

To facilitate the transactions of the Presbyterian Church in property matters, the bill establishes the Presbyterian Church Property Trust, Northern Territory. The trustees of the trust are the persons who, for the time being, are the trustees of the New South Wales Presbyterian Church Property Trust. However, provision is made in the bill for Northern Territory trustees to be appointed in the future. It is anticipated that this will be done once the church has more fully established itself in the Territory. Upon establishment, the property trust will acquire a legal existence in the form of a body corporate. As a result, it will be able to enter into transactions concerning property. I commend the bill to honourable members.

Debate adjourned.

## CIGARETTE CONTAINERS (LABELLING) AMENDMENT BILL
## (Serial 167)

Bill presented and read a first time.

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

The purpose of this bill is to allow for the specification of warning notices on cigarette packets to be done by regulation rather than the presently cumbersome method of providing for their style and form under section 4 of the principal act. Members will be aware that health ministers have determined by a majority that the warning labels on cigarette packets are to be changed. The warnings agreed to were, to say the least, extreme. As would be expected, the Tobacco Industry Council has expressed concern at the contents of the words chosen and has extensively lobbied state and Commonwealth governments. What the final wording will prove to be is not at this time certain but there will certainly be a change in the wording. Indeed, it is possible that not all states will be able to agree on the wording and it will be necessary to draft words which will accommodate differences in form and style.

It is likely that there will be further changes from time to time, and it is quite impossible for the government to react rapidly to such events if we must seek the Assembly's concurrence each time a change is made. Of course, the Assembly will retain the ultimate say through its Subordinate Legislation and Tabled Papers Committee.

Other amendments are incidental upon the proposed amendment to section 4 of the principal act. I commend the bill to honourable members.

Debate adjourned.

## DENTAL BILL
(Serial 158)

Bill presented and read a first time.

Mr HANRAHAN (Health): I move that the bill be now read a second time.

This bill replaces the existing Dentists Registration Act which was originally introduced as the Dentists Registration Ordinance 1953. That ordinance was revised several times but the last major change occurred in 1973. This bill is a complete updating of the legislation which brings the legislation relating to those who practise dentistry in line with recent legislation such as the Health Practitioners and Allied Professionals Registration Act.

This bill is the product of much consultation with the Australian Dental Association, its Northern Territory branch and the existing Dental Board. Members will be most interested to examine the detailed list of services which are performed by dental therapists, dental hygienists and specified Aboriginal health workers. These duties or skills are set out in schedules 1 to 3 of the bill.

This bill differs from the existing legislation in that it makes provisions whereby specified Aboriginal health workers may carry out preventative health care and the relief of pain. You will be aware, Mr Speaker, of the interest generated by the Health Practitioners and Allied Professionals Registration Bill which was passed by the Assembly in August. That bill provided for the registration of Aboriginal Health Workers amongst various other professions. This bill gives recognition that some Aboriginal Health Workers with specific training in dentistry can perform certain procedures.

The bill includes provisions relating to the incorporation of dental companies under the Companies Act. These provisions are the same as the provisions relating to the incorporation of medical companies under the Medical Practitioners Registration Act. The control of dental companies by the Dental Board has been included at the request of the Australian Dental Association.

Other matters of specific interest include the provisions of clause 21 which will allow student dental therapists to undergo some of their practical training under direct supervision in the Northern Territory. There was no possibility when the original ordinance was passed that Northern Territory residents would be receiving some of their professional training in the Territory. This bill establishes a procedure whereby persons aggrieved by decisions of the Dental Board in relation to registration or to a disciplinary matter may appeal to a Dentists Disciplinary Tribunal which will consist of a magistrate and 2 dentists who will be appointed for this purpose by the minister on the recommendation of the Australian Dental Association. I commend the bill to honourable members.

Debate adjourned.

## POLICE ADMINISTRATION AMENDMENT BILL
(Serial 157)

Bill presented and read a first time.

Mr TUXWORTH (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

The purpose of the bill is to amend certain sections of the Police Administration Act by deleting the words 'Sergeant First Class' wherever occurring and inserting the words 'Senior Sergeant'. The present sergeant rank structure in the Northern Territory Police Force, in order of seniority, consists of Sergeant First Class, Sergeant Second Class and Sergeant Third Class. Over the years, the rank of Sergeant Second Class has become superfluous to the present day needs of the force. As well, the small numerical establishment of Sergeant Second Class - 15 compared to 94 Sergeants Third Class - has created a bottleneck because the legislation precludes promotion as a Third Class Sergeant if there is a Second Class Sergeant suitable for promotion.

The anomaly is thereby created where selection is determined by seniority and not efficiency. This is against the general philosophy of the government. Further, it has been pointed out that a potential problem may exist whereby members may exploit their promotion to the rank of Sergeant Second Class in a specialist position as a means of accelerating their promotion to the rank of Sergeant First Class.

For the effective administration of the police force, it is proposed to replace the present 3 ranks of Sergeant First, Second and Third Class with 2 ranks to be known as Senior Sergeant and Sergeant. This, in effect, will mean the abolition of the rank of Sergeant Second Class. However, persons currently holding this rank will continue to do so until they vacate it by termination of service, promotion or demotion.

To give effect to these proposals, it is necessary to have the regulations suitably amended by Executive Council submission, and the amendments proposed by the bill are simply consequential to that submission. I commend the bill to honourable members.

Debate adjourned.

## UNIVERSITY COLLEGE OF THE NORTHERN TERRITORY BILL
(Serial 160)
## ADVANCED EDUCATION AND DARWIN INSTITUTE OF TECHNOLOGY BILL
(Serial 161)
## MENZIES SCHOOL OF HEALTH RESEARCH BILL
(Serial 162)
## EDUCATION AMENDMENT BILL
(Serial 163)

Continued from 20 November 1985.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I will not delay the Assembly very long. I simply rise to indicate my support for these bills but not my support for the way in which they are proceeding through the Assembly. They are 3 very substantial bills indeed with the fourth bill necessary upon their passage through the Assembly.

I do not know how many members of the Legislative Assembly have visited the Menzies School of Health Research - and I am not suggesting that a plague of politicians descend around the ears of Professor Matthews - but it certainly is an interesting experience. I can commend it to members to find out exactly what a high level of research is currently being conducted at the Menzies School of Health Research. I know that Professor Matthews and his staff will be extremely grateful for finally having an act which regulates the procedures of the Menzies School of Health Research although Sydney University has made very clear the exception it takes to the caveat placed by the government on the appointment of the head of the Menzies School of Health Research even though that will certainly not affect the present incumbent. Apart from that, the Menzies School of Health Research is happy with the legislation. There is indeed a very high degree of sophisticated research being conducted with some very exciting possibilities at the Menzies School of Health Research. We have been very fortunate in attracting a number of talented researchers to Darwin. Indeed, I believe that we are particularly fortunate in having Professor Matthews as head of the school.

I understand it is still obtaining further equipment and staff. On my last visit out there, I discussed with Professor Matthews the desirability of providing the school with some degree of publicity. I am sure that, when it is appropriate, he will do so. It would be an extremely interesting exercise indeed for people in the city to realise what is going on out there; it certainly surprised me. I did not realise that its research program would be as advanced as it is after such a short time.

I was listening with great interest to the debate and I heard some considerable debate on the problems being suffered at the moment by the Darwin Institute of Technology. I cannot claim to have recognised all individual members who made various contributions to that debate but I did hear various contributions. I think it was the member for Wagaman who said that academic staff moving from one place to another is a healthy thing for a tertiary institute. Of course it is, to a certain extent. Can I advise that I have spoken personally to a number of the academics who are leaving? I can tell the Minister for Education that they were quite specific in telling me why they were leaving. One of those people had made a very definite commitment to stay in Darwin. She is a lecturer of great talent who has been warmly welcomed by a college of advanced education in the south. She had gone to the extent of purchasing a house etc. She told me that she was leaving as a direct result of the way in which the principal of the college had been appointed and the way in which the appointment procedures had been suspended in midstream after advertisements had been placed nationally and internationally for the appointment. She said that the academic staff generally were quite depressed about the level of direct political involvement in the advanced education sector of the institute which they saw as interference with their academic freedom. Along with everyone else, I concede that there is a great deal of blah talked about academic freedom but it is a tangible thing. To attract academics of excellence, there is no question at all that there must be academic freedom.

I understand the Deputy Leader of the Opposition canvassed this particular issue in debate the other day but I would like to touch on it too. Comparisons were made to me by 3 of the departing staff relating to the interview procedures that were implemented when they successfully applied for jobs elsewhere. In the places that they went to, the appointment panels all had majority membership from academic staff. That is not the case in relation to senior appointments that are currently being made at the Darwin Institute of Technology and people are rightly concerned about it.

Mr Speaker, I believe that it is essential that the morale problems which undeniably exist at the Darwin Institute of Technology at the moment be resolved in some way. It has been a very rocky year indeed for the institute in one way or the other. It is an important centre of tertiary education in the Northern Territory, and it does need to be stabilised. I have no hesitation in saying that I condemn the government for the actions that it took. I still cannot understand why the government saw fit to do what it did, particularly in the way that it did it. The least we can hope for, I suppose, is that it never happens again. It is not doing tertiary education services in the Northern Territory the slightest bit of good. Hopefully, we will be able to put DIT on a clean footing, so to speak, to start a new year and all of this will be able to be put behind it.

Mr Speaker, to move on to the question of the university college, I do not think I need remind members of the Legislative Assembly that I told them so. I am perfectly happy to say that I told them so because, Mr Speaker, I told them so from 1980 on. I must say that, in pushing for the establishment of a university college since 1980, I was not doing it in any sense to slow down the activities of the Northern Territory government.

As a result, I was accused by the former Chief Minister of being an arch conservative. I was alarmed at the reaction that was expressed almost across the board by the Tertiary Education Commission on the quality of submissions that had been submitted originally by the Northern Territory government. I said then, and I do not hesitate to say it now that I condemn the government for delaying unnecessarily the introduction of a university into the Northern Territory. I believe that that initial submission did the Northern Territory's credibility a great deal of harm indeed because the submission was absurd. That is all recorded in the Hansard of those days.

Nothing has changed much over the years, and that applies to members on the other side as well as myself. I picked up the Hansard report of a particular debate when the now Leader of Government Business was Minister for Education. The subject of a university was being discussed. I noticed that, when I was attempting to make some very valid points, the minister interjected during my speech 6 times in 6 inches of the Hansard. I thought that was bit excessive because the member is always claiming that he never interjects, which we all know is a gross untruth. In fact, his was the dominant voice over the speaker in my office during my enforced absence.

Mr Speaker, no doubt the minister is in possession of the Tertiary Education Commission's report. I received an advance copy of the section relating to the university. The conclusions of the TEC are very disturbing in terms of the Northern Territory's proposed case. I would like some indication from the minister this afternoon as to how the Northern Territory government proposes to accommodate itself to those very definite barriers that the TEC seems to be erecting. The TEC is an extremely powerful and influential body in terms of providing the necessary finance for universities. As the Minister for Education would know from the tortuous past history of our attempts to establish a university in the Northern Territory, universities are extremely jealous of their money. I have had frequent discussions with visiting academics. I certainly did not fail to meet with any of them if I was able to when they came to Darwin. The line that they always put very carefully was that they would be happy to support us provided it does not cost them any money. It is not an unreasonable concern.

The Tertiary Education Commission, and I think it is reasonable to say this, has certainly shut the door very firmly in the face of the Northern Territory government in terms of the proposed establishment of our university in 1987. I do not have the TEC's report in front of me. In fact, it was here when I left but it was not here when I came back, and that is my fault. I can remember enough to say that it is quite definite in its views on the expanded role required for the Darwin Institute of Technology. It makes the point in its recommendations that it is difficult to justify the establishment of a university when the current student load of the advanced education sectors at the Darwin Institute of Technology is not being met. I must say that, on the face of it, that is an extremely valid argument from a federal funding body's point of view.

I would like some response from the minister on that rejection. How valid does he consider it himself? Principally, the TEC has been quite adamant in saying that it sees the path for the Northern Territory as being an enhanced and increased role for the advanced education sector of the Darwin Institute of Technology. It is the primary advisory body to the federal government in terms of funding tertiary educational institutions around Australia. Given our limited budget and the extraordinary expense of university institutions, I do not think that the Minister for Education would pretend that it will be a very easy road for us to hoe, particularly with brick wall objections from the TEC to the establishment of the university. The minister would be the first to concede that there is a great deal of essential detail in respect of the establishment of the university which has not yet been revealed. That is not a criticism of the minister or the government.

All I can say in conclusion is that the old problem still has not gone away: the essential balance that must be struck between the Darwin Institute of Technology's advanced education sector and the university. I think the Minister for Education would agree that the speculation about the university has been long standing. It goes all the way back to 1980. It has not been mild speculation. It has been based on motions moved in the Legislative Assembly and bills enacted and passed in the Legislative Assembly. The former community college had a sword of Damocles hanging above its head. There has been uncertainty about what will happen to it, what will happen to its courses and how it will fit in. There still does not seem to be any clear resolution of that uncertainty.

I indicate to the Minister for Education that, through the forum of this place or the other mediums of exchange that are available between the government and the opposition, we will be very keen indeed to be involved and to receive regular progress reports from the minister on developments between now and January 1987. I am sure that the minister will accept that my major concern - and certainly I have been consistent about it since 1980 - is the credibility of the university. The Tertiary Education Commission has made that clear. Again, I think it is fair to point out that, in its latest triennium report, it devotes a great deal of space to its concerns about the establishment of the university and the problems it envisages with the lack of credibility that it attached to the Northern Territory government's current proposals. It would be an irresponsible member of parliament indeed who was not rightly concerned about those kinds of reservations being expressed about the government's proposals.

I would be interested in hearing from the Minister for Education what level of discussions the government is currently engaged upon with the Tertiary Education Commission in respect of the recommendations that it has

brought down - I think it is fair to say - against the Northern Territory government's current proposal. What is the status of those negotiations? What kind of responses have been received from the Tertiary Education Commission? Is there any indication that the TEC will be amenable to moderating its position or being a little more flexible about it next year or not? If not, I see a pretty rocky road ahead which will impact directly on the viability of the university and, therefore, by direct inference, on its credibility.

