NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Fifth Assembly
First Session

PARLIAMENTARY RECORD

Tuesday 14 August 1990
Wednesday 15 August 1990
Thursday 16 August 1990

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Government Printer of the Northern Territory

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Fifth Assembly
First Session

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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. 0801.

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PART I

DEBATES

DEBATES

Tuesday 14 August 1990

Mr Speaker Dondas took the Chair at 10 am.

STATEMENT
Australian Participation in Multinational Force in Middle East

Mr PERRON (Chief Minister)(by leave): Mr Speaker, on Friday 10 August 1990, the Prime Minister, Hon R.J.L. Hawke, announced that Australia would participate in a multinational force in the Gulf to enforce a blockade of Iraq and Kuwait. The force comprises 2 guided missile frigates, HMAS Darwin and HMAS Adelaide, and the supply ship, HMAS Success.

Mr Speaker, you laid the keel of the HMAS Darwin in Seattle and were present at its commissioning. It is the first Australian warship to be named after the capital of the Northern Territory. On this occasion, the first time that the vessel is to take part in active duty in a situation which I believe is potentially fraught with danger, I seek leave to move a motion.

Leave granted.

MOTION
Australian Participation in Multinational Force in Middle East

Mr PERRON: Mr Speaker, I move that:

(1) this Assembly extend to the captains and crews of the HMAS Darwin, the HMAS Adelaide and the HMAS Success its every best wish for a safe voyage, a quick and successful tour of duty in the Gulf and a speedy return home; and

(2) that the Speaker forward the terms of this resolution to the Chief of the Naval Staff, requesting him to pass on the resolution of the Assembly to the captains of the HMAS Darwin, Adelaide and Success accordingly.

Mr Speaker, a total of 600 men will be sailing to the Gulf on the 3 Royal Australian Navy ships. They will be joining very considerable forces already assembled in the Gulf by the major European and Middle East nations who are totally committed to putting a stop to the destructive aggression of the Iraqi leadership. As we heard on this morning's news, more nations, including the majority of the Arab nations, are joining the multinational force every day.

None of us wants to send Australian forces so far from home on such a dangerous mission, but the events in the Middle East in recent weeks bring to mind the old truism that all it takes for evil to triumph is that good men do nothing. Without pretending to be a scholar of the complex politics of that region, it seems from the actions of Iraq's own Arab neighbours that they believe that evil is on the march in their region. They are prepared to accept help from traditional adversaries and friends alike in order to teach President Saddam Hussein that naked aggression is not acceptable in the world of 1990.

We can take some comfort from the fact that the 2 Australian front-line warships, the guided missile frigates HMAS Darwin and HMAS Adelaide, are designed to operate in the full range of military emergencies they may face in Gulf waters in a worst case scenario. We can only hope that they do what they have to do without being put to that ultimate test.

I attempted to obtain the names of Territory personnel sailing with the task force so that they could be recorded in the Hansard of this Assembly. However, I am mindful that, in this situation, they are all very much Australians together. I know of 1 Darwin man sailing on HMAS Darwin and that is Alex Rouse, whom I wrote to last Friday when the expedition was announced. I am sure every member of this Assembly joins me in wishing a safe journey and a speedy return to Alex Rouse, and every one of his 600 shipmates on the Darwin, the Adelaide, and the Success.

Members: Hear, hear!

Mr SMITH (Opposition Leader): Mr Speaker, I rise to support the resolution moved by the Chief Minister. Quite clearly, this is a very sensitive time for the world. Everybody is talking about what will happen in the Middle East. Quite clearly, the crews of the Australian ships being sent to the Gulf will be in for an exciting and perhaps dangerous time. They should go, as they do, with our best wishes and hopes for a speedy return.

It is also appropriate to spare a thought for those Australian citizens who are stranded in Iraq and those who are working under some pressure in Saudi Arabia. A number of Darwin people or ex-Darwin people are currently in Saudi Arabia doing jobs of various descriptions. In fact, I know one of them, David Collins, personally. I am sure that this House's sentiments go out to them in what cannot be a very pleasant time for them.

In closing, I refer to a matter which the member for Stuart has pointed out to me. As I understand the terminology of war, the Chief Minister, on behalf of the Northern Territory, has perhaps unilaterally declared war on Iraq and Kuwait. I understand that the governments of the United States of America and Australia are very careful not to use the word 'blockade' because, in legal parlance, a blockade is in fact an act of war. I am pleased that the term used by the Chief Minister does not appear in the resolution. Had it done so, we might have had to make an adjustment. I would suggest that the Chief Minister should consider the fate of the member for Port Darwin, when he entered into similar uncharted waters some time ago. Of course, Mr Speaker, I am making a frivolous comment on what is in fact a very serious subject. I close by saying that the thoughts of everyone in this House and, I am sure, in the Northern Territory, are with the sailors on HMAS Darwin, HMAS Adelaide and HMAS Success.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to support, in very clear terms, the sentiments expressed in the Chief Minister's motion. As the Leader of the Opposition said, it is a very unsettling time for everybody in the world. One does not know what is likely to emerge from these events, particularly when we are dealing with very unpredictable people.

I watched the departure of the ships on television last night. I always feel a little sick inside when I see such events taking place in a gala atmosphere. In fact, they are not really cause for great celebration. They represent a very sombre occasion for the people involved and for the nation. My thoughts go out, not only to the men and women serving on the ships, but also to their families, who must wait very apprehensively for the

return of the ships. Family members suffer as much, and quite often more, than the people who actually serve on the ships and go into combat areas. I have no hesitation in supporting and commending the Chief Minister's motion.

Mr FIRMIN (Ludmilla): Mr Speaker, I will also be very brief in rising to support the motion of the Chief Minister. As honourable members know, a fairly large number of my constituents live on the Coonawarra navy base and I have become very close friends with many of them over a number of years, as well as with people from the Darwin base. As has been stated, those people are also apprehensive for their friends.

Like the member for Barkly, I saw the television coverage of the departure of the ships yesterday. I recognised several faces in the crowd of men who had been involved in the Darwin area in the past. Like the honourable member, I feel very strongly for the families and friends of those personnel who must be feeling some apprehension. I wish those involved a speedy and safe voyage and a safe return to Australia.

Mr EDE (Stuart): Mr Speaker, on behalf of the people outside Darwin, including Alice Springs and central Australia, I would also like to extend my best wishes and hopes for a safe and speedy return by the captains and crews of HMAS Darwin, HMAS Adelaide and HMAS Success. Yesterday, I received a message from Mr Bruce Farrands of Rabbit Flat, who asked me to pass on to the Prime Minister his congratulations on the actions which have been taken and the courage which has been shown. Rabbit Flat is certainly not going to have any problems with any sea blockade of the Iraqis.

Be that as it may, I think that people throughout the world have been extremely concerned about the way Iraq has been moving in recent years. Iraq has attempted to impose its will on the region. Its leader, despite the way in which he has sometimes been portrayed, is clearly not a madman. Clearly, he is not in the mould of the mullahs and other Arab leaders. He is more in the mould of European leaders such as Hitler, who attempt by force to exert their will in particular regions for the purpose of aggrandisement and the exercise of power over smaller countries. That is something of which this country has to be extremely wary.

I certainly do not wish to beat up the situation. I was bemused by the use of the word 'blockade' in the statement which was distributed to honourable members. Obviously, we all hope that the use of these forces, together with the agreement that has been reached with other nations in the Middle East, will be such that the economic pressures brought to bear on Iraq will be powerful enough to make it realise that strength and unity of purpose among peaceful nations is too strong a force to be overcome. I commend the motion. I hope that it will be passed on speedily to the captains and crews, and that they will be back home safely before Christmas.

Motion agreed to.

ELECTORAL AMENDMENT BILL
(Serial 293)

Bill presented by leave and read a first time.

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

All honourable members will be aware that I received the 1990 Report of the Distribution Committee on the division of the Northern Territory into

proposed electoral divisions. Following submission of the report to me, an error in the report was identified. The Chairman of the Distribution Committee wrote to me on 9 August 1990 identifying the error. I now table the letter from the Chairman of the Distribution Committee, which reads as follows:

> Dear Chief Minister,
>
> On 25 July 1990 you received the Report of the Distribution Committee on the division of the Northern Territory into proposed electoral divisions.
>
> It is now appropriate that I advise you formally of an error in the boundary between the proposed divisions of Sanderson and Karama as indicated on sheet 2 of the maps included as attachment E to volume 1 of the Distribution Committee's report. The error is also reflected in the description of the proposed Sanderson/Karama boundary as shown in pages 59, 77 and 78 of volume 1. It should be noted that the error also appears on the maps of proposed divisions displayed for public comments pursuant to section 15 of the Electoral Act.
>
> It was the committee's intention that the proposed boundary between the existing divisions of Sanderson and Karama be realigned so as to transfer 655 electors from the division of Sanderson to the proposed division of Karama. The committee's intention in this regard is reflected in the pre-distribution and post-distribution figures for Sanderson and Karama shown on pages 35 and 36 of volume 1.
>
> It was intended that the boundary between the proposed divisions of Sanderson and Karama should proceed along the centre-line of Malak Crescent to its intersection with the centre-line of McMillans Road and thence on the centre-line of McMillans Road south-easterly to its intersection with the western boundary of Hundred of Bagot portion 1841, thence southerly along the western boundary of Hundred of Bagot portion 1841 to its intersection with RAAF base boundary.
>
> The area retained incorrectly in the proposed division of Sanderson contains 655 electors and is indicated on the enclosed map. The error in the Distribution Committee's report is regretted.
>
> Yours sincerely,
> E.E. Johnston
> Chairman.