I am pleased to see the 3 bills currently before the Assembly. I am sorry, on principle as much as anything else, that bills as substantial as these must be processed by means of the suspension of the standing orders of the Assembly.

In closing, I would simply like to reiterate an old cry of mine that goes back many years. I was never one of those who wanted additional sitting days simply for the sake of sitting. But I must say that I believe there is some obligation upon the government to manage its business in a way which does not require the extraordinarily late night sittings that have been a feature of the Legislative Assembly's procedures this week.

Apart from anything else, when the adjournment debate is finally over, and everyone walks out the door and dives into pavlovas or whatever in the Members' Lounge, the Hansard staff is rarely able to leave for at least 4 hours after. I commend the Leader of Government Business for noting the efforts of the Hansard staff for 2 consecutive very late nights in a row. I would hope that the government would see its way clear to regulating the sittings so that those extraordinarily late nights do not occur.

I believe that we can justify sitting x number of extra days a year because there are only a certain number of members of the Assembly and we all have virtually unlimited opportunities to speak in here, which is an opportunity not available to very many members of parliament around Australia. But I have suggested on numerous occasions, and did obtain the agreement of the former Chief Minister, that, to try to make it a little more workable and to sit a little more frequently, the 2-week sittings even on one occasion or perhaps 2 occasions a year, be split in half and weekly sittings substituted. It would have the benefit of...

Mr Robertson: Unless you know what is going to come up, that will not solve the problem.

Mr B. COLLINS: Interestingly enough, the former Chief Minister not only agreed to it but did it on 1 occasion.

Mr Robertson: That does not solve the problem - different leadership.

Mr B. COLLINS: Mr Deputy Speaker, the Leader of Government Business is a pretty persistent non-interjector.

Mr Robertson: It is only when you speak codswallop that I think it is necessary.

Mr B. COLLINS: I do not normally have that effect on people, Mr Deputy Speaker. If nothing else, it is a very good indication that it is about time I sat down.

Mr HARRIS (Education): Mr Deputy Speaker, I thank members for their contributions to this debate. I would like to address the issues that have been raised.

The Leader of the Opposition said that credibility was one of the major things that he was concerned about. I can assure him that my main direction has been to make sure that there has been credibility in this whole exercise, particularly when we are talking about degree courses of this nature. That is why we have linked ourselves with an established university.

The opposition's proposal was to have a university grow out of the Darwin Community College. I believe that, if that had taken place, there would have been a credibility problem. The opposition has continually placed a great deal of emphasis on the need to listen to academic views. I can assure members that, if the university developed out of the former Darwin Community College, which was a TAFE college offering advanced education courses, then indeed academics, particularly from the university sector, would query its credibility.

I must also say that it has been extremely difficult for this government to progress towards the development of a university college or a separate university as we had originally proposed. That latter proposal included links with established universities because of the credibility concern that everyone had. The Chairman of the Commonwealth Tertiary Education Commission was very keen on the idea of trying to develop a multi-level institution which involved TAFE, university and advanced education. On other occasions, I have spoken about the problem of identifying the advanced education, university education, and TAFE education components. It is extremely difficult, and I leave it to the academics and the people involved. However, in the case of the Darwin Institute of Technology, and the possibility of its becoming a multi-level institution, I was not prepared to put at risk the credibility of a university developing on the same campus. I will not debate whether it would be the best solution or not. The fact is that there would be a question mark over it. It would be an experiment, and I do not want the Northern Territory to be experimented with. We could develop a TAFE institution and tack it on to the University of Sydney or the University of Queensland. If it works down there, then I would not have a problem with it. It is a direction which the Chairman of the Commonwealth Tertiary Education Commission has suggested. It may have merit but I do not want to experiment with it here.

We wanted a university presence where degrees offered could not be questioned. That is why we took the decision to link with Queensland. The Commonwealth Tertiary Education Commission made recommendations to us. We took note of them and modified our thoughts accordingly. We moved from the proposal to establish a full university to a university college approach and we increased the representation of university sector people on our University Planning Committee. We did everything that the Commonwealth Tertiary Education Commission asked us to do, but we could not get the go-ahead to move further down the line. We were frustrated, and it came to a head recently when I met with the Chairman of the Commonwealth Tertiary Education Commission and put our concerns to him. I tried to obtain from him an indication of when the Commonwealth could give a commitment on funding our university. All he could say was that it might be considered in 1991. I do not believe the government could accept that situation.

I do not want to go back in history, as the Leader of the Opposition has, in relation to the Darwin Institute of Technology and the issues which

developed there earlier this year. I am well aware of the need for academic freedom. But there was definitely a need for us to set a direction in tertiary education. We needed to take steps to establish the university and we took them. There is no doubt that some academics were most concerned and distressed about the appointment of Kevin Davis, but the Leader of the Opposition is wrong about people leaving. I know of 1 or 2 who were most distressed about this whole exercise and who indicated very clearly that they left the institute because of the decision on the appointment of the director. However, many of the other people who are leaving are not doing so because of that. Rather than waste the time of the Assembly by repeating the exercise, I refer members to Hansard where they will see that many of the resignations from the Darwin Institute of Technology have been for personal reasons. There are only 2 or 3 who have given the Kevin Davis appointment or political interference as their reason.

The member for Millner raised a number of issues. He first referred to a single source of advice to government on tertiary education matters. I indicated that the government was moving to ensure that all the tertiary sectors were linked; that is, the university sector, the advanced education sector and the TAFE sector. Under section 19 of the Education Act, the government intends to establish a Northern Territory Tertiary Education Council. Its membership will be the warden of the university college, the Chairman of the Northern Territory Council of Advanced Education and the Chairman of the TAFE Advisory Council. We intend to establish such a council.

Reference was also made to the word 'board' in clause 22(g). It is a drafting error; it should read 'council'.

Mr Smith: Are you going to fix it up?

Mr HARRIS: I hope to fix it up during the committee stage.

The member for Millner also mentioned that there should be special provision in the transitional clause to protect the staff of the Darwin Institute of Technology.

Mr Smith: I did not say that.

Mr HARRIS: I do not believe it is necessary because the Darwin Institute of Technology is still unchanged. The contracts will remain the same, and I believe it is not necessary to include that provision in the transitional clause. The member also queried what degrees would be offered at the university college. The Leader of the Opposition has also asked for more information. As time goes by, I intend to inform members fully concerning the development of our university college. I will be signing an agreement on 2 December with the Vice-Chancellor of the Queensland University. That agreement is presently before Cabinet and I am unable to go into any detail here.

The students who successfully complete courses at the university college will be awarded degrees from the University of Queensland and thus will be able to have total confidence that the qualification they gain will have a high standing and will be recognised throughout Australia and overseas. The University of Queensland will assist our university college in a number of ways, including the following: it will release a senior professor who will act as the first warden, assist with the recruitment of other staff, provide courses and course materials, grant Queensland degrees to successful students,

and advise on the establishment and development of the university college as it progresses towards full status as an independent university in its own right.

In answer to a question from the member for Wagaman, the university college will be located initially in the premises and grounds of the old Darwin Primary School and the police training centre. It will also occupy part of Winlow House on the corner of Woods and Lindsay Streets. Its library will be located in the new building adjoining Winlow House. These adjacent facilities in the Darwin central business area will provide a very convenient location for students and will help to keep costs to a minimum during the early years. The Palmerston site will be retained for long-term university development when justified by growth in enrolments and population. Student accommodation will be provided at Lambell House and later at the police training centre. The provision of staff accommodation is under consideration by the Housing Commission. When the university college commences operation in 1987, it will offer undergraduate courses in arts and science. Arts units will initially comprise English, history, economics, government, anthropology and first year law. The science offerings will comprise units in biological science, chemistry, physics and mathematics. Additional units will be added in these courses in 1988 and 1989. The possibility of admitting students already holding credits from other institutions to second and third year courses in 1987 and later years is being investigated.

No university is complete without postgraduate and research programs. These will be initiated from the outset and expanded as staff are appointed. It is expected that all academic staff will participate in university research activities.

On the subject of funding, I would like to reiterate what I said in the Assembly during the August sittings. The Commonwealth government has a moral obligation to provide financial support for this important undertaking from its inception. We will continue to make representations to the Commonwealth, as well as including our funding submissions in the normal sequence of state applications for Commonwealth triennial support. I hope that the Commonwealth will respond, as it should, by providing financial support as it does for all state universities. The Commonwealth decided not to support our direction mainly because of financial problems. I acknowledge that and I acknowledge also that the Commonwealth placed us well and truly down the ladder. The Northern Territory government decided to take the bit between its teeth and move ahead with the establishment of the university college so that university undergraduate courses would be available here by 1987. We hope that the Commonwealth will accept that we acknowledge that it has financial problems. We acknowledge that it does not give us first priority. We trust it will acknowledge that it has a responsibility to make sure that we are treated in the same way as state universities.

At present, a working party is considering questions relating to fees, scholarships and student assistance. I expect to be able to announce details during the first half of 1986 concerning financial arrangements and support which will be available to students and their parents. During the coming week, Professor Chris Hawkins, the Dean of Science from the University of Queensland, will be visiting high schools to talk to Year 10 and 11 students about entry requirements. He will be letting them know what courses will be available to them in the early years of the college.

I would like to draw the attention of members to the fact that these present proposals are a culmination of 5½ years of work by the University Planning Authority and Advisory Committee, and I would like to convey the gratitude of the Northern Territory government to all of those who have participated. Without their efforts, we would not be where we are today in relation to the establishment of a university college. As time goes by, I will continue to update members on the progress with the university college.

The member for Millner also mentioned that this was only part of the progress towards a full university. I agree with him. He also mentioned that there was a need for us to get out there amongst the students and recruit people to attend the university college and, eventually, our own free-standing university. He also mentioned that the Western Australian government had stolen the march on us as far as the private university was concerned. I can assure him that Senator Ryan was not all that impressed with the moves that were being proposed there. I have also indicated that we will be seeking to establish a private university. The government will be establishing a University Development Unit and the head of that particular unit will be Dr Eedle. All members will be aware of Dr Eedle's credibility in the Australian academic community and overseas. He has many contacts in the university sector and, as we progress from this small beginning with our university college, I am sure that his knowledge and experience will stand us in good stead. I would like also to point out that Dr Eedle will be consulting as appropriate with the university college council. We have a definite direction there.

There was also some concern about the definition of 'advanced education'. There will be an amendment. The words are defined to enable the college council to function independently of the institute. In relation to the institute, there are 2 references to 'advanced education'. Both are in clause 22 which deals with the powers. One is coupled with TAFE and the other relates to the running of courses. I acknowledge the comments that the member for Millner made in relation to the negative drafting of this particular definition. The government will not go to the stake over that particular issue.

The member also referred to clause 20 of the University College Bill in relation to academic units. I really do not think it is necessary to include a specific clause relating to academic units because the general power is in clause 20(1). However, I indicate again that the government will not go to the stake on this particular issue.

The main issues raised by members of the opposition related to the appointment of the Chairman of the Northern Territory Council of Advanced Education and the appointments of the director and warden of the university college. As far as the appointment of the chairman is concerned, the Northern Territory Council of Advanced Education has a dual role. It is the governing body of the Darwin Institute of Technology and it is also the advisory body to the minister in relation to advanced education matters. All chairmen of advanced education advisory councils are appointed by government. At some later stage, we may be in a position to have a separate council advising on advanced education but at present the Council of Advanced Education has a dual role.

As far as the appointments of warden and director are concerned, I have made it very clear that we are locked into Queensland. The University of Queensland Act and the James Cook University Act have similar provisions to

the one we are proposing. The Menzies School of Health Research has approached me on this issue and it has accepted the situation. It is also interesting to note that the Northern Territory Council of Higher Education did not ask for changes to those particular amendments.

The member for MacDonnell raised the issue of benefits to central Australia. All I can say in answer to that is that we must start somewhere. We have started in Darwin but, as the university college develops, we will be able to provide access to higher education for all Territorians.

The member for MacDonnell also referred to clause 6(b) in the university college legislation. He referred to the words 'intellectual and industrial property and rights'. It refers to the situation where a discovery of some kind is made or someone creates something, such as a poem, a work of art or an invention. It covers areas where people are charged royalties or make payments.

It may have been a slip of the member for Millner's tongue when he said that this legislation was slapped together. The government, the University of Queensland, the University Planning Authority, the Department of Education, the Northern Territory Council of Higher Education and the Menzies School of Health Research have all been working for a long time on this. I believe that it does have the support of all of those people. The Federation of College Academics was offered participation in this exercise, and I believe that it took up that membership in the spirit that was intended. I thank all of the people who have been involved in the preparation of this legislation to set the direction for tertiary education in the Northern Territory.

I want to make a comment about the way in which this legislation has been handled. It would not be my intention under normal circumstances to try to suspend standing orders to have legislation passed in this Assembly. I wanted to make that quite clear to the opposition. I was disappointed at the manner in which the whole exercise was treated initially. We got off to a bad start by having divisions over taking the bills together and over the suspenion of standing orders to have the legislation passed at these sittings. It was necessary to make sure that we were able to meet our tight schedule. I did not treat these matters lightly. I can assure the Leader of the Opposition that I was not all that happy with the way things had to be handled in the Assembly. But if we are to make sure that we have university undergraduate courses up and running by the beginning of 1987, it is necessary that we pass this legislation.

Motion agreed to; bills read a second time.

In committee:

University College of the Northern Territory (Serial 160):

Clauses 1 to 21, by leave, taken together:

Mr EDE: Mr Chairman, I draw the committee's attention to clause 15. I will raise it in reference to the other bills later. In relation to the chairman and deputy chairman, there is a provision from the commencement of the legislation until the time of the first election, and there are continuation proceedings through to when the next chairman is elected by the council. I would like the minister to note that because I shall point up the difference in the other bills in that regard.