Mr Speaker, honourable members will note that the formal advice of the error in the Distribution Committee's report indicates that the error appeared also on the maps of proposed divisions displayed for public comment pursuant to section 15 of the Electoral Act. Following the receipt of legal advice from Queen's Counsel and consultation with the Crown Counsel, a range of options has been considered on how the error in the Distribution Committee's report might be rectified. In arriving at the solution expressed in the Electoral Amendment Bill now before the Assembly, 3 fundamental concerns were considered. First, it is necessary to ensure that interested persons, community groups and political parties have the opportunity to comment on the corrected boundary between the divisions of

Sanderson and Karama. Secondly, it is necessary to ensure that the redistribution is completed before the last possible date for the next Territory general election. Thirdly, it is essential that members of the Legislative Assembly have the opportunity to consider a revised report of the Distribution Committee which correctly identifies proposed boundaries and addresses legitimate public comments on them.

The Electoral Amendment Bill before the Assembly addresses these 3 fundamental concerns. Proposed new section 18A(1) of the bill empowers the minister to direct the Distribution Committee to prepare and forward a revised report whenever the minister receives formal advice from the Distribution Committee that there is an error or inconsistency in the initial report. Proposed new section 18A(3) ensures that a revised map, from which the error or inconsistency has been eliminated, will be displayed for public comment for a period of 30 days as provided for in the normal distribution process.

The opportunity for public comment on the corrected boundaries is an essential consideration. The option of legislating to correct the error in the report, without opportunity for public comment, is clearly not desirable. Proposed new section 18A(3) ensures the opportunity for public consultations. Proposed new section 18A(5) requires that the Distribution Committee shall submit its revised report to the minister, who is required to table it in the Legislative Assembly consistent with existing redistribution procedures. This will ensure that all honourable members will have the opportunity to consider the report in the Legislative Assembly.

Proposed new section 18A(7) ensures that, in the event of the death, retirement or resignation of any of the members of the Distribution Committee following the notification of an error in the committee's report, a committee comprised of members other than the originally appointed members would be able to prepare a revised report as directed by the minister under proposed new section 18A(1).

I strongly believe that, as politicians, we should do what we can to demonstrate to the community that our electoral system and the establishment of electoral boundaries is fair and has, to the extent possible, bipartisan support. After all, the system is the very basis of democracy. I believe that the Leader of the Opposition shares my view in this regard and I thank him for initiating advice to me regarding his party's view on what should be done following discovery of the error which makes this bill necessary. I advised other honourable members of the government's intention, prior to the commencement of proceedings this day, to give them some forewarning of these matters.

I advise that it is the government's intention that this bill should be processed through the Assembly on the next sitting day in order that the matter can be referred back to the committee, and again placed on public display as early as is reasonably possible. I commend the bill to honourable members.

Debate adjourned.

TABLED PAPERS
Office of the Auditor-General
Annual Report 1990

Mr SPEAKER: I lay on the Table the Report of the Auditor-General for the year ended 30 June 1990.

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the report be printed.

Motion agreed to.

Public Accounts Committee
Consultants' Reports

Mr PALMER (Karama): Mr Speaker, I lay on the Table 2 consultants' reports received by the Public Accounts Committee in relation to its reference on the Auditor-General's Annual Report of 1988-89.

These reports have been received from, firstly, Professor Bob Walker, the head of the School of Accountants at the University of New South Wales and, secondly, Dr Chris Hall, Senior Lecturer in Economics at Sydney University, Ku-ring-gai. Both these gentlemen are well known and respected in their respective areas of expertise and, on a number of occasions, have worked as consultants to various government bodies and parliamentary committees.

In tabling these reports prior to making its report to parliament, the committee's intention is that they can serve as the basis of further discussion on the issues raised by the Auditor-General. It is the committee's hope that the various professional bodies or individuals, who may have an interest in the public accounts, will take the time to read these reports in conjunction with the Auditor-General's report and to provide further comment to the committee.

SUSPENSION OF STANDING ORDERS

Mr SMITH (Opposition Leader): Mr Speaker, I move that so much of standing orders be suspended as would prevent my moving the following motion forthwith:

That this Assembly:

(1) note the CLP election promise to create 1000 jobs a year in the Northern Territory economy from March 1987;

(2) further note the national increase in jobs since March 1987 of over 12%; and

(3) express its concern that, in the Northern Territory, the number of jobs has dropped by 1000 over that period.

Are you going to accept this?

Mr Coulter: Oh my word, with pleasure! We created 2000 jobs in July, so why wouldn't we?

Mr SPEAKER: Order!

Motion agreed to.

MOTION
CLP Election Promises on Employment

Mr SMITH (Opposition Leader): Mr Speaker, I move that this Assembly:

(1) note the CLP election promise to create 1000 jobs a year in the Northern Territory economy from March 1987;

(2) further note the national increase in jobs since March 1987 of over 12%; and

(3) express its concern that, in the Northern Territory, the number of jobs has dropped by 1000 over that period.

In policy documents for the Territory election of March 1987, this CLP government made the following claim: 'If you want it to happen, stay with Hatton'. You saw what happened to him, Mr Speaker. However, more importantly, it made the claim that the CLP had developed plans for industry and business to create at least 1000 jobs a year. In its advertising, the CLP government went even further. It said: 'We will generate 1000 new jobs a year through growth'. It was underlined in the advertisement because it was the keystone promise of the last election campaign. It was a promise that the CLP used to justify its claim to one more term in government and, since then, nobody has been allowed to forget that promise. For members opposite, it became a football chant: 'Jobs, jobs, jobs!'

Mr Coulter: It always has been, and always will be.

Mr SMITH: We hear all the time from members opposite that what they are here for is jobs, jobs, jobs.

On the basis of this promise of 1000 jobs a year, they asked to be re-elected and, on this promise, they asked to be judged. Mr Speaker, it is judgment time. If one wants to find out about jobs in the Northern Territory, there is 1 set of statistics to use: the Trend Employment Series published by the Australian Bureau of Statistics. Nobody gets excited by the monthly figures because they tend to exaggerate small changes, as members on both sides of the House have accepted from time to time. But the trend series gets under all the clutter of seasonable variables and aberrations and glitches. It is the set of figures which tells the story as it really is. It is the most accurate and reliable indicator.

The trend figures show that, when the CLP launched its platform of jobs, jobs, jobs in March 1987, the number of people employed in the Northern Territory was 74 500. With 1000 CLP-generated jobs a year, at least 3000 more people should now be employed in the Territory because it is more than 3 years since the promise was made. However, at the end of last month, the trend series reported that only 73 500 people were employed, not 3000 more but 1000 less.

Mr McCarthy: A bit muddly with the trend figures. You are putting a monthly aberration with them.

Mr Ede: The trend series.

Mr SMITH: You don't even know ...

Mr SPEAKER: Order! The Minister for Labour, Administrative Services and Local Government will be able to make his contribution in due course. The Leader of the Opposition will be heard in silence.

Mr SMITH: Mr Speaker, to pick up that interjection, the trend figure for June was 73 300. The figure for May was 73 200 and the figure for April was 73 500. There is no aberration. A trend is being revealed and that

trend indicates that we have actually lost 1000 jobs in the Northern Territory over the past 3 years. How did it happen? The CLP said that it had the plans. It said that it would deliver the jobs. What happened when we went backwards? We have fewer jobs now than we had when this government came to office. That is bad enough, but it gets worse when we look at the national trend series since the election of March 1987, since the CLP's promise of jobs, jobs, jobs.

In 1987, 7 million people were employed in Australia. Today, the figure is 7.9 million. Nearly 1 million additional jobs have been created. If the Country Liberal Party had done nothing more than drift along on the national employment wave of 900 000 additional jobs, a 12% increase, we would now have, not another 3000 or 5000 jobs but almost 10 000 additional jobs in the Northern Territory. Mr Speaker, can you imagine what that would have meant for the Territory economy? All we had to do was keep up with the rate of job creation nationally and we would have had 10 000 new jobs in 3 years. Can you imagine, Mr Speaker, what would have happened to the Northern Territory economy if we had had 10 000 new jobs in 3 years?

Forget that the CLP blew its promise. Of course, the member for Nightcliff paid a pretty high price for that. How did it manage to foul things up so comprehensively that, while 1 million jobs were being created nationally, not a single additional job was created in the Northern Territory and, in fact, 1000 jobs were lost? To be fair, nobody doubts that the CLP is sincere. People say that members opposite have their hearts in the right place. It is where their heads are stuck that is the problem. Nobody doubts that they were sincere when they said that they had a plan to create 1000 jobs a year. Over the past 3 years, we have watched that plan unfold. The Trade Development Zone was an industrial revolving door where, one by one, firms went in and, one by one, came out again - Hungerford, the plastic bag manufacturer, Skycom and, last week, Hengyang.

Mr Coulter: Every 3 minutes, a small business shuts down in Australia.

Mr SMITH: And every year, in Australia, 300 000 jobs are created.

Mr Coulter: We are not denying that. Some are successful and some are not.

Mr SMITH: Where is the Northern Territory's contribution?