The point that I would like him to answer concerns committees. I will be asking about this in relation to a number of the bills. The council may establish such committees as it thinks fit and a person may be appointed as a member of a committee, whether or not he is a member of the council. I would like the minister to advise me on the powers, functions and purposes that these committees will have because I note, for example, that, under the delegation procedures, there is no power of delegation to a committee but only to a person. Such delegations will be made to the head of school - in this instance, the warden who would also hold that delegation if it came from the council. I ask the minister how he sees these committees working - the powers, the functions and the purposes that they will operate under and how they will hold those powers - given that there is no possibility of delegating powers to them as a group.

Mr HARRIS: Mr Chairman, the whole purpose of these bills is to give the various councils independence. They can set up various committees. I believe they are protected; there will be no government interference. In relation to the comments made by the Leader of the Opposition earlier about the process and procedures at the Darwin Institute of Technology for the selection of staff, I will not be involved and the government will not be involved. That will be entirely up to those particular councils. That is the situation.

Mr EDE: Mr Chairman, the point is that there is no legislative framework or basis for them to do anything. They have no power, no function, no purpose. There is a power under the bill to delegate to an individual the powers and functions of a council but there is no provision to empower those committees which, one would believe, would have more standing than individuals.

Mr HARRIS: Mr Chairman, the provisions are the same as those relating to the University of Queensland. We have incorporated those provisions which have been discussed and negotiated with it. I have no fear at all that the council will be unable to set up committees to carry out the tasks it requires to have carried out. It all comes back to the council which is the body that is responsible.

Clauses 1 to 21 agreed to.

Clause 22:

Mr SMITH: Mr Chairman, I move amendments 58.1, 58.2 and 58.3.

These amendments deal with the major concern that the opposition has with the major bills: the university college bill, the Menzies school bill and the advanced education bill. The concern is directed at the power of the government, through the Administrator, to reject a recommendation from the relevant council concerning the appointment of the director, in 2 cases, or the warden. It is a power that we believe it is inappropriate for the government to have. If the government were serious in its intention to set up a completely non-political university college, it would not seek to have this power. We have heard the Minister for Education say that the reason why this power is here is because this piece of legislation is a mirror image of the legislation governing the University of Queensland.

I made the point yesterday that the University of Queensland legislation, the James Cook University legislation and, I suspect, the Griffith University legislation are at odds with legislation in other Australian states. It is

only in Queensland, and apparently now in the Northern Territory, that there exists in legislation establishing universities a clause that allows the government of the day, through the Governor or the Administrator, to overturn a recommendation from the respective university senates. Even in Oxford and Cambridge Universities in England, which were established in the 14th or 15th century and have formed the basis for universities in many countries of the world, particularly Australia, there is no interference in their operations by a legislative section such as the one that we are debating here. To put it bluntly, this clause is inconsistent with the freedom from political interference that universities and governments have valued for 300 or 400 years and have thought essential to the efficient conduct of the universities and to their standing as centres of learning that are free from political interference. It is a major philosophical point that we are talking about and I urge the government to concede that point at this late stage and accept our amendment. Our amendment has the purpose of removing the ability of the Administrator to reject a recommendation from the council of the university.

Mr HARRIS: As the Deputy Leader of the Opposition mentioned, it is a philosophical difference. We are dealing with the University of Queensland and I have made it very clear to members that we are following its legislation. I will read out section 14 of the University of Queensland Act. The same provision applies to the James Cook University. We are talking about appointments of Vice-Chancellor and Deputy Vice-Chancellor:

> '1. There shall be a Vice-Chancellor who shall be the chief administrative officer of the university. Subject to this section, the senate shall appoint the Vice-Chancellor on such terms and conditions as it may determine and the Vice-Chancellor shall hold his office subject to this act and to the terms and conditions on which he was appointed.
>
> 2. Subject to this section, the senate may, from time to time, appoint one or more deputy Vice-Chancellors each of whom shall perform such functions as the senate may, from time to time, determine.
>
> 3. The Governor-in-Council may confirm or refuse to confirm an appointment made under this section and any term and condition in respect of such appointment. No appointment made under this section nor any term and condition in respect of any such appointment shall have any force and effect unless and until confirmed by the Governor-in-Council'.

Mr Chairman, it is a point that I have made repeatedly. The government will not support the amendments proposed by the opposition.

Amendments negatived.

Clause 22 agreed to.

Clauses 23 to 44 agreed to.

Clause 45:

Mr HARRIS: Mr Chairman, I move amendment 56.1.

The amendment corrects an incorrect cross-reference to the transitional clause in the Menzies School of Health Research Bill. It is self-explanatory.

Amendment agreed to.

Clause 45, as amended, agreed to.

Title agreed to.

Advanced Education and Darwin Institute of Technology Bill (Serial 161):

Clauses 1 and 2 agreed to.

Clause 3:

Mr SMITH: Mr Chairman, I move amendment 59.1.

This amendment changes the completely negative definition of the term 'advanced education' and inserts a 50-50, semi-positive and semi-negative definition of 'advanced education' in its place. There is a serious purpose behind this. In my view, it will provide the Darwin Institute of Technology with a firmer base for determining which are its powers and responsibilities. As I indicated previously, the concern that we had with the negative definition presently in the bill is that it would provide, over a period of time, an opportunity for other bodies, both the university institution and the Department of Education, to encroach progressively on the activities that may be regarded at present as those of advanced education.

Although this new wording does not come to grips with the problem completely, I think it provides a sounder base for the institute to protect its ground from, and negotiate with, the other institutions on what is reasonable and what is proper in that particular area. I have much pleasure in proposing the amendment, particularly as I know that there is a good chance that it will be agreed to.

Mr HARRIS: Mr Chairman, the government will support this amendment.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 8 agreed to.

Clause 9:

Mr SMITH: I move amendments 59.2, 59.3 and 59.4.

Mr Chairman, this is a major amendment. Its purpose is to bring this bill into line with the other 2 bills and provide for the Chairman of the Advanced Education Council to be appointed in the same manner as the chairmen of the councils provided for under the university legislation and the Menzies school legislation.

I note the comments made by the minister in his second-reading speech when he said that the reason for the difference is that this council has 2 jobs: to run the Darwin Institute of Technology and to provide advice on advanced education. I note the explanation but I do not really see the reason for the

provision that the government has introduced. That to me is not a reason why the government should reserve for itself the right to appoint the chairman. I would have thought that the minister, in addressing my concern on this particular matter, would have mentioned why the government wants to do it and what concerns the government has about the council electing its own chairman, particularly since the minister appoints the majority of the members to the council anyway. It just seems to me to be remarkably pig-headed.

I come back to the point that the government has quite a few fences to mend in terms of the way it has been treating the Darwin Institute of Technology. We well remember that, when the Darwin Community College was established as part of the Education Act, there was a chairman who was appointed by the board of the college. In fact, this provision has only been a relatively recent inclusion in the legislation: the government being able to appoint the chairman. We can only say again that we oppose it very strongly. We think it detracts from the desirable autonomy of the Darwin Institute of Technology and no good reason has been advanced for it by the government.

Mr HARRIS: Mr Chairman, the government will be opposing these amendments. I made it very clear in my second-reading reply that all the chairmen of advanced education bodies in Australia are appointed. The other thing that needs to be pointed out is that the chairman has the major responsibility of advising the minister and coordinating within the advanced education sector in the Northern Territory policy matters affecting Commonwealth and state relations. In addition, the chairman is the minister's nominee on a number of national bodies, which involves extensive travel, something that an elected chairman would not normally undertake.

Amendments negatived.

Clause 9 agreed to.

Clauses 10 to 19 agreed to.

Clause 20:

Mr SMITH: Mr Chairman, I move amendment 59.5.

The effect of this amendment would be to introduce into this legislation a similar provision to that which exists in the university legislation. It would allow for the council to establish such teaching, research or other units within the institute as the council thinks fit. This provision would allow the council of the institute to establish an academic board. I think the point has been made quite clearly on a number of occasions that there is a need in universities and colleges of advanced education to establish a clear separation between administrative functions and academic work. This concern is felt quite strongly by academics at the present institute. By the insertion of this provision, and hopefully the new council establishing an academic board, we will come to grips with quite a few fears being expressed by the academics. Hopefully, this clause will enable the academics to regain confidence in the workings of the institute. That is a negative point of view. Positively, an academic board would play a very important role in developing and maintaining standards and ensuring the academic side of the institute runs very smoothly. It is only a small clause. It is an important clause and I thank the government for its decision to support it.

Mr HARRIS: Mr Chairman, the government will support this amendment.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21:

Mr SMITH: Mr Chairman I move amendments 59.6 and 59.7.

Being a very consistent opposition, this clause would have the effect of removing the power of the Administrator to reject a nomination of the council. I expect it to be defeated; I do not intend to pursue the arguments. They are similar to those advanced in relation to the university bill, and equally important.

Mr HARRIS: Mr Chairman, the government opposes these amendments. I have given the reasons on a previous occasion.

Amendments negatived.

Clause 21 agreed to.

Remainder of the bill taken as a whole and agreed to.

Menzies School of Health Research Bill (Serial 162):

Clauses 1 to 32, by leave, taken together.

Mr EDE: Mr Chairman, I refer to clause 11(2) which refers to the particular governor being appointed under subparagraph (1)(d)(iii). The Menzies Foundation will have representation on the board only as long as it continues to make an annual grant of funds to the school. I would like clarification of that. Is there some particular relationship there? Is there an agreement that it provides a certain percentage of the funds or something of that nature?

Mr HARRIS: Mr Chairman, it was agreed that the Menzies Foundation would be part of this exercise. The government provides a certain amount of money and the Menzies Foundation also provides funds as it does to many other groups throughout Australia. I can provide the member with the reports relating to the establishment of the Menzies School of Health Research and he can come to grips with that matter.

Mr EDE: Mr Chairman, my next question relates to clause 13. I want to know who actually calls the first meeting of the board after it is established. There does not seem to be anything in this bill similar to the provisions in both the University College of the Northern Territory Bill and the Advanced Education and Darwin Institute of Technology Bill. In this bill, the various office holders are elected rather than appointed. Thus, the positions in effect do not exist until such time as there is the first meeting. How is the meeting called?

Mr HARRIS: Mr Chairman, the information that the member seeks is under the transitional clause 43(2). The existing arrangements hold until the first meeting after the expiration of the 6-month period.

Clauses 1 to 32 agreed to.

Clause 33:

Mr SMITH: Mr Chairman, I move amendments 60.1 and 60.2.

This attempts to remove the power of the Administrator to upset a nomination from the board concerning the appointment of director to the Menzies School of Health Research. With this clause, the government has shown that it admires consistency only when it suits it. The minister made big play about how the university college legislation was parallel legislation to that relating to the University of Queensland and we dare not change it because it was sacrosanct and because the University of Queensland legislation has worked so well. The Menzies School of Health Research has a very direct link with the University of Sydney. Not only does a similar provision not occur in the legislation establishing the University of Sydney but we have also had quite strenuous objections from both the University of Sydney itself and the Menzies School of Health Research to this particular clause. To be consistent, one would have thought that the government would have heeded those representations and not inserted this clause in the first place.

Secondly, I can see no possible reason why one would want this clause in this particular legislation. We are not talking about a university or an advanced college of education. We are talking about a research school and the government wants the ability, if it so desires, to stick its nose in and determine who will head the research school. I have rarely heard such ridiculous nonsense. What earthly reason could there be for the government wanting to have such a power in the last resort? If he can give us a good reason, perhaps he could convince us. He has been singularly unsuccessful in giving us a good reason on this one.

Mr HARRIS: The government opposes the amendment. I have made it very clear that we have looked to the University of Queensland legislation as being the model for our provisions in relation to the appointment of the warden and directors. I have had representations made to me and I mentioned that in my second-reading speech. The Menzies School of Health Research people have accepted the reasons given by the government. If they accept it, that is good enough for me.

Amendments negatived.

Mr HARRIS: Mr Chairman, I move amendment 57.1.

This clause deals with the appointment of both the director and the staff generally. The actual provisions were intended to relate only to the director's appointment and not to the general staff.

Amendment agreed to.

Clause 33, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Education Amendment Bill (Serial 163):

Bill taken as a whole and agreed to.

Bills reported; report adopted.

Mr HARRIS (Education): Mr Deputy Speaker, I move that the bills be now read a third time.

Mr SMITH (Millner): Mr Deputy Speaker, I rise to indicate that we will support this very important legislation. I take the opportunity of wishing the budding university well in 13 months time and wishing the minister and those other people working on it all the best in the next 13 months because there is an awful lot of work to be done.

I would like to go back to the minister's comments in the second reading concerning the rights of staff. Once more for the record, I would like the minister to state that this legislation guarantees the rights of existing staff at the Darwin Institute of Technology on the same terms and conditions that they had under the previous legislation. I think he said it once but I would like him to be as specific as he possibly can on this particular issue because it is of genuine concern to staff at the institute. After assurances from the minister and after having checked it ourselves, we have not proceeded with an amendment to this effect. I think it would be useful at this stage for the minister to give as definite an assurance as he can that that is the case.

Mr HARRIS (Education): Mr Deputy Speaker, I thank the member for his support of this legislation. It is an historic occasion and one that all Territorians should be most pleased with. We are moving in a direction which will give our students the opportunity of a total education in the Northern Territory. I welcome the comments that have been made by the Deputy Leader of the Opposition.

In relation to the Darwin Institute of Technology, as I indicated in the second reading, the institute's contractual arrangements and agreements are in fact in place and will remain in place. That will not change with the enactment of this legislation. Again, I emphasise that we acknowledge the need to have academic freedom. The government does not intend to interfere in that particular area at all. I emphasise that. The opposition claimed I interfered with the appointment of Kevin Davis and criticised me. Now that it is having problems with the processes and procedures that have been put in place for the selection of staff, it wants me to interfere. I am in trouble now for not interfering.

I support the legislation. I thank all of those people who have been involved for the tremendous amount of work that has been done. There is still much work to be done. I welcome the opposition's comments and support in this matter.

Motion agreed to; bills read a third time.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL
(Serial 90)
PETROLEUM AMENDMENT BILL
(Serial 93)
COAL AMENDMENT BILL
(Serial 92)
MINING AMENDMENT BILL
(Serial 91)

Continued from 20 November 1985.