The zone plan has cost the taxpayer $50m. Nobody in the business community wants to ask how much it has cost them in bad debts and aggravation. Of course, we also have State Square. It is the concrete expression of a CLP idea, but do our kids really want to have a $100m debt strung around their necks for 30 years to give us, the politicians, a nicer lifestyle? The State Square plan will not impact much on the trend series because it does not create any long-term, new employment.

Those are the projects which got off the ground although, in some cases, they did so only for a short time. What about all the others? The government has Myilly Point involved in some sort of sweetheart deal at a time when people have been knocking on the door asking to submit an expression of interest. There was the Milatos proposal and the plan to turn Darwin into the new Subic Bay for the US Navy or, failing that, the new Hong Kong. That is the sort of rhetoric members opposite have been spouting instead of getting on with the task of creating jobs.

Mr Coulter: Where would you do it? Coronation Hill? Jabiluka?

Mr Finch: More public servants and sack the contractors. That is your policy.

Mr SMITH: The members opposite know that they have blown it, and they know how they blew it. They blew it because they are economically illiterate.

The question is, Mr Speaker, where do we go from here?

Mr Coulter: Ask Wayne Goss.

Mr Reed: Yes, ask Wayne Goss.

Mr SPEAKER: Order!

Mr SMITH: Mr Speaker, the first thing that you must recognise is that, in the past 3 years, a small miracle has been occurring. The miracle is that we have a business community which has learnt to survive all that the CLP has been able to throw at it. It has taken the CLP's worst shots and kept going. It has been resilient, intelligent, alive and vibrant. It has managed to hold the line.

The business community has faith in the Territory and that faith is matched by an optimism and an enthusiasm about our long-term future. Our job - and members opposite have not realised it - is to create a government which can connect with that energy and that faith. Our job is to create an environment where business can work and plan assured of a reliable and sensible approach by government. How can business rely on the government to create a proper environment when it keeps messing up the marketplace with deals like Darwin Joinery and the Sheratons ...

Mr Finch: There are another 80 jobs that you would wipe out?

Mr SMITH: ... or when it wraps up special development deals which freeze out the market competition, as at Myilly Point. How can it work and plan with this government when the government changes the rules halfway through the game, as it did in the case of mining royalties and the Groote Eylandt Mining Company? You cannot function when you always have to be looking over your shoulder wondering when Big Brother will come barging in again.

This side of the House is committed to changing the way government operates in the Northern Territory. We are committed to providing Territorians with government that is open, honest and accountable, and that treats the taxpayers' money with respect and responsibility. We will begin immediately after the election. In the 'state of the Territory' talks, for the first time since self-government, we will open the book - not partially but completely. Every Territorian will be able to see and know the Territory's true financial position. All Territorians, through the various peak business, union and community councils, will have their say in setting the government's action priorities in the 1990s. Already, we have reached consensus on the major priority, that of getting the Territory moving again, and of doing so in a manner which allows it to move in a steady way towards lasting and sustainable growth. We can achieve that because we will be building on the efforts Territorians have made and sustained throughout the past few years. On this side of the House, we are committed to working with Territorians and building with Territorians.

Mr Coulter: Where will the jobs come from?

Mr Finch: One example.

Mr Hatton: One example would be interesting.

Mr SMITH: Mr Speaker, we have announced already some of the policies that will enable private enterprise ...

Mr McCarthy: You are looking at social ownership. You say so in your policy.

Mr Vale interjecting.

Mr SPEAKER: Order! I ask both the Minister for Tourism and the Minister for Labour, Administrative Services and Local Government to remain silent. Some interjections, obviously, will trigger a reply from the Leader of the Opposition, but I ask that the cross-Chamber chatter cease.

Mr SMITH: Thank you, Mr Speaker. We have announced already some of the initiatives which the ALP will introduce to enable private enterprise to get on with the job of creating business in the Northern Territory. I will go through them briefly.

Firstly, there is the North Australian Economic Community. Territorians know that we have already reached agreement with the Queensland and Western Australian governments, and Senator Bob Collins on behalf of the federal government, on an agenda for quadripartite talks to establish the NTEC. Getting the north of Australia moving is high on that agenda, as is doing it in a way which sets aside political boundaries and looks at the region as a whole. That simple mind-shift alone will create an atmosphere in which business can grow and flourish right across the top of Australia, particularly in the Northern Territory.

Trade North, an authority run by private enterprise, will guide the government to an effective, integrated program for trade development and foreign investment. It will integrate all of our export effort and all of our private investment effort. It will put it together in a coherent way so that we can offer coordinated assistance to all industries wishing to be involved, not simply favourites which might want to move into the Trade Development Zone. We will have an integrated effort right across the board. We will recognise the efforts of Territorians who might want to expand their job creation base and move into exports, instead of ignoring them as the government does at present.

We also have the Regional Facilitator Program, the single most successful program for regional development in the last decade. We have made a commitment to introduce that program, initially in Tennant Creek and Nhulunbuy, and we confidently expect it to create a number of jobs. It is an indication of a government commitment to help people with good ideas to put those ideas into action, and to get out of the way so that they can do so.

Development agreements are another vital area. The government, for example, has spent $50m on the Trade Development Zone to allow companies to set up there. It makes no demands of them. It does not demand that they liaise with local industry. It does not demand in any way at all that they integrate their efforts into the local community. They are out there on their own. Under Labor, those free rides will be finished. Businesses which come into the Northern Territory with government assistance will have to deliver something to the people of the Northern Territory in return. We

will formalise that by means of development agreements. Throughout Australia, there are examples of development agreements which have been very effective in ensuring that local industry picks up as much work as possible from major new projects. Such agreements have been beyond the wit of this government. We have a commitment to do something about it and we will. It is as simple as that.

Mr Speaker, I have spoken about some of Labor's initiatives which will create jobs and develop a climate of confidence after the next election. Obviously, further initiatives will be announced in the build-up to the election campaign. Let me conclude by saying this. The CLP government made a commitment, spelt out in black and white, to create jobs. It said: 'We will generate 1000 new jobs a year through growth'. Those words appeared in the NT News on Wednesday 4 March 1987. But what do the ABS trend figures say, also in black and white?

Mr Coulter: They do not mean anything.

Mr SMITH: They do not mean anything?

Mr Coulter: It is wage and salary earnings that you should be quoting. You are being set up. Sit down. Conclude quickly.

Mr SMITH: Employed persons. Jobs. Let me say it simply. Jobs equals employed persons, equals a trend in the labour force in the Northern Territory. The Employed Persons Trend Series provides the most accurate figures available in terms of the job situation in the Northern Territory. The Australian Bureau of Statistics itself says that these are the most accurate figures available in the Northern Territory.

Mr Coulter: Based on a 1% sample group.

Mr SMITH: Sure. The trend figures indicate that there is a serious problem with the Northern Territory economy. The 3000 new jobs which we thought would be created have not been created. In fact, 1000 jobs have been lost over the past 3 years.

The honourable members opposite might like to look at the July figures, which indicated a jump of 2000 people. If one were bold enough to rely on those raw figures, they would indicate a job creation improvement from March 1987 to July 1987 of about 500 - a 500-person increase. We all know that we have to be very wary indeed of those sorts of figures. We now have the most accurate and reliable figures available, and they indicate clearly that this government has failed in its central election commitment to create 1000 jobs a year.

It has failed. No other words can describe what has occurred. This government has failed abysmally, while there has been a 12% increase in the number of jobs in the rest of Australia. There have been 900 000 new jobs in the last 3 years and 1.6 million new jobs since 1983. However, in the Northern Territory, we have lost 1000 jobs in the last 3 years. That is why we have moved this motion today. The heights of this government's ineptitude have been revealed. It said that it would generate 1000 new jobs but, 3 years later, what has it done? It has lost 1000 jobs. We have moved this motion in order to bring to the attention of the public of the Northern Territory the disgraceful record of this government in terms of economic management.

Mr PERRON (Chief Minister): Mr Speaker, I think we all know what the motion is about. It is not really about the words on the piece of paper circulated to honourable members. It is an excuse for the Leader of the Opposition to try to launch forth in time to obtain media coverage this evening. I think he may be trying to release some sort of new policy, but I am not quite sure. These ALP policies all become a bit grey these days. They flutter about with about as much impact as a piece of confetti. I gather that the Leader of the Opposition was trying to tell us that a new organisation would set the world on fire under a Labor government. I have forgotten exactly what it was called. I think it was a commercial promotion agency, or something similar.

Like other honourable members, I find the range of statistics which are available these days from various sources, including the ABS, to be confusing at times. Of course, we all rely on other people to assist us with these matters. I would be prepared to match my economists with those of the Leader of the Opposition at any time. As I understand the situation, the Labour Force Australia statistics, which the Leader of the Opposition has been using as the basis for the figures in his motion, are generally regarded as being fairly unreliable. They are only broad indicators, based on a random sample of selected households. Of course, they serve a purpose. I am not denigrating the figures or saying they are of no use at all. However, they are broad trends figures, whereas we are talking about how many people are employed in the Northern Territory at given periods of time. That is really what counts if we are talking about whether we are making progress or not.