In committee:

Territory Parks and Wildlife Amendment Bill (Serial 90):

Clauses 1 to 3 agreed to.

Clause 4:

Mr EDE (Stuart): Mr Chairman, I wish to make it very clear as we go through this bill just what we are doing. I do not think the government understands fully the extent to which it is amending the legislation. Clause 4, for example, adds a definition of 'mining and minerals interests' to the act. It empowers the Minister for Conservation to declare land to be a park or reserve for the purposes of the Coal and Petroleum Acts and section 176A of the Mining Act. This will mean that any land declared to be a park or reserve will also come within the provisions that are being inserted in the acts just mentioned. Therefore, the Minister for Conservation would have some say in the granting of licences and leases etc. I am not quite sure what this provision is for.

Mr PERRON: Mr Chairman, I might be able to assist the member. The purpose of this amendment is to enable land which is proposed as a park or reserve or which is administered by the Conservation Commission but which has not been declared to be a park or reserve under section 12 of the act - for example, Katherine Gorge - to come under the new scheme.

Mr EDE: Would that also refer to land which has been transferred to the Conservation Commission Land Corporation?

Mr PERRON: Mr Chairman, I do not believe it would. The Conservation Commission Land Corporation is in fact a separate entity totally from the Conservation Commission. I do not think that these matters would be cross-referenced in that regard.

Mr HATTON: Mr Chairman, by way of clarification, any land that is vested in the Conservation Commission Land Corporation is vested in a separate body to that of the government. My understanding is that the only land that is acted on under the Territory Parks and Wildlife Conservation Act is that land declared as parks or reserves under the terms and conditions of that act.

Clause 4 agreed to.

Clause 5:

Mr EDE: Mr Chairman, this clause amends section 17 which currently requires that no operation for recovery or processing of minerals can be carried out in a park or reserve without the approval of the Administrator in accordance with the plan of management for that park or reserve. That requirement is to be replaced by a new subsection which states that nothing within the section can affect a lease or licence granted under the Coal, Petroleum or Mining Acts.

This clause also removes the special protection in respect of a wilderness zone. The current subsection requires that a wilderness zone be kept in its

natural state and shall only be used for the purposes specified in the plan of management. Currently, the provision specifically excludes purposes such as the recovery of minerals. That exclusion is now removed by this bill. Is the minister aware he has in effect removed those wilderness zones from the protection that they previously had under the act, as well as the general area of the parks themselves?

Mr PERRON: There are a number of amendments here but I think the one the member is referring to can be explained in the following way. The present subsection prohibits exploration and mining except with the approval of the Administrator and in accordance with the plan of management. The new subsection will allow exploration and mining in a park or reserve or wilderness zone provided it is carried out in accordance with the mining interests granted under the Mining, Petroleum or Coal Acts. The member will recall from the debate yesterday that, where the Minister for Mines and Energy issues an exploration licence or mining tenement in a park which contains a wilderness zone, the conditions as dictated by the Minister for Conservation will apply. In other words, if one has a reserve which happens to have a wilderness zone within it, and an exploration licence touches on it, the Minister for Mines and Energy takes the conditions as laid down by the Minister for Conservation and includes them in the mining tenement which is what actually governs the mining operation.

Clause 5 agreed to.

Clause 6 agreed to.

Clause 7:

Mr EDE: The current provision is that only certain people may enter sanctuaries because they are very special protection areas. The exempted people are conservation officers, public service employees carrying out certain duties and people specifically authorised by the director. That list, which previously was very restrictive for the protection of the special protection zones, which are often special breeding areas or places where some particularly rare and endangered species has its sole habitat, has been expanded. The people who will now be able to enter special areas are conservation officers, public servants carrying out their duties, specially-authorised people and miners. I believe it makes a total farce of the whole concept of sanctuaries. I would like to ask the government why it even bothers to continue with the whole concept of sanctuaries if it is going to widen the categories of people who can enter them to such an extent.

Mr PERRON: Mr Chairman, this matter needs to be taken in context. This amendment creates an offence for a person to enter a sanctuary unless that person is exempted by the legislation. The holder of a mining interest and his workmen are exempted provided the entry is in accordance with the mining interests. When I say it needs to be taken in context, members should bear in mind that we have always advocated the declaring of mining reserves over areas within parks which are of specific scenic or natural beauty. I would imagine that most of the sanctuary areas which concern the member for Stuart would be covered by mining reserves. However, the legislation provides for access by workers to permitted areas, in accordance with strict conditions. This does not mean that they will not be trained or that they will not have the relevance of the area pointed out to them.

I think it also needs to be kept in mind that some exploration activity involves the most minimal disturbance. It involves little more than access by a person taking small samples with a pick in his hand and a leather bag around his neck. That does not mean that the area has the potential to be made into an open-cut mine. We are talking about exploration in the form of collecting information over a large area so that people can sort out the geological characteristics of the area. It is not the case that any tenement that is issued is bound to involve drilling rigs or bulldozers.

Mr HATTON: I would also like to point out the situation under the existing legislation:

> 'A person other than (a) a conservation officer or an honorary conservation officer exercising his powers or performing his functions under this ordinance; (b) an officer or employee within the meaning of the Public Service Act 1922 or the Public Service Ordinance who is required in the course of his duties to enter a sanctuary; or (c) a person authorised by the director to enter a sanctuary, shall not without lawful excuse enter or remain on a sanctuary'.

That is the existing section in the law. Any public servant in the course of his duties, without authorisation, approval or checking, has a right to enter and remain on a sanctuary. Specific training is not mentioned at all. Mr Chairman, you would recognise that certainly not all members of the Northern Territory Public Service would be trained and qualified as conservation officers. The legislation is already very broad and it allows the director to authorise any other person to enter and remain in that conservation zone.

This amendment provides an exemption in respect of a person who holds a mining interest, and his workmen, servants or agents, to be able to enter a sanctuary. We have debated ad nauseam the issue of the provisions of environmental regulation and control for such persons to carry out such activities within parks and reserves, particularly in national parks. In such situations, probably more control will be exercised through the organised implementation of environmental controls and restrictions on those persons than would occur under the existing legislation. I might add also that areas of particular sensitivity are being excluded. For those places, there would not be any right whatsoever, under any conditions, for a miner to enter. They would not have a mining interest, nor would they have any hope or expectation of getting a mining or exploration interest in respect of such areas.

Clause 7 agreed to.

Clause 8:

Mr EDE: I will take up my theme again in the context of this clause which also affects sanctuaries. With the repeal of section 25(g), which has special provisions for prospecting, mining, searching and carrying out mining operations in a sanctuary, those special provisions are now removed. It would seem the sanctuaries are now no more than sections of parks and reserves under the other 3 pieces of legislation for the purposes of mining.

Mr HATTON: Mr Chairman, I do not know how many times one must say it. I remind members opposite of the procedures that have been outlined continuously in the second-reading debate to ensure that any exploration and mining

activity will take place under the most carefully thought out environmental conditions and to ensure the protection and viability of the park.

Clause 8 agreed to.

Clause 9 agreed to.

Title agreed to.

Petroleum Amendment Bill (Serial 93):

Clauses 1 to 3 agreed to.

Clause 4:

Mr PERRON: Mr Chairman, I move amendment 54.1.

This amends the definition section by including the definition of 'wilderness zone'.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5:

Mr PERRON: Mr Chairman, I move amendments 54.2, 54.3 and 54.4.

These amendments provide that the minister must consider the opinion of the Minister for Conservation in granting a licence, and must include conditions required by the Minister for Conservation in granting a lease, or when granting a licence, in a wilderness zone.

Mr EDE: Obviously, we do not oppose these amendments. They are an improvement on the original amendment circulated to us in April. I pointed out before that it would have been preferable to allow time for these revised amendments to be circulated around the Territory so that people could discuss them. I said in my second-reading speech that I believe that many of the powers that the Minister for Conservation believes that he has are a facade. What has been presented looks like the original set of amendments with some pretty wallpaper pasted over the top of them. I hope that I am wrong and that, in the operation of the actual bill, the minister will be able to bolster the strength of the legislation by the force of his elegant personality.

Amendments agreed to.

Clause 5, as amended, agreed to.

Clause 6:

Mr PERRON: Mr Chairman, I move amendment 54.5.

This amendment removes the power to impose conditions from the secretary and gives it to the minister.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7:

Mr PERRON: Mr Chairman, I move amendment 54.6.

The reason for this amendment is the same as the previous amendment.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr PERRON: I move amendment 54.7.

This amendment provides that the new regime will apply to leases issued under the repealed act.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 54.8.

This amendment provides for significant ground disturbance in a similar manner to the Mining Bill for leases etc under the repealed act and reverts the powers to impose conditions etc to the minister.

Mr EDE: Mr Chairman, I seek clarification. Before we had 'substantial disturbance' which has been changed to 'significant disturbance'. I can understand that 'significant' may relate to a smaller area than 'substantial'. I still do not understand how we are to define what we are talking about. Will this not lead to enormous argument about what is significant and what is not significant? We are back to what we asked for before. There will need to be a plan of management or an environmental impact statement to determine what is significant.

Mr PERRON: Mr Chairman, it is true that, under such a clause, judgments will need to be made. A great deal of administrative activity by governments involves people making judgments based on their experience and so on. The concept here is that any application for an exploration or mining activity which comes to the Department of Mines and Energy must go to the Conservation Commission. If officers of the Conservation Commission - and I guess that they will have the primary role in this regard - believe that a small level of disturbance could occur which could have significant ramifications, then I would suspect that they would argue strongly for that and, probably, their view would prevail. I accept that it is more an area of expertise for the Conservation Commission than it is for the environmental officers in the Department of Mines and Energy. I do not profess that they are the true experts in this matter since the Conservation Commission has the daily management of these very areas.

Amendment agreed to.

Mr PERRON: I move amendment 54.9.

This amendment empowers the Minister for Conservation to direct the Minister for Mines and Energy to impose conditions where there is significant ground disturbance.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 and schedule, by leave, taken together.

Mr PERRON: Mr Chairman, I invite defeat of clause 9 and the schedule.

By way of explanation, the proposal was consistent with the philosophy of empowering the secretary to give directions etc and amended various sections of the act consequentially. The proposal has reverted to the minister retaining those powers. This provision is no longer required.

Clause 9 and schedule negatived.

Title agreed to.

Coal Amendment Bill (Serial 92):

Clauses 1 to 3 agreed to.

Clause 4:

Mr PERRON: Mr Chairman, I move amendment 55.1.

The amendment will insert a definition of 'wilderness zone'.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6:

Mr PERRON: Mr Chairman, I move amendment 55.2.

The proposal in the bill provided that the minister would consider the opinion of the Director of the Conservation Commission when granting a coal licence. The amendment provides that, in relation to a park or reserve area that does not include a wilderness zone, he must consult with the Minister for Conservation. He must include any conditions required by the Minister for Conservation when granting a licence within a wilderness zone.

Mr EDE: Mr Chairman, I would like to ask the Minister for Conservation what he believes is effected by this legislation. Originally, it would have required the Minister for Mines and Energy to consider the opinion of the Director of the Conservation Commission before granting a licence to search for coal. The minister now must consider the opinion of the Minister for Conservation before granting a licence to search for coal, which only applies to parks and reserves of course. There is a different section relating to the wilderness areas. I am talking about the parks and reserves outside of the wilderness areas. What increased powers has he under this particular amendment?

Mr HATTON: Mr Chairman, this clause specifically refers to wilderness areas. Under this particular clause, the Minister for Mines and Energy must

accept the directions of the Minister for Conservation in relation to areas within a wilderness zone. For other areas, the minister shall consider those views but, by definition, does not have to agree. However, I remind members of other provisions in the bill which refer to significant disturbances in respect of which the Minister for Conservation has specific power to direct. In relation to those areas, the Minister for Mines and Energy is required to follow the directions of the Minister for Conservation. It is only in relation to those areas in exploration licences which will have significant disturbance that the directions of the Minister for Conservation must be followed.

Mr LEO: The Minister for Mines and Energy is obliged to adhere to whatever requirements the Minister for Conservation stipulates as necessary within a wilderness zone. Does that right extend to stopping mining from proceeding within a wilderness area or can the Minister for Conservation only recommend certain environmental procedures which must be adopted within the wilderness area?

Mr HATTON: Mr Chairman, the matter is not specifically addressed in the legislation. One could draw inferences. There may be some practice occurring that is of such a nature that its very continuation would be environmentally detrimental and beyond the scope originally proposed in the permit or entitlement to enter and carry out mining. In that event, it would be my understanding that the Minister for Conservation could issue an environmental direction that would have the effect of closing the mine or stopping the exploration activity.

Mr EDE: Mr Chairman, once again, this demonstrates the reason why these amendments should not be rushed through. I believe the minister is wrong in law. He does not have a power of direction. He has a power to set conditions in those wilderness areas. If you are setting conditions, you would do so before the activity starts. If somebody then does something which, while it may not contravene those conditions, may be environmentally damaging, you would have to amend the conditions that you have set. By the very nature of that exercise, the damage will have occurred already. If the minister had the power to set directions as to how it would be carried out, I would not feel quite so uncomfortable.

Mr PERRON: Mr Chairman, I think the member may have overlooked this point: 'In regard to exploration in a park or reserve, excluding a wilderness zone, the Minister for Mines will consider the opinion of the Minister for Conservation'. The member was talking about whether the minister has the power to block a mine.

Mr Leo: In wilderness areas.

Mr PERRON: In wilderness areas. I wish to seek some advice from my colleagues.

Mr Hatton: There is no specific veto power.

Mr PERRON: But the Minister for Conservation could lay down requirements that could not be met. Perhaps we could postpone consideration for a couple of minutes so that we can clear this matter up completely. I would also like to point out that, if it is warranted that a specific area should not be mined under any circumstances, then it should be under a mining reserve.

The advice I have received, with the indulgence of the committee, is that the minister's power is limited to determining conditions but that the environmental conditions that he lays down apply.

Mr HATTON: Mr Chairman, I can understand the concerns expressed by the members opposite on this point. I would ask members to remember also that we should not be working purely on the assumption that the Minister for Mines and Energy is some rapacious destroyer of the environment and the Minister for Conservation, by definition, is the arch protector of the environment.