The figures released by the ABS in the Employed Wage and Salary Earners Series in fact contain all wage and salary earners who received pay for any part of a relevant pay period. The figures are based on the numbers of people who actually receive money - people who are working - rather than a random sample survey of 1% of households to find out whether people in the household are working this month or not working this month. We are talking about the jobs. In fact, the CLP's promise to create 1000 jobs a year in the Northern Territory has been more than fulfilled. The Opposition Leader would have us believe that that is not the case. The promise was based, as our figures have been, on wage and salary earners. Between 1987 and 1989, the period referred to in the motion, total wage and salary earners in the Northern Territory have expanded by 6600 jobs to a total of 61 300. This represents an annual growth rate of 3300 jobs, which is over 3 times what was promised. We were a little conservative in those days about how many jobs we really could create.

The second section of the motion indicates that things are much better outside the Northern Territory because there has been a 12% increase in jobs nationally. The advice that I have received, and I will back my economists against the opposition's at any time, is that the opposition's figure is wrong and that the amount of growth is 10% rather than 12%. Perhaps the opposition could go back to the drawing board and at least make sure that the motions which it puts before this Assembly contain correct information.

The third part of the motion suggests that the Assembly should express concern because the number of jobs in the Territory dropped by 1000 during the 3-year period in question. ABS releases 2 publications showing job growth. The first refers to wage and salary earners and the second to the labour force. As shown in the Employed Wage and Salary Earners Series, over 6600 jobs have in fact been created since 1987. The total number of people employed in July 1990 was 75 800, an increase of 2300 jobs on the March figures in 1990. This is due to a strong rise in full-time employment,

which has risen by 3000. In other words, there has been a strong increase in the quarter leading up to July this year. Let me refer again to the figures used by the opposition. Labour force statistics for the month of July were released by the ABS only 5 days ago. They showed that employment in the Northern Territory rose by 3.4% over the month compared with a national increase of 0.3%. The Northern Territory unemployment rate of 6.4% remains below the national rate of 6.7%.

The significant fact which has emerged today is that there has been some growth in the Northern Territory despite what obviously is a very difficult national economic environment. That growth has been achieved in spite of the policies we carry around on our back like several bags of sand, the policies of the ALP, which are endorsed by the party both nationally and locally. Territorians have felt the impact of the lack of sensible decisions on uranium mining. Such decisions could have seen this place up and running, probably together with the rest of the country. The federal government's decisions have resulted in the insane situation affecting Coronation Hill at present. The federal government will not let us run a powerline to Jabiru which would enable us to make some economies in our power system. During the past 6 years, we have received a 28% reduction, in real terms, in funding from the Commonwealth. All of this has helped to slow us down as far as creating jobs is concerned.

The local opposition maintains its constant criticism and opposition to the TDZ, to the construction of the Supreme Court Building and the new Parliament House, its attitude towards 5-star hotels in the Territory and its attitude to Yulara. The ALP is now trying to persuade the electorate that it should take the CLP's place on the government benches at some time in the near future. However, it is quite clear that, had the ALP been in power in the Northern Territory for the last 12 years, Yulara would not exist and the phenomenal number of jobs that have been created there would not exist. Instead, there would probably be a tent city at Uluru or, at the most, an up-market demountable city. There would be no 5-star hotels and the TDZ would not exist. The BTEC program would have been shut down about 3 years ago. Of course, there would have been none of the type of support that the government gave to a company to take over the former Darwin Joinery. We would not have the jobs that are being created by those activities.

Mr Bell: Good grief. It is a pretty poor effort, Marshall.

Mr Ede: It is one of your worst efforts.

Mr PERRON: It is very hard to put your heart into it because there is just ...

Mr Bell: I suppose if you have Doctor's Gully to worry about ...

Mr SPEAKER: Order! The member for MacDonnell will remain silent for the next 7 minutes.

Mr PERRON: Mr Speaker, indeed it is difficult to get fired up after hearing the Leader of the Opposition in his very poor support of a motion which itself is pretty poor. Really, his motion was an attempt to advise Territorians that his government will fix everything and create lots of jobs, and to persuade them that this government has not done the job at all.

I would like to reflect on a couple of the policies of the ALP. The Leader of the Opposition did this himself. He told us how he would fix it

up and get the place moving. We all know that members opposite are bound to implement the policies in the ALP platform. They cannot simply do a dodge, despite what the Leader of the Opposition has been telling us lately - that they will do some things and not others.

One of the ALP policies says: 'A Labor government will support, by all possible means, union advocacy for a shorter working week with no reduction in wages and conditions'. I suppose it could be argued that, theoretically, a shorter working week will lead to more people being employed because more people will be needed to do the same amount of work. Whether the private sector will be able to sustain economic viability and simply keep shortening the working week at the same time is another question.

Another policy states: 'A Labor government will review the current system of contracting and subcontracting with the aim of increasing the government's permanent work force'. Clearly, the government could have a significant influence in that area. The government could take back much of the work which is put out to private enterprise and, indeed, this government probably puts out more work to private enterprise than do most governments in Australia. A Labor government would reverse that trend. It could control the number of new jobs simply by creating more and more public service positions and recruiting to them as fast as taxes could be raised to pay for it. Whether that would be effective or efficient, or would advance the cause of the Northern Territory, is another question.

Here is another one: 'A Labor government will ensure that no government employee or employee of a statutory authority will be required to work in excess of 35 hours a week'. That is pretty interesting. There is quite a number of people in the executive levels of government who certainly work more than 35 hours a week and I can assure you, Mr Speaker, that they are expected to. They do not put their hand out for overtime rates. They are expected to do the job whatever the hours required. Obviously, we would have to increase staff quite dramatically in order to ensure that no one worked more than 35 hours. It is a nonsensical policy and the ALP platform contains many more of them.

'A Labor government will support union initiatives to discourage the use of modern technology to monitor performance in the workplace'. It is really incredible stuff! I only picked the eyes out of a few of these policies.

'Labor in government will assist those who choose not to be part of the normal labour market to establish economic independence to enable them to generate a level of income appropriate to their lifestyle'. I am not sure whether this is creating work or redefining the word 'work'. We will come to that in a minute. Maybe ABS will have to develop a whole new raft of statistics.

'Labor in government will adopt a more liberal definition of the word "work" to support those developing work programs not as important as paid work, those who wish to become self-sufficient without using labour as a means of exchange, and those who pursue cultural activities which may not lead to self-sufficiency'. If ever the ALP gets into power, heaven forbid, we will have a completely new statistical basis as to what work is and what jobs are. I suppose that an ALP government would be able to pump the figures up a bit here and there so that they would reflect anything it wanted.

'Labor in government will work to ensure that labour-saving technology is introduced only after full consultation with trade unions and only in such a manner as to share the benefits as widely as possible'. It is quite clear that one way in which the opposition will try to keep jobs in the Northern Territory will be by stopping anyone from becoming any more efficient by the use of labour-saving devices.

'A Territory Labor government will act in the marketplace in whatever ways may be necessary to ensure that people living in rental accommodation pay fair rents'. I can assure the Leader of the Opposition that that will not help to increase the work force. The only effect rent control has had - and we have experienced it at first hand in the Northern Territory, Mr Speaker, as you would be well aware - is to bring the commercial accommodation industry to a dead stop. That is exactly what it did for some years. It certainly does not create any employment.

'A Labor government will give priority to establishing legislation to regulate the operation of subcontractors with the aim of ensuring that they receive, as a minimum, those wages and conditions applying under the appropriate award, determination or industrial agreement'. It seems that we are now even saying to people who are prepared to be self-employed that we will interfere with the prices they tender for work because we will ensure that they obtain a minimum of award condition rates. Probably, a subcontractor would not be able to work overtime without paying himself overtime rates. It is absolute nonsense to propose that we interfere in a subcontracting system basically in order to tell people what their prices will be. The only role that we should have in that regard is to ensure that subcontractors have appropriate insurance for themselves and their employees and that they abide by normal industrial safety standards. What we have here is a good example of people who do not like subcontracting at all. They would much prefer day labour.

'A Labor government will ensure that, as far as possible, all labour employed by local government authorities is employed as councils' permanent work force and that use of contract labour is discouraged'. If ever we were looking for something that distinguishes between the 2 sides of this House, this certainly is it. Our policy is precisely the opposite. We believe that government and local governments should minimise their day labour forces and have the more efficient private sector do as much work as is humanly possible.

'A Labor government will ensure that preference to unionists shall be extended by councils to all officers, staff and wages employees'. I am not quite sure why they have limited it to ...

Mr McCarthy: That is equal opportunity.

Mr PERRON: ...local government. Yes, I do not know what happened to equal opportunity. You have the same right not to be a member of a union as you have to join a union. Sadly, now and then in the world of politics, we get into the realm of prostitution of principles.

'Labor will prevent the development of any uranium mines other than Nabarlek, Ranger and Roxby Downs'. This is local Labor policy of course. Even if the federal government overturns its insane 3-mine policy nationally, the local ALP has a policy of not supporting the development of any more mines in the Northern Territory, notwithstanding what its federal colleagues may think.

Mr Speaker, that is all I have to say in this debate. Obviously, we reject the motion put forward by the Leader of the Opposition. As I have demonstrated, he used inaccurate figures. His reason for moving the motion had nothing to do with labour force statistics, but was to give him an opportunity to speak to the Assembly about ALP policy. I have been pleased to enunciate a few of those sections of ALP policy which he probably prefers not to have enunciated.

Mr EDE (Stuart): Mr Speaker, it is unfortunate that, in a debate of this nature, the facts tend to be easily distorted by the corrupt use of statistics. Unfortunately, the public has become fairly cynical about statistics and agrees with the old adage of lies, damned lies and statistics. The best people to judge which figures are most accurate are probably the people who compile them. I see that the Leader of Government Business is agreeing with that. That is excellent; we are getting somewhere. We should ask the ABS which statistics are the best.

In this debate, the opposition is relying on the Labour Force Australia Series, not on a month-by-month basis but on a trend basis. The reason is that this irons out monthly variations which can throw up some rather bizarre fluctuations because of the size of the sample. You iron out those fluctuations by taking the trend analysis, which is what we have relied on. Government members are relying on another series called Employed Wage and Salary Earners. That is the difference between the 2 sets of figures that are being used today.

Let us consider which is the more accurate set in terms of being able to decide where the movement is taking place and what is actually going on.

Mr Coulter: How do you get the wage and salary earners figures?

Mr EDE: Mr Speaker, the Leader of Government Business is interjecting and demonstrating his ignorance. He will have every chance to stand up next to demonstrate to the whole world his ignorance in this regard.

Mr Coulter: Where do the figures come from?

Mr EDE: I beg him to take it easy. We will all know his ignorance in a few minutes.

I will quote from the publication of the Australian Bureau of Statistics which the government is relying on: the Employed Wage and Salary Earners Series. In terms of the methodology employed ...

Mr Coulter: Do the trend first.

Mr EDE: Mr Speaker, he will have his turn. All he has to do is wait. Hopefully, he will be educated and will not make such a fool of himself when he stands up.

It states that there are conceptual and methodological reasons for differences in the estimates produced by the 2 surveys. It says: 'The 2 series should be seen as complementary. Movements in them have generally been broadly consistent. In recent time periods, the 2 surveys have shown some divergence in the estimates produced'. The next section is in heavy type so that even the Minister for Industries and Development may be able to follow it: 'The ABS considers that the Labour Force Series provides the better indicator of overall employment movements at the Australian and state

levels'. That is on page 1. Obviously, members opposite did not even get to page 1.

Mr Coulter: Read out what it says about trends.

Mr EDE: You have been wiped off the floor, right? Take your medicine. The ABS itself states that the better indicator of the 2 is the Labour Force Series. This is the series whose figures we have relied on and which shows exactly what we have stated.

We have figures here for the years 1985 to 1990. Obviously, in this debate, we are relying on the figures for March 1987 through to July 1990. March 1987 shows 74 500 persons in the labour force. The July 1990 figure shows 73 500. According to the ABS, these are the figures which provide a more reliable basis for arguments and discussions of this kind. We can wander into the realms of mickey mouse figures, we can play with figures that the Australian Bureau of Statistics itself has said are not reliable, or we can take the advice of the ABS and utilise the figures which it says we should be using.

We have established already that the figures which the ABS believes to be valid show that we have lost 1000 jobs during the last 3 years. This contrasts with the 1000 jobs per year which the CLP promised to create, which would have made a total of 3000 jobs. That makes a difference of 4000 jobs - 4000 jobs that we do not have. It relates directly to the inefficiency and inability of the government opposite to deliver on its promises. Government members have spoken about jobs, jobs, jobs. I have always categorised it as promises, promises, promises - because that is all it has been.

Mr Coulter: Is that right?

Mr EDE: Yes. It's 'gunna, gunna, gunna'. The government is always 'gunna' do something. Mr Speaker, what do you see when you look at the actual results? You find that it delivers nothing. It delivers inertia, lack of growth and fewer jobs. That is what is wrong in the Northern Territory today.

On the national scene, we know that more than a million new jobs have been created during the period we are talking about. Meanwhile, members of this government have been blaming everything except themselves. We have heard them blame high interest rates. We have heard them blame the pilots' dispute. We have heard them blame the federal government. I can see now that they are getting themselves organised to start blaming Iraq. That will be the next thing that we will hear. They blame everybody except themselves but they cannot explain why, in a period when they lost 1000 jobs having promised an additional 3000 jobs, governments elsewhere in Australia were able to create a million new jobs.

Even if the government had done nothing except match what has been done elsewhere in Australia, if it had just flowed with the tide, there would have been 10 000 new jobs here. That is the number of new jobs which would have been generated in the Territory if we had matched the rest of Australia in job growth. But, we have not. The shame of it is that this government has presided over probably the most substantial decline in jobs in this Territory since the war. It has taken a great Territory, a great place, and it has failed in its duty to do anything to assist in its development. The government has missed opportunities because its members have been off in fairyland. That is where their policies have come from. I will not go

through them all chapter and verse but we all know the problems with Myilly Point, the Sheratons, the Yularas and the casinos.

Mr Coulter: 1753 jobs. That's what the Sheratons and Yularas are.

Mr EDE: The net effect on the Territory has been 1000 fewer jobs. You can talk about individual situations, but what you have done is to completely destroy the economy, with jobs leaking out in various sectors. The net result is 1000 fewer jobs than existed when this government came to office. We have had the scandals at the Trade Development Zone, and the story goes on and on! The government has not put its old ways behind it. It has not changed its philosophy or approach. In fact, it has now involved itself with the Darwin Joinery.

Mr Coulter: That saved 70 jobs. Jobs, jobs, jobs.

Mr EDE: You saved 70 jobs, did you? I am continually approached by people throughout the Territory who are in predicaments which are not of their own making.

Mr Coulter: That's what you said about BTEC. We found that to be false after a police inquiry too.

Mr EDE: I could talk about how many jobs were lost as a result of that devastating act on the part of your colleague.

The fact is that the government has not learnt from its mistakes. It is continuing with a mishmash of socialistic polices which it has somehow dreamt up - policies which have no credibility with this side of the House and which will not be used in our program for the development of the Territory.

We have talked already about the work that we are doing in putting together the Export North program. It will have a private enterprise board of management, thereby ensuring that there is a differentiation between the government's role of setting the parameters and creating an environment within which growth can occur, and the role of private enterprise in actually carrying out the activities which create that growth. That is something which this government has never learnt and shows no indication whatsoever of learning despite the losses it is taking in the job market.

These are the policies that we have been putting together and they will be put into effect after the election. We are looking at a whole range of areas. My colleague spoke about the North Australian Economic Community. Let us take one aspect of that in order to understand how we are missing out on job growth in the Northern Territory because of this government's failure to find a means of cooperating with other governments across the north to develop the northern part of Australia in a consistent manner.

Mr Coulter: We have a lot to learn from Queensland about roads - not to build them like it does.

Mr EDE: Exactly. When you get to the Queensland border, the roads disappear. In the Territory, there are roads whether you are going through Wollogorang or on the Plenty or the Sandover. As soon as you reach the border, you have nothing. One would have thought that this government could have negotiated when the conservatives were in power in Queensland. They should have come to some sort of an agreement about fixing the gaps. If they had done that, the job growth in Borroloola and movement on the Plenty

Highway would have been quite substantial. Members opposite still cannot see the potential there and that is a shame. I do know that they will have a long time in opposition to countenance where they went wrong. I have this feeling that I will give them nothing to do when they are in opposition. They will have a long and fruitful period of looking at where they went wrong. I hope that some day the penny will drop.

One of the final nails in the government's coffin is the banner that it held up as its philosophy and what it would achieve when it was re-elected in 1987. The 1000 jobs a year was at the centre of all of its ads. What do we find after 3 years? Not even 1 job per year. Unlike the rest of Australia, which has experienced job growth, the Northern Territory has had a net loss of 1000 jobs over that period and, for that, the government stands justly condemned.

For that reason, I call on members to support this motion. Unless we in this House are concerned about the fact that we have lost those 1000 jobs, what hope is there for private enterprise to get on with the job of developing the Territory? What hope is there for the average Territorian who is looking for some personal job security and for future employment opportunities when the children grow up? What hope is there for such people when members of this House show no concern? The only way that this House can demonstrate its concern and display a commitment to start getting on with the job is to pass this motion and work out the ways and means so that, finally, we will have something done in this Territory.

Mr COULTER (Mines and Energy): Mr Speaker, I cannot believe the Leader of the Opposition's timing in respect of this motion. It is about the equivalent of my standing up and saying that everything in the Trade Development Zone has been running smoothly for the last 12 months. That is how bad it is. His timing is absolutely awful. The very latest set of figures available from the Australian Bureau of Statistics showed that employment in the Northern Territory rose by 3.4% in the month of July 1990. That increase was well above the national average increase of 0.3%. At the same time, the Territory unemployment rate of 6.4% is the second lowest in Australia and below the Australian average of 6.7%. You need look no further than 'The State of the States' in The Weekend Australian to get some of the figures and to see what has been happening around Australia. In fact, the total number of employed persons in the Territory rose during July by 2500 to 75 800.

In a moment, I will speak about the trends and whether or not, and why, we use the wage and salary earners section of the ABS figures or the labour force figures. However, at this stage, it is interesting to note from the labour force trends that the December figures for each of those years indicate an increase. Members opposite are very selective in their regard for the truth.

As many as 3000 more Territorians were employed on a full-time basis - that is what the figures tell us. Of the 2900 people who entered the Territory labour force in July, 86.2% found jobs. The rest of Australia achieved only half that rate. This is all undeniably good news for the Northern Territory. Any economist or demographer who has standing in the community will tell you that. Never mind the feeble attempts of the Leader of the Opposition and his very, very faithful deputy leader. I take back everything I have said about him trying to take the Leader of the Opposition's job from him. Anyone who would follow him on a subject like this must be loyal. It was a gutsy effort, and I admire the Deputy Leader

of the Opposition in his new-found faithfulness. Instead of trying to take the job from his boss, obviously he is now prepared to die with him.