Mr Ede: You are half right.

Mr HATTON: Neither case is totally right. I believe that I am sensitive to environmental issues in my portfolio but I am not blinded to the necessity to balance development and conservation. Equally, I believe that the Minister for Mines and Energy is not blinded to the importance of conservation. That has been demonstrated quite clearly by the cooperative manner in which the commission and the Department of Mines and Energy have moved in the declaration of mining reserves this year to protect areas. Those moves have been made, not by force but by a cooperative approach between the Department of Mines and Energy and the Conservation Commission. I am not aware of any areas which the Conservation Commission believes should be declared mining reserves which have not been declared mining reserves by the Department of Mines and Energy. We must realise that we are both part of the same government and we are quite capable of sitting down together and resolving issues of this nature. I do not believe the problem will arise where the Minister for Conservation will say that there shall be no mining and, because the Minister for Mines and Energy disagrees, the Minister for Conservation will impose conditions of such an onerous nature that the miner could not afford to go ahead anyway. I really think that that is a preposterous proposition.

Mr LEO: The bottom line is that all of this legislation is designed to shift the control of mining in national parks and wilderness areas from the control of the Minister for Conservation to the control of the Minister for Mines and Energy. If it were such a cosy relationship as that outlined by the Minister for Conservation, I am quite sure another legislative program could have been adopted that would not have required the transfer of that control. In speaking to what the Minister for Conservation has said, all I can say is that there must be some reason why a legislative program of this particular nature is in front of us. There must have been some difficulties in the past and it would seem, as I said yesterday, that the Minister for Mines and Energy has won out.

I appreciate that he is not a voracious, marauding hole digger. He is not the Northern Territory's answer to the gopher. I appreciate that, but the significance of this legislation is that it has shifted the control of mining within national parks and, particularly, wilderness areas. Wilderness areas have a status all of their own and that is recognised by this particular clause. It has shifted the control of mining within those areas from the control of the Minister for Conservation to the control of the Minister for Mines and Energy. He may not be a voracious hole digger. As I said yesterday, he is a very able minister. He pursues matters within his legislative purview very strongly.

Mr Dondas: 'Vigorous' was the word he used yesterday.

Mr LEO: I used 'vigorous' yesterday and, as I said yesterday, in some cases, he pursues matters viciously. But let us make no bones about what this is doing. From some of the replies that I have had, it cannot be denied that, with all the soft sell the Minister for Conservation wants to give us about what a great, cunning bunch they are, the bottom line is that the Minister for Mines and Energy, the member for Fannie Bay, will be able to dig holes in wilderness areas. None of the soft sell will in any way dissipate the effect of this clause in this bill.

Mr HATTON: Mr Chairman, the member for Nhulunbuy said that the control of mining within a national park will be transferred by means of this legislation from the Minister for Conservation to the Minister for Mines and Energy. I might remind members that what the current legislation says is that mining shall be carried out under such terms and conditions as are stipulated in the plan of management, or words to that effect. The control, direction and supervision of such mining would still be carried out under the Mining Act or related legislation under the control and direction of the Minister for Mines and Energy.

What we are talking about are the procedures that we go through in determining the environmental conditions or any other conditions of an environmental nature that will be required as mining occurs in national parks. The member is quite right - there has been a problem. I would refer the member to my second-reading speech. The problem has been that the mechanisms of adopting a plan of management have created real difficulties. In many respects, they are unworkable in terms of coming to a practical solution to the problems, and different administrative arrangements are required. That should not be interpreted as saying that the environmental conditions that will be imposed will be any less stringent than if they had evolved through some generalised statements in a plan of management. In fact, they may be more specific and appropriate for the protection of the parks.

Mr PERRON: Mr Chairman, I will not hold the Assembly up too long, but this is an important point. I think we need to be clear on these things. Certainly, we should not be looking at legislation in the Assembly relating in any way to personalities, existing ministers or whatever because the legislation will endure long after we have gone or long after we have changed places. The Chief Minister may decide in his wisdom to swop the 2 ministers' portfolios, as is his perfect right. Obviously, we must dismiss personalities.

The facts and practicalities are that, in the Cabinet system of government under which we operate, and I guess under which the opposition would run if it were fortunate enough to pick up a great many more seats, we are all part of the 1 team. Even if some disagreements between ministers might arise occasionally - and that certainly happens - over their respective attitudes to a problem, the matter is resolved in Cabinet. That is the way it works. Whether 1 minister has the power to override another if they disagree is not the point. I might disagree with something that the Minister for Health intends to do, but it would have nothing to do with my portfolio. However, as a Cabinet member, I can raise the point that he is doing something wrong in his department or that I want him to purchase a flashy machine or something. I will raise it in Cabinet and it will be settled there, and so it should be.

Mr Leo: I do not think you will be able to do that with mining and wilderness areas.

Mr PERRON: You cannot give powers to any minister that can usurp Cabinet. You cannot do it.

Mr Leo: You can make laws within which Cabinet is obliged to work, and that is not what this does.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7:

Mr PERRON: Mr Chairman, I move amendment 55.3.

This amendment returns the powers of the Secretary of the Department of Mines to the minister.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 55.4.

This amends 'substantial' to 'significant', and restores powers to the minister from the secretary.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 55.5.

This empowers the Minister for Conservation to give directions to mitigate the environmental effect of significant ground disturbance.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr PERRON: Mr Chairman, I move amendment 55.6.

The previous proposal required the minister to consider the opinion of the Director of Conservation when granting a coal lease. This amendment requires the minister to include conditions required by the Minister for Conservation when granting a coal lease.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9:

Mr PERRON: Mr Chairman, I move amendment 55.7.

This is a mechanical amendment to provide that, where a licensee is entitled to take timber and water, he does so in accordance with conditions imposed by the Minister for Conservation through the Minister for Mines.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 55.8.

Again, this is a mechanical amendment to provide that, where a licensee is entitled to take timber and water, he does so in accordance with conditions imposed by the Minister for Conservation through the Minister for Mines.

Amendment agreed to.

Clause 9, as amended, agreed to.

New clause 10:

Mr PERRON: I move amendment 55.9.

This is a mechanical amendment to take into account the power of the Minister for Conservation to require the Minister for Mines to impose conditions.

New clause 10 agreed to.

Title agreed to.

Mr EDE: I wish to go through what we have established so far. We have established that the Minister for Conservation has no power of veto even in relation to a wilderness zone or an area of particular significance. He can only set conditions. It was stated earlier that, if the minister did not want the mine to go ahead, he could place conditions on it which would prevent it from going ahead. I believe - and it has not been refuted yet - that he does not have that power. The very fact that he has the power to impose conditions upon it implies that, legally, it can go ahead. Therefore, he has only the ability, if you like, to put a fence around it. He does not have the power to guarantee what goes on within the fence. I think the ministers know what I mean. He cannot stop the mining going ahead; he can only impose terms and conditions under which the mining can go ahead.

The argument made by the Minister for Mines and Energy that we should not look at personalities but at the ministers being part of the same government is a very valid one. That is the very reason why we must have a bill which defines what the ministers' powers and responsibilities are. It is for that reason that we have legislation rather than just policies. A policy gives a leeway within which a minister or the Cabinet can operate and does not cut across the requirements of legislation. By having tight legislation, it would not matter who was the minister because he would have to operate within the law. That is the whole point. It is not a matter of personalities; it is a matter of law and the limitations on ministers.

Mining Amendment Bill (Serial 91):

Bill, by leave, taken as a whole:

Mr PERRON: Mr Chairman, I move amendment 53.1.

I have a whole series of explanations to the new subclauses that are being inserted by this amendment. Members will be aware that section 176A has been completely replaced. It comprises quite a number of subsections. I seek the advice of members as to whether they would like me to read out the explanations for these subclauses which I am quite happy to do.

Mr EDE: Mr Chairman, it will probably assist if I explained to members the effect of the existing clauses. Clause 4(b), for example, has the effect of excluding from the definition of 'private land' any land held by the Conservation Commission Land Corporation. This is general land held for possible declaration as a park or reserve. It has also been used as a vehicle for removing land from claim by Aboriginal groups. By transferring Crown land to the corporation, it is alienating the land and thus rendering it ineligible for claim under the Aboriginal Land Rights Act.

The interesting effect of this amendment is that, when someone applies for a mining interest over land, he will not have to go to the corporation to seek its consent before he applies. In addition, he will not have to negotiate a compensation agreement. In effect, it means that the Conservation Commission is being cut out again. In respect of land that has been reserved for a possible future reserve or park, the Minister for Mines and Energy can grant any sort of mining interest without consultation and without any question of future compensation. It is a case of having your cake and eating it. The land can be protected and alienated to save it from Aboriginal claim but, when it comes to mining, any interest on the part of the Conservation Commission accounts for nothing. It is not even entitled to be told that a mining interest will be granted because land in this category will not even come within the new provisions now being introduced into the legislation.

Clause 5 will remove existing section 176 in the Mining Act and replace it with proposed new sections 176 and 176A. Proposed section 176 will cover parks and reserves which are not parks and reserves within the meaning of the Territory Parks and Wildlife Conservation Act. In other words, the new section will cover parks and reserves under Commonwealth legislation or under the Cobourg Peninsula legislation. Apart from obtaining the necessary approvals, the provision also requires that the activity must be carried out in accordance with a plan of management and the proposed grant must be approved by the Administrator - in other words, the provisions that we believe we should have in respect of our parks and reserves.

Proposed new section 176A applies to Northern Territory parks and reserves. I note that there is an amendment schedule. The original proposed section 176A provided that the minister could not grant an exploration licence or lease without considering the opinion of the Director of the Conservation Commission. In addition, miners causing a substantial disturbance to the surface of the land had to carry out activities in accordance with directions given by the Secretary of the Department of Mines and Energy and considered necessary to protect the environment or where the mining was in the vicinity of a park or reserve. At that stage, neither the Conservation Commission nor its minister had any input at all. However, under the amended proposed new section 176A, an exploration licence cannot be granted unless the minister has first considered the opinion of the Minister for Conservation. In addition, where an exploration licence applies to a wilderness zone, the Minister for Conservation may set conditions.

In respect of mineral leases, the grant must be subject to conditions laid down by the Minister for Conservation. I said 'conditions' not directions. Hence the minister will have the power to set conditions although he definitely will not have the right of veto. Also, when it is known that there will to be a significant disturbance to the surface of a park or reserve, all exploration activities must be in accordance with the directions that the Minister for Mines and Energy thinks necessary to preserve the environment in the vicinity of that park or reserve. However, there is an additional

provision which empowers the Minister for Conservation to require the minister to give direction.

Amendment agreed to.

Bill, as amended, agreed to.

Bills reported; report adopted.

Mr PERRON (Mines and Energy): Mr Deputy Speaker, I move that the bills be now read a third time.

Mr EDE (Stuart): Mr Deputy Speaker, I wish once again to point out how disappointed I am that this extremely important legislation was not treated with the respect that it deserves. We covered the amendments too quickly. It would have been far better for all of us to have been able to take them away, examine them and discuss them with other people over the Christmas and New Year break, and then come back in February. I am not aware of any necessity for haste. The legislation itself has been in a state of limbo since April. It could have remained in that state of limbo for a further few months to allow us to consider the amendments properly.

We have established that there is no effective means for the Minister for Conservation to prevent mining from proceeding. I suppose we must be grateful for small mercies in that the original amendments did not proceed. However, as I said, unless the amendments are vigorously pursued by the minister, it will be nothing more than a facade. I believe that this was one area where the government would have felt that it was important to obtain a broad community consensus. That consensus could have been achieved by discussion with the community. I am sorry to hear that this government has so little faith in the people of the Northern Territory that it is not prepared to allow its amendments to be aired in the community.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the Minister for Mines and Energy enunciated clearly what will happen once this legislation becomes law. Despite what the Minister for Conservation says in defence of his portfolio that certain activities should not be pursued on some sections of land, certain individuals, including the Minister for Mines and Energy, will ensure that the might of Cabinet will prevail. Inevitably, the Minister for Conservation will be directed to accept whatever mining development procedures are decided upon by Cabinet.

These bills were designed to allow Cabinet to act where it has not been able to act in the past. Despite the chums-in-the-closet speech by the Minister for Conservation and despite assurances from the Minister for Mines and Energy, the law of the Northern Territory will be changed. The Cabinet will be able to direct and instigate activities which were previously not allowed in certain parts of the Northern Territory. That may have been acceptable to Territorians, and it may even have been acceptable to the opposition. Indeed, I would suggest that, in some areas, if the right of veto was vested in the Minister for Conservation rather than the Minister for Mines and Energy, it probably would have been accepted by the opposition. But we have the opposite of that. We have not simply been streamlining a cumbersome approach; we have placed control over mining in national parks in the hands of the Minister for Mines and Energy. That minister quite correctly has pointed out that this legislation will stand for a long time. I imagine it will stand until they absolutely destroy our national parks. This will happen

no matter who the relevant ministers are. The most significant thing is that there is no longer any point in declaring national parks. There is no point in declaring wilderness areas in the Northern Territory any more. You may as well just call them Crown land and dig them up.

Mr HATTON (Conservation): Mr Deputy Speaker, all I can say about that last outburst from the member for Nhulunbuy is that he has a simplistic and naive view of government and he has even less understanding of the legislative process. I do not intend to insult the intelligence of this Assembly by bothering to answer most of the specific statements he made. I am pleased to be able to say that, with the passage of this legislation, I will be able now to do something which has been an earnest desire of the Northern Territory Conservation Commission for some time: to release a draft plan of management for the Arltunga Historical Reserve and Arltunga Park. We have not been able to do that before because, in trying to develop a plan of management over the years, we have been continuously stymied by the legislation. We are now in a position to be able to release the draft plan of management, and for that I am most thankful.

Mr PERRON (Mines and Energy): Mr Deputy Speaker, it is true that this legislation does permit activity that formerly was not allowed. It is true that it does not provide a veto for 1 minister in Cabinet to stop mining in a particular area. It does provide for mining reserves to be declared where there is agreement that under no circumstance should mining go ahead.