Mr Ede: You have not backed up your boss's remarks yet. I suppose somebody ought to.

Mr COULTER: It is not mere government rhetoric. These are figures produced by the Australian Bureau of Statistics. The whole tenor of the opposition's contribution to this debate is designed to give the impression that job numbers in the Territory are declining. Clearly, that is not the case. The trends are all positive. There is one thing that I will say for the members of the opposition: they have a ton of cheek. The essence of their story is that the economy is in decline, that jobs are disappearing, and that only Labor has the right answer. That is what they want us to believe. Of course, the facts show that they do not know what they are talking about.

Australia today demonstrates that Labor definitely has the wrong answer. The national economy is severely depressed under the Keating plan. We were told that we were in for a soft landing. The truth is that we are in a nosedive on full throttle. That is what is happening. Citizens are marching in the streets in Victoria. The Premier and the Treasurer have been sacked, and the creditworthiness of the state's financial administration has been downgraded by Moody's. In Western Australia, another Premier has been sacked because of irresponsible handling of the economy. Unemployment has increased in every state in Australia from January to July this year.

Queensland, the state now tied into the Territory Labor Party's pre-election strategy, has the nation's second highest unemployment rate at 8.3%. We have heard the Leader of the Opposition talk in very derogatory terms about K.K. Yeung, our representative in Hong Kong, and his efforts to help us in the Trade Development Zone. As the Leader of the Opposition has now hooked himself to Wayne Goss, I wonder if he will continue to rubbish K.K. Yeung, who is out to lunch with the Premier of Queensland, Mr Goss, advising him on investment opportunities in that state. Let us see the Leader of the Opposition eat his words about K.K. Yeung now. All of a sudden, K.K. Yeung will be the shining star and we will be told how we should not insult him and what a great guy he is. Let us see him do a 360° backflip on that. Of course, Mr Goss would have told the 'would-be' and 'will-be' Leader of the Opposition about that.

I predict that the member for MacDonnell will be the Leader of the Opposition in a very short time, and it would not surprise me if the member for Wanguri were elected as his deputy.

Mr BELL: A point of order, Mr Speaker! I know that the Deputy Chief Minister is pretty thin on material for his contribution to this debate, but I would point out that speculation about the shape of a future Labor government is beyond the scope of this topic. I suggest, Mr Speaker, that you encourage the minister to stick to the actual terms of the debate.

Members interjecting.

Mr SPEAKER: There is no point of order. During this morning's debate, I have allowed members on both sides of the House to range widely and freely because of the content of the motion moved by the Leader of the Opposition, and I intend to allow debate to run freely this afternoon.

Mr COULTER: I understand the nervousness of the honourable member. He has some considerable trouble in manoeuvring for the leadership of the opposition and, now that victory stares him in the face, he cannot recognise it.

Mr Speaker, the fact is that K.K. Yeung had lunch with Mr Goss in Queensland the other day. I am interested to hear what the Leader of the Opposition has to say now, bearing in mind that he has done nothing but rubbish K.K. Yeung over a long period.

It has been shown that the Keating plan is in tatters all over Australia. Unemployment increased in every state from January to July this year. Queensland, the state which is the focal point of the Territory Labor Party's pre-election strategy, has the second highest rate of unemployment in Australia. Last time around, the opposition was saying: 'Labor's Territory will boost development and put the profits in your pocket. A Smith Labor government will draw on the expertise and success of the Western Australian model and establish the same system for developing the Territory'. The opposition has gone off the west coast now and has turned to the east coast. It is now using the model of Queensland which has the second highest unemployment rate in Australia, a rate of 8.3%. Only Tasmania, another Labor state, has a higher rate at 9.2%. Job vacancies in Victoria have fallen by a massive 24.2% in the past 6 months. They have fallen by 16% in Western Australia. In fact, job vacancies as measured by the ANZ Bank have fallen by an average of 16% across the nation.

What about retail trade? It has fallen by a massive 3.9% in Western Australia in the last quarter and by 0.6% in Victoria. Business confidence has fallen by 28.6% in Victoria, 18.2% in Queensland, 13.2% in South Australia, 26.6% in Western Australia and 23.2% across Australia. We need not go much further to realise which parties are in power in those states.

Is the Labor recipe for success supposed to be our model? The Labor Party here pins its hopes for electoral success on the Goss Queensland model. Nevertheless, in Queensland today, Premier Goss has instituted an unbelievable 85 reviews of government departments and authorities. The effect has been a virtual halt to government activity while everybody concentrates on reviews. In the last Queensland election campaign, Mr Goss proudly announced that he would run Queensland as Premier Cain ran Victoria. That is what he said. Those were his words. Now we have the Leader of the Opposition saying that he will use the east coast success model this time, not the west coast model. However, it was Mr Goss who proudly said that he would run Queensland along the same lines as Cain was running Victoria.

Does the Leader of the Opposition endorse that approach? We will certainly tell people about it. We will certainly highlight the words of Mr Goss, the man to whom the Leader of the Opposition turns because he has no ideas of his own. The Territory Labor Party's pre-election strategy is in tatters. We all remember Labor's campaign advertisements in the last Territory election. It referred to WA Inc and VEDC. It said that, if elected, Territory Labor would bring institutions of that ilk to the Territory. There is no getting away from that. We have to admire the Territory electorate, which woke up to what would happen if a Labor government was elected. I take my hat off to Territorians. It all goes to show that the opposition's economic policies are merely the policies of opportunism, an attempt to jump on the nearest band wagon.

The Deputy Leader of the Opposition, with his new-found admiration for the Leader of the Opposition, has said that we should ignore the figures concerning wage and salary earners, those people who were actually paid during the period referred to. Let me give the honourable member a few definitions which I have obtained from economists and other people who know a little about these matters. We refer to the wage and salary earner statistics when we refer to job growth over long periods. The survey of wage and salary earners is the most accurate indicator of job growth because it includes all wage and salary earners who receive pay for any part of the relevant pay period. All permanent, temporary, casual, managerial and executive employees are included.

On the other hand, I am reliably informed that labour force statistics, which include trend estimates, constitute a less useful indicator of job growth. Labour force figures are based on a randomly selected survey of households considered to be representative of the entire population.

Mr Smith: Who is your source?

Mr Ede: Who told you that?

Mr COULTER: The information comes from people on whom I rely, people who have advised me on many occasions.

The Leader of the Opposition should read the definition of 'trend' before he replies in this debate. We know how many people are consulted in the process of putting together the trend figures. The interviewers simply pick up the telephone or knock on some doors. How many people do they telephone? Does the opposition know? The answer, Mr Speaker, is 35 people. I do not understand the Leader of the Opposition. We have always agreed that, in the Northern Territory, a sample of 1% or less is unreliable. He is now staking his political future on such a sample. We have never accepted those trend figures because of the poor sampling. It is nothing to do with the reliability of the ABS, whose officers will tell you that themselves.

Mr Smith: They tell you that it is the most reliable statistic.

Mr COULTER: That may be the case in other cities, where a 1% sample is a broad group. But here, a 1% sample might be made up of 6 people in Karama, 10 in Fannie Bay, 2 in Tennant Creek, 1 at Rabbit Flat and 16 in Alice Springs.

Mr Bell: Are you sure that the Australian Bureau of Statistics will agree with you?

Mr COULTER: It will. Go and speak to its staff. The trend statistics are not representative of the entire population. They are used to make judgments about activity in the last few months. The latest such statistics came out in July 1990. As wage and salary earner figures are not as up to date, trend estimates provide a broad indication of the current state of the economy and are less volatile than other labour force figures as they take into consideration seasonal changes, school holiday patterns etc. Whilst that is the case, trend estimates are still based on a small proportion of the population, in this case some 35 people.

Let me now return to the figures for wage and salary earners, which the Deputy Leader of the Opposition did not quote from. What information do they give about the number of people who are being paid a wage or

salary - that is, people who have a job. I might say here that, given the opposition's definition of the term 'work', it is hard to imagine what it considers a job to be. However, in March 1987, 54 700 people were employed. In March 1990, 61 300 people were employed. That is an increase of 6600 jobs since March 1987. That is what the figures show, but the Deputy Leader of the Opposition made no reference to it. If that does not represent additional jobs, what does? We have done much better than the extra 1000 jobs per year that we promised. That is so obvious that even the Deputy Leader of the Opposition should be able to understand it.

Mr Ede: You are digging a very big hole. My colleague will soon bury you in it.

Mr COULTER: Your colleague will probably walk out on you. You should be nice to him because he will be the new Leader of the Opposition - if he retains his seat, of course - in a very short time.

Mr Speaker, I could go on and on about this. The Weekend Australian devoted many pages last weekend to the retail trade sector, job vacancies and so forth throughout Australia. It is no secret that the national economy is in a disgraceful state with jobs being lost hourly. 60 000 positions have been lost already in the manufacturing sector in the 1990-91 fiscal year. That is the proud record that we have under Labor governments around Australia. Mr Goss said that he would be proud to run Queensland as Mr Cain has run Victoria. We will quote those words regularly.

In today's NT News, Frank Alcorta quotes a range of statistics from the Australian Bureau of Statistics, the NT Treasury and the Chief Minister's Research Unit. This is what he had to say about jobs:

> Just as important as population levels is what people do for a living. The figures here also show a dramatic difference from the rest of Australia. While, in Australia as a whole, there has been a big jump in the numbers employed in the public service and just as big a loss in the numbers employed in the private sector, here the reverse is the case. Employment in the private sector expanded by 5400 jobs or an astonishing 16.1%, from 33 000 jobs to 39 000 jobs in March 1990.
>
> A similar comparison for the public service reveals growth of 800 jobs, or 3.7%, from 21 500 to 22 300 jobs. Increases in employment in the NTPS (up 700 jobs) and local government (300 jobs) offset a fall in employment in the federal government (down 200 jobs).

I will not be long on this, Mr Speaker. Telecom people lost jobs. In the Department of Housing and Construction, 70 jobs were lost. Most of the loss of jobs is directly attributable to federal government centralist policies taking people out of the Territory and back to Canberra. We welcome this motion because it is so obviously a nonsense. The timing is atrocious. If this is the first volley from members opposite in a budget debate, we welcome their incompetence.

Mr BELL (MacDonnell): Mr Speaker, that was another example of the type of diatribe which so often substitutes for any substance or real thought on the part of the Deputy Chief Minister. The Leader of the Opposition quite damningly indicated the shortcomings of this government and quite clearly indicated, in terms of the fundamental issue of concern to the electorate in the Northern Territory, why the CLP government has had its day. The

hysterical and ill-informed contribution of the Deputy Chief Minister indicated not only that his time is past but also that the time of this government as a whole is past. The Northern Territory electorate is simply waiting for its opportunity to ring in that change. The approach that has been taken and the broken promises so amply demonstrated by the Leader of the Opposition give a clear indication of how hollow the contributions of the Chief Minister and the Deputy Chief Minister are.

The Deputy Chief Minister spent some not inconsiderable time in trying to extricate his government and himself from their election promise of March 1987, the promise of 1000 jobs a year in the Territory over the 3 years. That did not eventuate. For 15 or 20 minutes, the Deputy Chief Minister tried to explain that the government had fulfilled its election promise. In doing so, he left himself an out. He said, 'I am reliably advised', or words to that effect. He was not even prepared to stand by the information that was provided to him.

With the relatively scant resources available to this hard-working opposition, soon to be the Territory's first Labor government, I might be able to assist the Deputy Chief Minister where both his staff and his own brains leave him short. The Deputy Chief Minister would do well to pay a little closer attention to the sources of statistics. In his loud-mouthed fashion, he attempted to draw a false distinction between the importance of 2 series of Australian Bureau of Statistics figures. He made some extreme statements, off the cuff, about samplings. I do not profess to be a statistician and I presume that the same applies to the Deputy Chief Minister. Therefore, I will not indulge in the sort of absurdities which the Deputy Chief Minister indulged in about people who live here and there and elsewhere around the Territory. It would be all very good if he was on stage but, unfortunately, he is supposed to be running the Northern Territory, in association with the Chief Minister. I have to tell him that the people of the Territory are not too impressed by the sort of absurdities that he came up with today.

I will rely on the opinions and the judgments of the value of different statistics given by the Australian Bureau of Statistics itself. I believe that the views of the ABS in respect of its different series of figures are the most important views to be taken into consideration in this debate. You will recall, Mr Speaker, that the 2 series of figures that are important in this debate are, first, the Employed Wage and Salary Earners Series and, secondly, the Labour Force Australia Employed Persons Trend Series. The Leader of the Opposition based his quite clear criticism of the lack of performance of this government on that Labour Force Series. What does the Australian Bureau of Statistics itself say about the relative merits of these 2 series of figures? I will tell you, Mr Speaker. I will quote from the summary of findings attached to the March quarter 1990 catalogue No 6248.0: 'The ABS considers that the Labour Force Series provides the better indicator of overall employment movements at the Australian and state level'.

Mr McCarthy: Compared to what?

Mr BELL: I think, Mr Speaker ...

Mr McCarthy: Compared to what? You did not compare it.

Mr BELL: I will answer the interjection from the member for Victoria River in a moment. The fact is that the ABS has indicated clearly the shortcomings of the figures that the Deputy Chief Minister relied on.

What is the distinction between these 2 sets of figures? The fact is that the Employed Wage and Salary Earners Series figures do not include some very important categories. Again, I quote from explanatory notes to the series of figures that the Deputy Chief Minister was quoting from ...

Mr Hatton: Page number?

Mr BELL: I am referring to the December Quarter 1989 figures, catalogue number as before ...

Mr Hatton: 6248.

Mr BELL: In respect of the scope of the survey, it says: 'All wage and salary earners, who received pay in any pay period ending within the quarter, were represented in the survey except' - note this exception, Mr Speaker - 'members of the Australian permanent defence forces ...'. I presume honourable members will remember a place called Tindal? The list of exceptions goes on: '... employees of enterprises in the private sector primarily engaged in agriculture, forestry, fishing and hunting, employees in private households employing staff ...'. The other categories are not of importance. The fact is that large sections of people who are self-employed, people in that important small business community in the Northern Territory, are not included in the figures on which the Deputy Chief Minister seeks to rely. For that reason, the point needs to be hammered home, and I believe that the terms of the motion moved by the Leader of the Opposition deserve to be supported.

The figures indicate clearly that, in March 1987, 74 500 people were employed in the Territory. More than 3 years later, 1000 fewer people are employed. The CLP government promised that there would be job increases of 1000 per year and that has not happened, because of fiscal mismanagement by this government and because it has made huge blunders in relation to projects like the Sheratons and the TDZ. We heard the Deputy Chief Minister gleefully recounting the problems which the Victorian and Western Australian governments are experiencing. Let me draw his attention to the fact that he does not seem to have noticed that this government has the same problems. Whilst he has not noticed, the electorate has done so. It will shortly record its displeasure with the failure of the Deputy Chief Minister to notice what a shambles this government has created.

Let me return to a particular area that is of concern to me, because it is in my electorate. I refer to the Yulara Resort. The fact is that, through its fiscal mismanagement, this government has caused serious concerns to my constituents who live at Yulara. The decade of the 1980s was very kind to Australia in tourism and the Territory should have been in a position to capitalise on that. But, what have these people done with respect to Yulara? It is a shambles. I hear the Deputy Chief Minister giggling. After the next election, he will have considerable time to giggle.

Mr Coulter: Earlier, you told me that I would lose my seat. What are you saying? I am going to get back in again?

Mr BELL: That is what I mean. I suggest that he will have considerable time to giggle after the next election because he will lose his seat.

Mr Coulter: Should we have built Yulara or not?

Mr BELL: I will pick up that interjection. It was a commitment by the Whitlam government in 1974 ...

Mr McCarthy: So the Whitlam government built it?

Mr BELL: It was a commitment by the Whitlam government in 1974. I know that that is pretty unpopular and makes pretty bad press. For the benefit of somebody like the Deputy Chief Minister, who evidently lacks a sense of history and certainly chooses to ignore the future, it was a Whitlam government decision in 1974 to move the structures from around the base of Ayers Rock to an area some distance away.

Mr Vale: Ask Jock Nelson about that.

Mr Manzie: You were not here in those days.

Mr BELL: I look forward to the contribution from the member for Braitling. I am not sure that he will have much to contribute, but I will look forward to hearing what he has to say.

Mr Coulter: Should we have built it or not?

Mr BELL: It would be a lot easier, Mr Speaker, if I did not have these interjections. I will give these people their history lesson, but they keep interjecting and that makes it very hard.

I believe that that decision was a sensible one. However, I ask the Deputy Chief Minister or any future speakers in this debate to explain why we have not been able to make Yulara pay for itself when we have had a record decade in terms of tourist numbers. Somebody will be able to tell me whether the number of visitors to Ayers Rock over the last decade has increased tenfold or twentyfold; I do not have the figures off the top of my head. Under those circumstances, we should have been able to make Yulara pay for itself. I should be able to tell my constituents that the government's investment is secure, that the cash flow situation is such that we are able to service the capital investment at Yulara and give them the figures. I cannot do that. Whenever the opposition in this Assembly raises that issue, we are told that Yulara is a private company. The government pours millions of dollars into it but will not tell us about it. How does it expect my constituents at Yulara to feel when it inflicts that quality of financial management on the Territory? Yulara was a good idea which has been reduced to a fiasco by Marshall Perron and his cronies.

Mr PERRON: A point of order, Mr Speaker! I find the term used by the honourable member to be quite offensive. I ask that he be required to withdraw it.

Mr SPEAKER: The member for MacDonnell referred to the Chief Minister 'and his cronies'. He did not say the Chief Minister's 'cronies in the parliament'. One could have cronies outside of the parliament. It is a very fine line, but I ask the member not to use the word again and to refer to the honourable Chief Minister.

Mr BELL: Mr Speaker, I will refer to the honourable Chief Minister and his cronies in future.

I think it really needs to be placed on record and Yulara is one small example ...

Mr Coulter: What about the Sheratons?

Mr BELL: Unfortunately, Mr Speaker, in the time that is available to me, I am unable to give a thoroughgoing analysis of all the financial shambles that succeeding CLP governments have visited on the Territory. I could talk about the casino, the Darwin Sheraton and the Alice Springs Sheraton as well. I was concentrating on one specific example. Unfortunately, the time available does not enable me to catalogue all the sins that will result in the demolition of this government.