I apologise to members opposite that I was unable to circulate amendments to them prior to yesterday, and had to seek their passage today. I guess they can be comforted by the fact that the amended legislation is more stringent in respect of mining than the original legislation. At least the amendments circulated yesterday are a significant step in that all exploration or mining activity that will cause significant disturbance to wilderness zones, and certainly every mine that is ever developed in a national park, will have to comply with conditions as dictated by the Minister for Conservation. That is a very significant concession to the environmentalist view.

I do not place as much emphasis as others on the differing roles of the 2 ministers. In my view, government is a single entity. While individual ministers are responsible for particular activities, it is ultimately the government that takes the blame or claims the credit. While my emphasis is different to that of opposition members, at least I think their constituents would be more pleased with the legislation than they would have been a week ago.

The Assembly divided:

| Ayes 15 | Noes 5 |
|---|---|
| Mr D.W. Collins | Mr Bell |
| Mr Coulter | Mr Ede |
| Mr Dale | Mr Lanhupuy |
| Mr Dondas | Mr Leo |
| Mr Finch | Mr Smith |
| Mr Firmin | |
| Mr Hanrahan | |
| Mr Hatton | |
| Mr McCarthy | |
| Mr Manzie | |

Mr Palmer
Mr Perron
Mr Robertson
Mr Setter
Mr Vale

Motion agreed to; bills read a third time.

SPECIAL ADJOURNMENT

Mr ROBERTSON (Leader of Government Business): Mr Deputy Speaker, I move that the Assembly, at its rising - (a) adjourn until tomorrow, Friday 22 November 1985 at 8.30 am; and (b) on Friday 22 November 1985, adjourn until Tuesday 18 March 1986 at 10 am or such other time and date as may be set by Mr Speaker pursuant to sessional order.

Motion agreed to.

ADJOURNMENT

Mr PERRON (Mines and Energy): Mr Deputy Speaker, I move that the Assembly do now adjourn.

Mr Deputy Speaker, I take this opportunity to provide some information for members who sought answers to questions during the budget debate. I understand that there was an undertaking given by my colleagues to provide the information during the course of these sittings. I seek leave to have the questions and answers incorporated in Hansard.

Leave granted.

'APPROPRIATION FOR DIVISION 34

PARLIAMENTARY QUESTIONS AND DRAFT ANSWERS

Question:

Why is the estimated expenditure for the mines area down 30% this year on last year's figures?

Answer:

The bulk of the 30% reduction is due to the winding down of the Rum Jungle project which is scheduled to have major site contract works completed by December 1985. Estimated expenditure in 1985-86 is $4 444 000 compared with $7 591 700 in 1984-85.

Question:

Why is there no indexation provision for inflation in the current year's estimate for the contract payment to the Central Land Council for the Palm Valley Pipeline lease?

Answer:

The Palm Valley Pipeline Lease Agreement with the Central Land Council is indexed for inflation. The reason for expenditure in

1984-85 appearing as $6000 is because of the rounding off of the actual amount expended ($5656.56) to the nearest $000; ie $6000. Likewise, estimated 1985-86 expenditure (indexed for inflation) is rounded to nearest $000; ie $6000.

Question:

Where in the budget is any allocation of moneys which would have accrued to the government for the transfer of certain departmental laboratories to AMDEL? How much was paid?

Answer:

The agreement between the NT government and AMDEL was concluded in late June and came into effect on 1 July 1985. Under the Heads of Agreement and Management Agreement, the NT government transferred management responsibility of the former Mines and Energy Occupational Hygiene Laboratory, Metallurgical Test Centre and Mechanical Test Centre to AMDEL (NT). The land, buildings and equipment remain the property of the NT. AMDEL (NT) are leasing the facilities. All positions relating to the former laboratories have subsequently been declared defunct. Personnel have either accepted redundancy, have been relocated within the Public Service or have accepted positions with AMDEL (NT).

The Budget allocation for 1985-86 was based on the premise that the former government laboratories would be administered and manned by the Department of Mines and Energy. The salaries and operational components are thus included in Mines Division allocation and Industrial Safety Division's allocation. The 1985-86 budget for the operating costs for the laboratories was $558 000 exclusive of Head Office costs.

The Cabinet submission recommending transfer of the laboratory functions to AMDEL (NT) requested approval for variation to the Mines and Energy 1985-86 budget allocation to allow for a transfer of $420 000 from existing non-capital 1985-86 laboratory budget items (related to laboratory activities) to the Department's operational vote. The department's budget would be reduced by $138 000. The amount of $420 000 will be required to continue services provided by the Government. These services are in the areas of mechanical testing, regulatory testing of uranium and other substances for occupational and environmental safety, and for assistance to prospectors and small miners.

The department's budget will be further adjusted during the course of the year for savings made in salaries and for payouts consequent upon retrenchment.

Question:

Given that the administration activity budget requirement is up 17% for salaries and 22% for administrative expenses because of the full-year effect of the transfer of the water resources function, it has been revealed by an examination that 1984-85 expenditure already includes costs for the water resources function prior to the transfer. Therefore, it is rather strange that the increases in the 1985-86 Budget are attributed to that particular function.

Answer:

The 1984-85 expenditure figures for salaries and administrative and operational expenses under the administration activity do not reflect costs associated with the water resources function prior to their transfer to this department in late 1984.

It is not legally possible for this department to have incurred any such expenditures prior to the transfer as the appropriation for water resources was legally with the Department of Transport and Works.

Question:

What sort of receipts cover the Mereenie, Palm Valley and Granites leases in respect of the increased payments to the Central Land Council from the other services vote? Why are such receipts used to offset expenditure rather than be paid to general revenue?

Answer:

The receipts from the Mereenie, Palm Valley and Granites leases refer to estimated revenue to be collected by way of mining lease fees payable by the lessees under the Mining Act and Petroleum (Prospecting and Mining) Act. These fees are paid into revenue.

Under section 16 of the Aboriginal Land Rights Act, an amount equivalent to that collected by way of lease fees for leases on Aboriginal land are required to be paid to the respective land councils. The increased provision meets the expected additional payouts required as a result of additional fees to be collected by the Department and paid into revenue as a result of renewals of the abovementioned leases.

NTEC BUDGET PAPER NO 4

Question:

There has been a 29% increase in projected sales which apparently reflects a progressive increase in tariff rates. However, I note that streetlighting revenue is only up by 15%. Have differential rates been struck for streetlighting as against the rates being struck for ordinary commercial and domestic consumers?

Answer:

Yes, differential rates have been struck. Only a proportion of total streetlight charges relate to energy costs. Other costs include operation and maintenance which were not increased in line with general tariffs.

Question:

Miscellaneous income has been reduced by 18% from $113 000. Can some explanation be given for this very substantial drop?

Answer:

Miscellaneous income includes all fees for services (other than energy sales), proceeds from disposal of assets, contributions for supply of electricity etc.

The major reduction in this revenue is through a decreased disposal of assets by NTEC representing a change in its vehicle policy which incorporates increased retention periods for vehicles.

Question:

There will be an estimated reduction in the current work force of 8% and I would like some demonstration that the decrease in the work force does not reflect a decrease in services.

Answer:

An estimated reduction in the current work force of 8% does not include staff reduction as a result of change to gas technology. The 8% reduction is being pursued on the basis of natural attrition. It is hoped that this will be achieved through increased efficiency of operation. However, the possibility of some decrease in services must be expected. This is one of a number of cost reduction measures introduced by NTEC as a result of the decrease in the Commonwealth subsidy this financial year from $78m to $40m.

Question:

It is noted that an increase in sales is not due to any increase in the provision of services and that there is an estimated nil load growth for 1985-86, as borne out by the fuel increase explanations. Is this simply being conservative in the budget process or is there something behind what is quite a remarkable estimate?

Answer:

At the time of preparation of the budget, NTEC was anticipating substantial tariff increases which have now been effected. These increases and an expected decrease in population growth were key factors in the econometric modelling performed by NTEC in arriving at forecasts of demand. Actual results to date indicate that these forecasts may prove to be conservative.

Question:

Travel has increased by 44%. I see that there are 3 areas to which this is related to and one is the expenses required for the provision of electricity to Aboriginal communities. However, I note also that, in that area, sales figures are not to increase according to the overall figures. I wonder whether this bears out some worries that I had that NTEC itself will not take on the sales and, in fact, we will have a back door method of the Department of Community Development being involved in something that is not its function. Another argument for the increase in travel was the maintenance and servicing of an ever-expanding reticulation network. As I said, we have been told the sales figure will not increase. I would like some details of the ever-expanding network and the anticipated increase in the cost of air fares and travel allowances. I would not have assumed that these would have increased by more than inflation - hardly 44%.

Answer:

It is expected that there will be in excess of 30% increase in NTEC's high voltage distribution system during the 1985-86 financial year. This comprises major extensions to Pine Creek, Bamyili, Beswick, Mataranka, Larrimah and Warrabri, which not only allow the closure of uneconomical small diesel stations but also provide an essential infrastructure for these regions. There are also major extensions being completed in the Darwin rural area as a result of this government's policies.

There is a substantial increase in travel associated with the gas project both in the administration of the project and in the development of gas-generating facilities in Katherine and Tennant Creek.

In conclusion, it should be noted that, in fact, the cost of travel has increased well in excess of inflation.

Footnote:

Mr Ede's concern that the Department of Community Development will be involved in the sale of electricity should be covered by a response from Community Development. The question of charges for electricity supply in Aboriginal communities is presently being considered by DCD with assistance from NTEC.

Question:

For external services maintenance agreement and repairs to plant and equipment, there has been an overall 44% increase in this component. Is the plant and equipment of the commission deteriorating at a rate more rapid than inflation? I would ask why the real maintenance costs are increasing in relation to the commission's plant.

Answer:

New plant additions to NTEC's generating facilities have been postponed awaiting commissioning of the gas project. This has entailed increased maintenance on old generating plant.

In addition, there are further details of external services and consultancies on pages 25 and 34 of Budget Paper No 4. The increase in consultancies is largely the result of a need to computerise several aspects of NTEC's operations which will assist in achieving the 8% reduction in staff.

Question:

Insurance has increased by 188% from $416 000 to $1.2m. Part of that explanation is that $334 000 for 1984-85 was charged against provisions established in 1983-84. That makes me wonder at the type of accounting system we have. It sounds to me to be part accrual and part cash accounting. However, the balance of the difference is attributed to higher premiums. There is an increase of $450 000 or 37.5% in the premiums. Does NTEC go out to tender for its insurance or is it required to go to TIO and is this a form of subsidy to the Territory Insurance Office?

Answer:

I would like to assure the honorable member that NTEC operates on a strict accrual basis of accounting. At the end of each financial year, an assessment is made of the balance appearing in the provision for insurance account. This balance is then adjusted in light of the best information available at that time, with respect to insurance claims outstanding for the current and prior years.

In 1983-84, the provision determined for insurance was overstated and, as a consequence, the amount of $334 000 was written-back at the end of 1984-85.

NTEC's insurance is obtained through an insurance broker which is selected from a number of brokers on a regular basis. This broker selects insurance from the general market at the most competitive rate and, in fact, TIO does win a part of NTEC's insurance program under this competitive arrangement.

Question:

What is the impact on generating costs in Alice Springs of Palm Valley gas?

Answer:

Gas operation has been progressively introduced to the Alice Springs Power-Station over the period 1984-85. In a full year's operation, a reduction in the cost of fuel through the conversion to gas is estimated to be in excess of 30%, or approximately $2.5m'.

Mr EDE (Stuart): Mr Deputy Speaker, I did not intend to raise the Ti Tree incident today except that it was raised in the adjournment debate last night and I thought that there would have been a ministerial statement on it. If I do not speak about it now, I will not have a chance until March.

I wish very briefly to raise matters of importance to me, to Aboriginal people and to all citizens of the Northern Territory in relation to incidents at Ti Tree on 29 July 1980 and subsequent investigations of them. In so doing, I support the call for an independent judicial inquiry into the matters arising. In general terms, I am sure members are aware of the incident which involved the shooting of 2 Aboriginal men, 1 fatally, by a police constable.

I would like to raise specific concerns which arise from a quick assessment of the coroner's report. Without being emotive and by way of introduction, I would simply like to say that the average, law-abiding citizen will find some of the coroner's comments profoundly disturbing, if not literally amazing. At the very least, there is cause for considerable concern and an inquiry is clearly warranted. I note that the coroner's report came after the trial of Constable Clifford.

I refer first to the police investigation. At the inquest, counsel for the commissioner made frank admissions that further actions should have been taken. The coroner found that there were a considerable number of deficiencies in the investigation and considered it proper to set out an exhaustive list of those inadequacies. I shall, of course, refer to that list. In relation to the police investigation, allegations of assault by

police were not followed up in the record of interview. This lack of immediate follow-up was 'a cause of much later confusion... a most serious error'. Another quote: 'No satisfactory explanation was given for this very serious matter'. Similarly, there was no follow-up 'early in the investigation where full inquiries may have elicited a clearer picture in relation to the presence and use of Constable Clifford's batton'.

A further inadequacy, as listed by the coroner, was that 'no statement was taken from Constable Warren's wife who was present at the clinic on the return of the police... this evidence should have been elicited'. Further, there are discrepancies in evidence in relation to the consumption of beer by the constables which was not followed up at the time. The coroner noted criticism of the investigation in that Constables Clifford and Warren were not separated on the arrival of investigating police and asked to give their independent versions on accounts of the incident. He said: 'Normal procedures of interviewing witnesses separately should have been followed'. The coroner noted: 'One constable was instructed to make a report in the day journal and did so while he had an opportunity of consulting with the other'. He also noted that the day journal entry contained many completely false facts regarding the movements, work and activities of the police during the afternoon. He commented: 'One is left to speculate on the reasons for these inaccurate statements'. It does make one wonder, doesn't it, Mr Deputy Speaker?

The coroner noted Constable Clifford was not asked to do a re-enactment of the incident and no reason was given. The coroner also queried knowledge by the investigating officers of various discrepancies in: (a) a telex which was to go the commissioner's office; (b) a taped conservation; and (c) the reason why these differing statements were never put to Constables Clifford and Warren for explanation.

It is unbelievable and there is more to come. The coroner noted variations in statements on the number of warning shots given - from 2 warning shots given to 1 warning shot given, eventually to a statement that none was given. According to other statements given to the coroner, there were no warning shots. Further, variation was shown in relation to the certainty of places where people were considered to have been wounded. Unfortunately, the Chief Minister is not in the Chamber. However, I ask members to pay attention whilst I quote from the coroner:

> 'In my view, the failure to properly put these discrepancies to the witnesses for comment amounts to a serious failure in the investigation techniques. These were indeed most important questions and basic to the investigation, and they are questions which were not satisfactorily resolved before the inquest, and had considerable bearing on the outcome of the inquest and the various trials which have resulted from the system.
>
> Another highlight concerned the presence of a nulla-nulla alleged to have been at the scene: it appears a total paradox that a nulla-nulla not established to be at the scene is put to witnesses for possible identification and a nulla-nulla which was alleged to have been at the scene is not put for possible investigation'.

In looking at the forensic procedures, the coroner noted 'serious gaps in the forensic investigation of this incident'. I do not have time to detail those gaps but I will quote the coroner's conclusion:

'It is clear, on the evidence, that the forensic examination, despite submissions from counsel for the commissioner, was not fully carried out nor was there any degree of cohesion and supervision of the various testing'.

The coroner commented on the reasons for the police patrol and found: 'The explanations given by the constables for the patrol at this time do not stand on examination'. He noted that the police officers 'took the most unusual course of driving onto the incorrect side of the road and, with headlights and blue flashing lights on, drove into the projected course of the Holden vehicle'. The coroner found the method of apprehension 'quite extraordinary' and noted: 'At no time has any satisfactory explanation ever been given for the course adopted'. The question of the deceased's involvement in the fighting is an important aspect in relation to the incident. The coroner noted: 'The post-mortem report and verbal evidence indicates no bruising or injuries consistent with being involved in a fight'. He concluded: 'I am unable to find that the deceased was involved in the fracas but that, even if he had, he had finished and left the scene before the shooting incident'. Why then was he shot?

I do not have time to canvass all the issues involved in this particular sorry incident. However, I would implore all members to get a copy of the coroner's report, which was tabled in this Assembly last night, and read it.

Mr BELL (MacDonnell): Mr Deputy Speaker, I wish to touch briefly on an important issue which has come to my attention and which I must place on the Assembly record. It concerns the treatment of a company known as Road Mark-Sweep NT Pty Ltd and its treatment by this government. The company is involved in providing services for road marking, including guide posts.

The situation is that this company is being effectively black-banned by the government. The justification for this ban arises from some contractual problems that arose initially out of an error by the General Tender Board. This error arose from a service order for the provision of fibreglass guide posts and delineators for Tennant Creek. The order granted to Road Mark-Sweep NT Pty Ltd was sent to Road Mark-Sweep Pty Ltd. The significant letters 'NT' were left out of the company name. That oversight made the order commercially worthless. This oversight caused long delays in the time in which Road Mark-Sweep NT Pty Ltd could meet its obligations. These delays seem to have become a major part of the justification for existing bans.

Now there have been other matters of dispute between Road Mark-Sweep NT Pty Ltd and the Department of Transport and Works and it would be unreasonable to argue that the blame was all on one side. Road Mark-Sweep NT Pty Ltd acknowledged this. In a letter to the Director of Roads Division, it has outlined a number of steps to remedy any problems the department might have. Those steps include, amongst others, establishing a Tennant Creek depot, the appointment of the general manager as manager supervisor, more equipment, improvement of freight services to the east coast and the establishment of a manufacturing plant in the Northern Territory. Despite these efforts, in August this year, Road Mark-Sweep NT Pty Ltd received a letter from the Chief Minister saying that he was satisfied with the actions of the Department of Transport and Works. As I said, fault may lie on both sides, but I am concerned that this company has decided to withdraw from the Territory, removing its manufacturing plant worth $500 000, and ending 8 jobs.

Motion agreed to; the Assembly adjourned.

SPECIAL SITTING OF
THE NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

TO MOVE A MOTION OF CONDOLENCE FOR
THE MOST REVEREND BISHOP J.P. O'LOUGHLIN MSC, DD, CMG.

Mr Speaker Steele took the Chair at 10 am.

ATTENDANCE OF ADMINISTRATOR

Mr SPEAKER: Honourable members, I invite His Honour the Administrator to take the visitor's chair on the floor of the Assembly Chamber.

His Honour the Administrator entered the Chamber and was escorted to his seat on the left of the Speaker.

MOTION OF CONDOLENCE

Mr TUXWORTH (Chief Minister): Mr Speaker, I seek leave to move a motion of condolence for the Most Reverend John Patrick O'Loughlin, Bishop of Darwin.

Leave granted.

Mr TUXWORTH (Chief Minister): Mr Speaker, I move that this Assembly express its deep regret at the death, on Thursday 14 November 1985, of the Most Reverend John Patrick O'Loughlin MSC, DD, CMG, Bishop of Darwin, and place on record its appreciation of his long and distinguished service to the people of the Northern Territory, and tender its profound sympathy to the Catholic Church and members of his family.

Mr Speaker, Bishop O'Loughlin was Bishop of Darwin for 36 years and would have celebrated 50 years in the priesthood in another week. John Patrick O'Loughlin was born on 25 July 1911 in Brompton, South Australia. He was educated at Christian Brothers College at Rostrevor, South Australia, and joined the Missionaries of the Sacred Heart in February 1930. John O'Loughlin took his permanent vows on 26 February 1933. He was ordained as a priest on 30 November 1935 and he acted as Prefect of Studies at Downlands College, Toowoomba, in Queensland from 1937 to 1945.

John O'Loughlin served as Director of Catholic Education in Rabaul, Papua New Guinea, in 1947 and 1948 before being appointed Bishop of Darwin on 13 January 1949, at which time he succeeded the Most Reverend Francis Xavier Gsell. The consecration of his appointment occurred in the Cathedral of St Francis Xavier in Adelaide on 20 April 1949.

The achievements of Bishop O'Loughlin have been numerous and I could not possibly do justice to the life work of this great man in a speech today. However, I will mention a few of his achievements to give honourable members some idea of the legacy that he has left behind him.

Bishop O'Loughlin made massive improvements to the lives of Aboriginal people in all parts of the Northern Territory during his time. He led the push for the development of such fundamental services as education, housing and health. This was a part of his wider strategy for fostering a lifestyle for Aborigines which would allow them to integrate with and participate in the

wider Northern Territory community. In 1955, the Daly River Mission was established, along with health and education services at Bathurst Island and Port Keats. These services have been an integral part of the overall development of the communities on these settlements.

Bishop O'Loughlin oversaw the formation of many Catholic parishes and congregations throughout the Northern Territory during his years. These include St Joseph's Parish at Katherine, St Paul's Parish at Nightcliff, the Holy Spirit Parish at Casuarina, the Holy Family Parish at Sanderson, and churches at Nhulunbuy, Batchelor and Jabiru. In central Australia, the Arltunga Mission was relocated to Santa Teresa in 1952.

With the objective of ensuring that the Christian ethic was the cornerstone of the Territorian lifestyle, Bishop O'Loughlin concentrated much of his effort on ensuring that a good education based on Christian belief was widely available throughout the Northern Territory. When Bishop O'Loughlin was consecrated as Bishop of the Northern Territory in 1949, there were 2000 children attending school in the Northern Territory. Today, there are 34 000 children going to school in the Northern Territory and 4300 of them are in Catholic schools. Bishop O'Loughlin oversaw the development of many major schools in Alice Springs and Darwin. He was responsible for the foundation of the second Northern Territory boarding school at St John's College in Darwin. He also prepared the way for the opening of the first Catholic school in Katherine which is to take place in 1986.

It was Bishop O'Loughlin who, with the support and total dedication of the Sisters of Our Lady of the Sacred Heart, enlisted the support of successive Australian governments and, more recently, the Northern Territory government, to see the disease of leprosy eliminated almost entirely from the Northern Territory community, to the degree that it was possible only 2 years ago to close the leprosarium at East Arm because the battle against Hansen's disease had been won.

Bishop O'Loughlin, in his own wily and canny way, maintained and supervised a massive building program right throughout the Northern Territory. If we look around at the institutions operated by the Catholic Church in the Northern Territory, we see that most of the buildings were constructed during his time. In addition to his ecclesiastical duties, Bishop O'Loughlin served his community in many other ways. He maintained membership of many civic bodies, including the Darwin Reconstruction Commission.

In 1979, Bishop O'Loughlin was awarded the Companion of the Order of St Michael and St George for his services to the church and the Aboriginal community. In receiving this honour, the Bishop was, as ever, gracious. He said: 'I am happy to have been associated with the growth of the Territory, a somewhat remarkable growth over the last 30 years'. During his 36 years of service to the Northern Territory, Bishop O'Loughlin worked tirelessly behind the scenes for the good of all the people in the Northern Territory.

Over the last 15 years, growth in the Northern Territory has been absolutely extraordinary. It has been a time of great social change. It has been a time when the religious fraternity of Australia has taken upon itself, from time to time, the role of giving Territorians unending advice on how to run their affairs. During this period, with great dignity and enormous success, Bishop O'Loughlin maintained the very fine line of demarcation between the affairs of the church and the state.

Bishop O'Loughlin was well known, loved and respected by all Territorians, irrespective of their faith. In his early days, he travelled widely by car, plane and boat into the remote areas of the Northern Territory to tend his flock and many others who were not in his flock but who often sought his help. He never noticed whether people had different religions, different coloured skins or different ethnic backgrounds. We were all in his flock. Today, not only the Catholic community but many people in Darwin will attend High Mass and the burial of the second Roman Catholic Bishop of the Northern Territory.

On behalf of the Northern Territory government, I pay tribute to the enormous contribution Bishop O'Loughlin made on behalf of the people of the Northern Territory in years that have seen rapid growth and development. Bishop O'Loughlin has earned a place in the hearts of all Territorians.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I do not believe that any purpose would be served by my going over once again the biographical details of Bishop John O'Loughlin's life and service to the Northern Territory. The Chief Minister has already done that.

I have very fond memories of Bishop John O'Loughlin, of his good humour, of his great sense of humour and wit, and of his devotion and service to the people of the Northern Territory, to the church, and particularly to the Aboriginal community of the Northern Territory. Bishop John O'Loughlin made a significant and personal contribution to the development of Catholic education in the Northern Territory which I think will remain as one of his enduring monuments in the Northern Territory.

One particular story about the work done by Bishop O'Loughlin in the Territory, particularly in the education field, sticks in my mind. I am sure the Governor-General of Australia will not mind if I tell this story. When Sir Ninian Stephen came to the Northern Territory with Lady Stephen for the first time, we made our usual courtesy calls to Government House. At my very first meeting with the Governor-General, he told me that he was very interested in visiting some Aboriginal communities in the Northern Territory. He asked me to suggest some places to visit. I very promptly suggested Bathurst Island as a good place to start. Sir Ninian Stephen and Lady Stephen visited Bathurst Island and were totally impressed with what they saw there. I did not realise just how impressed they had been until, some time later, the Governor-General addressed a conference of Catholic Bishops. Someone sent me a copy of his speech which, in fact, had been fairly well reported. At the beginning of his speech, he admitted quite frankly that he had not been entirely sympathetic to the work of the mission churches in Aboriginal communities in Australia. What had converted him - I suppose that would be the word - was his visits to Palm Island in Queensland and Bathurst Island in the Northern Territory. The reality of the work of Catholic missions in the Northern Territory had had a profound effect on him. That speech had a great impact on me. Organising visits for distinguished persons such as Sir Ninian Stephen tends to become a matter of rote after a while. These things just happen. Because we live in the Northern Territory, we do not always appreciate the effect that such visits can have on people in public life in Australia. It occurred to me at the time that that was a great tribute from a very distinguished Australian to the work that was supervised over a period of 36 years by Bishop John O'Loughlin.

John O'Loughlin came to the Northern Territory a few years after I was born. He provided something that is extremely valuable indeed in the work of the church in the Northern Territory: continuity and a firm hand at the

tiller. Mr Speaker, I think there is no one in the Catholic Church in the Northern Territory who will not attest to that. Speaking for myself, one of the unpleasant things about living in the Northern Territory, and it is something that I have commented on many times over the years, is what I call the 'passing parade'. It is a feature of Territory life that I am pleased to say is beginning to disappear. Most people used to come here for 2 or 3 years and then leave. One made friendships and associations with people and inevitably they came to say goodbye because they were leaving.

Bishop John O'Loughlin typified those Territorians who literally have given their lives to the Northern Territory. The work of the Catholic Church in the Northern Territory is unparalleled anywhere. One indication of that is the tribute that has been paid this morning to the Church's work under Bishop O'Loughlin.

In supporting the Chief Minister's motion of condolence this morning, I pay tribute also to the work done by Bishop John O'Loughlin. As a member of the Catholic laity in the Northern Territory, perhaps I can make a plea in relation to the new bishop. I have the right audience here. After the war, the Catholic Church made a courageous decision. It appointed a very young man as Bishop of the Northern Territory. John O'Loughlin was a young man when he was appointed Bishop. It was what the Territory needed. John O'Loughlin's devotion to his job was unparalleled. He was not a healthy man for the last few years of his life. I remember being on Bathurst Island last year when he arrived to conduct a confirmation ceremony. It was obvious to the cluster of concerned people gathered around the door of the aeroplane that it was a real and painful effort for him even to get in and out of the light aircraft. But that did not slow him down nor stop him. I was interested in hearing a statement by Father Healy, just after the Bishop's death, that he had in fact planned 2 or 3 visits to Peppimenarti and Nhulunbuy just before his death. That really typified the man. That kind of continuity over that period of time has been of immense benefit to the Northern Territory.

The Catholic leadership in Australia made a courageous decision in appointing someone as young as Bishop O'Loughlin when he first came to the Northern Territory. I hope that the leadership of the Catholic Church, when it replaces Bishop John O'Loughlin, will take that same courageous decision and appoint as Bishop someone who will give devoted service and attention to continuing the work that John O'Loughlin started in the Northern Territory. I believe that it would be appropriate to appoint someone perhaps in the middle term of his life. I think that all people in the Northern Territory, not only Catholics, want to see such a substantial contribution as Bishop John O'Loughlin's continued.

I express my deep personal feelings this morning about the death of Bishop John O'Loughlin. We had our blues over the years, I can tell you. We disagreed on quite a number of subjects quite profoundly. But, as I said before, Bishop John O'Loughlin possessed a personal characteristic that I value very highly, and that was a sense of humour. If he had a go at you, he always smiled when he did it, and that took the sting out of it a little.

The opposition supports the government and the people of the Northern Territory in paying tribute to the life of a very great man indeed.

Mr HANRAHAN (Health): Mr Speaker, while Bishop O'Loughlin will long be remembered for his work building churches and schools throughout the Territory, he will be remembered also for his work in relation to health

matters and, in particular, in the field of Aboriginal health. Bishop O'Loughlin had a long and close association with the people of Port Keats, Daly River, Melville and Bathurst Islands, and Santa Teresa. Under his guidance, and long before Department of Health involvement, which was not until 1972, the Daughters of Our Lady of the Sacred Heart worked tirelessly in caring for and promoting the health of Aboriginal people in the missions. New health centres were built in all those areas during his time in the Northern Territory, and the services provided have always been of an exceptionally high standard.

Bishop O'Loughlin, his Order of the Missionaries of the Sacred Heart and the nuns were particularly active in the care of patients suffering from leprosy. He was involved in selecting the East Arm Hospital site and in the transfer of such patients from Channel Island to the mainland in 1955. He was known as a kind friend and father confessor to many of the patients, and regularly said mass at the leprosarium. His involvement and interest in the treatment and control of this disease was very real.

It was at the leprosarium that the concept of the Aboriginal Health Worker was first developed. This was strongly supported by Bishop O'Loughlin and other leaders of Northern Territory churches. Bishop O'Loughlin was not one to wait for government initiatives but rather, where he saw a need, he worked quietly to meet it. In this respect, the Northern Territory is fortunate to have the Missionaries of Charity, the order of nuns founded by Mother Theresa, working in Katherine, Tennant Creek and Darwin. Their particular role is caring for the aged and homeless.

In more recent times, he supported the church's initiatives in relation to alcohol awareness and was always active in encouraging the work of the Society of St Vincent de Paul. Over the years, he liaised well with the chief medical officers of the Department of Health and ensured that the services provided by the church have been complementary to those provided by the government.

His work in the health field was not restricted to an administrative role. He was involved personally in the care of the sick. For many years, Bishop O'Loughlin was a familiar sight each Sunday in the wards of the old Darwin Hospital, now the Royal Darwin Hospital, visiting not only his parishioners but the sick and the lonely of all denominations. He had a kind and cheerful word for all and did much behind the scenes to ensure the welfare of those in need.

The people of the Northern Territory will be the poorer for the death of Bishop O'Loughlin, but I believe his spirit of compassion and caring will live on.

Mr SMITH (Millner): Mr Speaker, I wish to pay tribute to Bishop O'Loughlin the man because it was in that capacity that I had most dealings with him.

He had a unique ability to relate to the ordinary person. That was best exemplified for me in 1983, the year that Bishop O'Loughlin spent several months in Rome. Obviously, that was a very important time for him. Within a week of his return to the Territory, he addressed a graduation ceremony for Year 7 students at St Paul's School. I remember being extremely impressed at the time that this man, who had spent months in Rome dealing with very important matters connected with the Catholic Church, had the time to visit that school and, more importantly, the capacity to relate very directly to

those children who were preparing for the important transition from Year 7 to secondary education. That impressed me very much. I suppose it was a reflection of his earlier training as a teacher. As politicians, we all know that it is very difficult to talk to schoolchildren. It is very difficult to express one's ideas in terms that will ensure that one is getting the message across. He had the ability of born schoolteachers of being able to communicate at the appropriate level. It was obvious from the students' reaction that he was very successful.

Mr Speaker, I came in contact with Bishop O'Loughlin often at football matches. Unfortunately, he backed the wrong team but he did it very enthusiastically. He was renowned as a very strong supporter of the St Mary's Football Club. He supported the club through thick and thin. Although it is difficult to realise it now, St Mary's experienced some lean times in the not-too-recent past. He was at the oval on most Saturdays, most often standing in the noisy St Mary's stand rather than in the official stand. Again, that was a reflection of Bishop O'Loughlin the man - the man who had the common touch and who was able to relate to all people of the Northern Territory. Members of the opposition, as everybody else, will miss that common touch.

Mr McCARTHY (Victoria River): Mr Speaker, I would like to say a few words in support of the Chief Minister's motion of condolence to the family and the many friends of our late Bishop John Patrick O'Loughlin. I do not intend to go into the background and life work of Bishop O'Loughlin who was Bishop of Darwin for 36 years. I want to add just a few words from my knowledge of Bishop O'Loughlin, the wise and very gentle and even shy man that he was.

I first met Bishop O'Loughlin early in 1964 when I arrived in Darwin with 2 of my cousins. We had heard that the Bishop was looking for skilled workers for the missions under his care. We went to the Cathedral one morning shortly after we arrived in Darwin and we noticed a man gardening in faded khaki trousers and a singlet. We went up to the gardener and asked how we could arrange to see the Bishop. He eyed us up and down and said: 'The Bishop is busy right now but, if you come back around 3 o'clock, I am sure he will see you then'. Promptly at 3 pm, we arrived at the Bishop's house and were ushered into a room to await the Bishop. You can imagine our surprise, of course, when the gardener entered the room in somewhat more clerical garb. Over a cup of tea, we swapped details of our backgrounds for a little of his. We discovered quite a few things about the Bishop on that day, including many of the places where he had worked and his ideas for the Territory and for the missions under his care.

That began my quite long association with Bishop O'Loughlin: 6 years on Bathurst Island and a number of years at Gsell's Centre in Nightcliff and at the Catholic Mission Headquarters in Darwin. The Bishop's support during those years was not always recognised at the time. Like the Leader of the Opposition, I had some blues with the Bishop during those years. Like many 24-year-olds, as I was at the time of our first meeting, I was sometimes impatient with the decisions and directions from above. However, I must say that, with the benefit of hindsight, the wisdom and guidance of Bishop O'Loughlin has been borne out in full. The Bishop was a wise man and a simple man. He lived his years as Bishop of Darwin in a frugal manner. Bishop O'Loughlin truly was the servant of his flock. His door was always open to visitors and his visitors were always welcome.

My wife, Mary, and I offer our condolences to Bishop O'Loughlin's sister and other relatives here today, to his fellow bishops and clergymen, to the Missionaries of the Sacred Heart and to his many friends who mourn his passing. There are those of us here today who have lost a brother, a relative, a guide and our Bishop and friend.

Mr SETTER (Jingili): Mr Speaker, I rise this morning to express my condolences at the passing of Bishop John O'Loughlin and to add my support to those views already expressed by honourable colleagues. Although I am not of the same faith as the good Bishop, our paths have crossed on many occasions in past years. This was due to our mutual involvement in community activities and our interest in working towards a better world. During this period, I came to develop a great respect for Bishop O'Loughlin and to recognise him as a man who possessed deep feeling and love for his fellow man.

In more recent times, our involvement resulted from the fact that the Rotary club to which I belong, the Darwin South Rotary Club, selected Bishop O'Loughlin as a most worthy recipient of the highest award Rotary can bestow. Mr Speaker, I refer to a Paul Harris Fellowship. Paul Harris was the founder of Rotary International and the fellowship was created in his memory. In early 1984, the club decided to identify a person from within our community who would be worthy of such an honour, somebody who embodied the ideals of Rotary. These ideals are: the development of acquaintanceships as an opportunity for service and the advancement of goodwill and peace through world fellowship. Bishop John O'Loughlin was soon selected as being a man of humanitarian pursuits, a man who promoted and fostered world understanding and peace and a person whose everyday life advanced the ideals of Rotary.

Although Bishop O'Loughlin was not a formal member of Rotary International, the club considered him to be worthy of receiving this award. He was Rotary personified: a man who, through action and word, embraced and encouraged high ethical standards in all things, a man who devoted his life to the service of others. Bishop O'Loughlin paid Rotary the honour of accepting the award of a Paul Harris Fellowship and this was duly presented at a dinner in his honour held on 8 October this year. We are grateful we had the opportunity to present the award before his passing. I join my fellow members of the Darwin South Rotary Club in offering our condolences for the passing of Bishop O'Loughlin.

Mr BELL (MacDonnell): Mr Speaker, coming from central Australia and having the honour to represent, amongst other communities, Santa Teresa, and being keenly aware of the work of Bishop John O'Loughlin in that particular area, I welcome the opportunity to speak to this motion of condolence today. I have developed a great deal of respect for the work of the church and for the work of the Bishop during my time in this Assembly and my representation of a community such as Santa Teresa. I am keenly aware of the work that the church does for the Aranda people who live at Santa Teresa.

Of course, because I live in central Australia, I had less personal contact with the Bishop than some other members had, although I do recall a flight back from Darwin to Alice Springs. I happened to be seated beside the Bishop who was reading a psalm in the Vulgate. I think he was slightly surprised that this Protestant took an interest in the Latin of the Vulgate. We fell into conversation on that occasion and on a couple of other occasions. I appreciated the strength of the man. Through that sort of personal contact on a couple of occasions, I became aware of the leadership that he exerted in the Church. It is in those terms that I wished to speak to this motion today and to pay tribute to the Bishop.

Mr HARRIS (Education): Mr Speaker, in recent days, much has been said by many people in praise of Bishop O'Loughlin's enormous contribution to the Northern Territory community. As the Minister for Education, I would like to record the government's sincere appreciation of the very major role that he played in the development of Northern Territory Catholic education in particular and the non-government school sector in general. He was a prominent educator in his own right. When he arrived in the Territory in 1949, he had already been Prefect of Studies at Downlands College in Toowoomba and Director of Catholic Education in Papua-New Guinea.

As Bishop, not only did he have overall responsibility for the development of the Catholic school system in the Northern Territory but, for many years, he was also his own Director of Catholic Education. Under Bishop O'Loughlin's care and guidance, the Catholic education system in the Northern Territory has become one of the strongest non-government school systems in Australia.

I had the privilege of attending St Joseph's Primary School, which was the first Catholic school in the Territory and the first school in Darwin to open after the war. St Joseph's was renamed St Mary's by Bishop O'Loughlin following his arrival in Darwin. I can still recall his words today. Often he referred to me as one of his oldest old boys.

Under Bishop O'Loughlin's direction, Catholic secondary education in the Territory developed from post-primary classes at St Mary's and expanded greatly with the opening of St John's College in Darwin in 1960. Today, the Catholic education system in the Territory embraces excellent mission schools in Aboriginal communities and numerous urban primary and secondary schools in both Darwin and Alice Springs.

It was always Bishop O'Loughlin's aim that schools under his care should not develop as exclusive private schools but should remain parochial schools which would be open to all and be within the financial means of all who wished to send their children to them. He was concerned about students in isolated areas as well as those in urban areas. Under his direction, the Catholic education system played a pioneering role in the provision of boarding facilities for isolated students.

It is a matter of record that close and harmonious cooperation has always existed between the Catholic education system and the government school system in the Northern Territory. I believe the degree of cooperation that we enjoy is without parallel anywhere else in Australia. That happy and fortunate state of affairs is due in large measure to Bishop O'Loughlin himself.

The Northern Territory government, for its part, has always been pleased to assist Bishop O'Loughlin and others in the development of the Catholic education system in the Territory. A clear indication of the outstanding cooperation which exists between the government and the Catholic school sector is the fact that, today, all Territory Catholic schools receive per capita funding from the Territory government. They follow the same core curriculum as government schools and have access to a full range of services provided by the Department of Education. It is also a tribute to the Catholic education system, nurtured by the Bishop, that many students attending Catholic schools are not of the Catholic faith.

To his great credit, Bishop O'Loughlin supported the development not only of Catholic schools, but of other independent schools as well. He did this in a very practical way as a member of the Northern Territory Finance and

Planning Committee of the Commonwealth Schools Commission. This committee makes recommendations on the allocation of Commonwealth capital funding for the non-government school sector. He also served on a number of other education committees, both Territory and Commonwealth.

Bishop O'Loughlin was a great Territorian. In addition to his prominent role as head of the Catholic Church in the Territory, he also well and truly earned a place in Territory history by his important contribution to the development of Territory education. Bishop O'Loughlin was a much-loved man and he will be missed by many Territorians.

Mrs PADGHAM-PURICH (Koolpinyah): In rising to support the Chief Minister's motion of condolence, I will say only a few words about Bishop O'Loughlin and his life in the Territory as it affected me and my family.

I first met Bishop O'Loughlin when we came to the Northern Territory in 1959. At the time, one of our children attended the convent school and, subsequently, the rest of our children received a similar education. Throughout that time, I was aware of the hard work and the interest of Bishop O'Loughlin in education in the Northern Territory, particularly in Catholic education at the convent schools. Coupled with this was a genuine affection for the children which was reciprocated by them and has continued, especially with my own family, into their later life.

As the member for Tiwi, I also saw the interest of Bishop O'Loughlin in the development of projects at Bathurst and Melville Islands and his deep concern and affection for the Tiwi people. I know of their regard and respect for him. We now say vale to John O'Loughlin. By his beliefs, he is in another place where, after being greeted by a welcome ave, he will receive a just reward for his life's effort in the Northern Territory.

Mr SPEAKER: I ask honourable members to signify their assent to the motion by standing in silence.

Members stood in silence.

## ADJOURNMENT

Mr TUXWORTH (Chief Minister): Mr Speaker, I move that the Assembly do now adjourn.

I ask honourable members to accompany me to St Mary's Star of the Sea Cathedral to attend the Requiem Mass for the Most Reverend Bishop O'Loughlin.

Motion agreed to; the Assembly adjourned.