I have given a clear example of the sort of financial mismanagement which has impacted on my own electorate and which is an example of the overall mismanagement of the economy by this government. I believe that it more than amply supports the terms of the motion moved by the Leader of the Opposition in respect of the CLP's broken promises. There is nothing more important to people than job security and opportunities for their kids to get jobs. This government has made promises that it has not kept. In an environment in which the federal Labor government has done a great deal over the 7 years of its tenure to put people in jobs, this government has gone backwards during the last 3 years. I have no doubt that the people of the Northern Territory will visit their judgment on this government because of its failure to deliver its promises.

We heard the Deputy Chief Minister attempt to slate the federal government's record. If there is anything that makes me proud to represent the Australian Labor Party in this parliament or simply to be a member of the Australian Labor Party, it is the performance of the Hawke-Keating Labor government.

Members interjecting.

Mr BELL: I ask the Deputy Chief Minister and members opposite to recall the circumstances and the inflation rates which characterised the last years of the Fraser government. They should recall those circumstances, along with the extent to which that government was rebuffed by the Australian electorate in 1983. Because of promises which it has failed to deliver on, and because of the dramatic contrast with the federal government's efforts in relation to employment, the Northern Territory electorate will deliver harsh judgment and remove the CLP from office.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I will begin by picking up the final comments of the member for MacDonnell and talking about what his leader thinks of political promises. I refer members to a talkback program of 8 May 1990. Col Krohn asked the Leader of the Opposition: 'So really politicians' promises count for nothing, depending on the circumstances?' The Leader of the Opposition's response was: 'Well, I think most people's promises are made in that context, Col'. I think that is outrageous. That is really surprising, considering the rhetoric we have had from members opposite today and promises that the Leader of the Opposition has been making to the people of the Northern Territory in recent times.

With this motion, I believe the Leader of the Opposition has failed again. He has failed to back up his claims. He has failed to convince anybody in this Chamber. I am certain that he has failed to convince anybody in the rest of the Northern Territory. The reason that he has not been able to convince anybody is because he got it wrong. He is wrong again.

He refers to the Australian Bureau of Statistics trend series being more accurate than the monthly figures and that is correct. Everybody would agree that, to use the monthly figures, would be quite inappropriate in this instance. If one looks at the trend figures for June this year, it is clear that they indicate that the labour force of the Northern Territory was 73 300. The monthly figure for the previous month was 72 100, indicating an increase of 1200 people in the labour force. Of course, the monthly figures are likely to be inaccurate because of the very small sample used. Only about 35 households across the Northern Territory are sampled and the location of the sample varies. It might be Fannie Bay and Palmerston one month, and Nightcliff and Karama in another month. Of course, the figures from such areas will vary quite enormously. Obviously, samples of such a small portion of the population will provide a varying statistical base and will not provide us with particularly good figures.

The Chief Minister and the government tend to use the Wage and Salary Earners Series for the Territory because, quite clearly, they are more accurate. The Australian Bureau of Statistics does not compare wage and salary figures with the trend series and say that one is more accurate than the other. It compares monthly figures with the trend figures, and that is a fact which the opposition did not care to pass on to people in this House.

I have always been of the view that the more accurate figures are those which are taken from the real figures. Whether they refer to wage and salary earners or to power and water connections over disconnections or telephone connections over disconnections, those figures will be more accurate. Figures for people leaving the Territory and for people who do not have jobs cannot all increase at the same time - not that the figures necessarily refer to jobs in this case. But, when we are talking statistics, the real statistics are the ones that are more accurate. The Employed Wage and Salary Earners Series, quite clearly, would give a more accurate measure of people in jobs. Likewise, domestic power and water connections over disconnections and telephone connections over disconnections would be far stronger indicators of population trends. I think that is something that most people would agree on, and that is why the government has been more apt to use those figures than the sorts of figures that the opposition would have us believe.

There is no doubt at all that figures for wage and salary earners in the Northern Territory have increased by 6600 jobs over the period. That is what the ABS statistics indicate. There has been an increase of 6600 jobs over the 3 years from March 1987. That is an inescapable fact. They are real figures, genuine figures, and they cannot be denied. The same degree of realism does not apply to statistics gleaned from a sample of 35 households in randomly selected places. The trend figures are better, but still not accurate. Quite clearly, the Employed Wage and Salary Earners Series provides the most accurate figures that we can come up with. Some 6600 jobs have been put in place over the 3-year period that the opposition carps about and that has been achieved in circumstances which certainly cannot be described as good times. It has been achieved in times when the federal Labor government has made life extremely difficult for the people of the Northern Territory.

The Commonwealth has deliberately set in place a program to cut the Australian work force. We know that the federal government is increasing interest rates to the point at which people will be put out of work. Paul Keating sits comfortably in his office, knowing that he has a job for the next couple of years, and hoping beyond all hope that more people will be out of work this month so that his promises can be fulfilled. He is

pushing the figures down. He is keen to get people out of the system. Unfortunately for him, and fortunately for those people who have jobs, he has failed in that.

We have also achieved those figures in spite of deliberate federal government policies of moving people out of the Northern Territory. It has been doing this now for the last 2 or 3 years ...

Mr Smith interjecting.

Mr SPEAKER: Order!

Mr McCARTHY: Mr Speaker, just listen to this fellow over there, who carps on about this. He is the only person I know who is reputed to have had a charisma transplant and even that obviously has failed.

The effect of Commonwealth transfers is that 75 employees of Telecom and 50 employees of the Department of Administrative Services have been moved out of the Territory. In addition, 150 jobs in the Civil Aviation Authority have been transferred, together with 71 jobs in Australian Construction Services. It is not only the individuals who leave but their families as well, as husbands and wives are put out of work.

Further, there have been cutbacks of $30m in federal government works in the Territory. If one considers 60% of that as the labour component, it means that 600 people did not get jobs in the Northern Territory because the federal government has cut its funding of capital works. The only federal government capital works project in the Territory at present is the new airport terminal.

Mr Smith: And the 2nd Cavalry.

Mr McCARTHY: If you go out to the terminal site, you will see that two-thirds of the cars have Western Australian and New South Wales plates. The work force is coming from interstate for those jobs. Territory people are not getting work there. The people in those jobs come from interstate.

On top of all that, as of last Friday, 53 people who worked for ATSIC are out there looking for jobs. No doubt, they are lined up outside the CES office today. In other words, 53 families were given their notice last Friday. A freeze has been placed on ATSIC funds in the Northern Territory, out of the Darwin office. In my office, at lunchtime, I had people representing Aboriginal communities seeking to find out why ATSIC was not releasing funds to them. No funds are coming out of the Darwin office of ATSIC to people who want to get jobs. Aboriginal people will be out of work in their communities because ATSIC is not releasing funds. Perhaps that has something to do with the fact that, prior to 1988-89, $250m is still not accounted for in DAA accounting. It was not acquitted prior to 1988-89. I suspect that that matter is still under investigation and that it is causing funds to be withheld, funds which would keep Aboriginal people in work. Some more people will be out of work because of federal government policy.

In comparing numbers of people in and out of jobs in the Northern Territory and interstate, it becomes obvious that the federal government has used sleight of hand in its job creation programs to hide many of the unemployed people around the country in job creation programs. All honourable members know that.

Mr Smith: What? So job creation programs are no good now?

Mr McCARTHY: Job creation programs have their place, but they should not be used to hide unemployment.

Despite all the efforts of the Commonwealth, the Northern Territory has been able to maintain a good and steady level of growth - 6600 real jobs for salary earners - in the 3-year period during which the Leader of the Opposition would try to indicate that there has been a 1000 decrease. There was 12.1% growth in the Northern Territory over that period, against only 10% nationally. That result has been achieved not because of any great effort on the part of the Commonwealth, and certainly not because we have been sitting on our backsides. It has been achieved because the Territory government has made a huge effort to get people into jobs in the Northern Territory even though the Commonwealth has constantly stood on us.

The member for MacDonnell ridicules the development of places like Yulara. He says that the place is a shambles. I also go to Yulara, although I do not spend as much time out there as he does. I am sure that he enjoys the pleasures of Yulara on a regular basis, being the local member. I do not get there all that often but I am proud of Yulara, and I listen to people who come to this Territory and talk about the things that we have done. One of the highlights is the great development at Yulara, which would not exist if it had not been for this government - nor would the jobs in the Sheratons. In terms of the income for the Territory which those projects bring about, and the amount spent on them, we are way in front. I am proud of them and I believe that every Territorian should be proud of them.

Across the road from here, we see the development of our new Parliament House. Nobody, not even the members opposite, really believes that that building is not required. In addition, the project is keeping people in work at a time when they would not have jobs otherwise. We know that the construction of the new Supreme Court is providing jobs but it is also providing a suitable court facility for the Northern Territory, now that we have outgrown the existing facility. These developments, together with all the other developments initiated by this government, have generated great benefits for the Northern Territory.

Through our training program to get people into employment, we have gone a long way in a short period. To augment our thrust in relation to development, the government has joined hands with industry in an across-the-board effort to train Territory youth for employment. Nobody will deny that, over recent years, we have done wonders in the area of school leaver training programs and traineeship schemes. We are deeply involved in those programs, despite the early efforts of unions to hold them back. Apprentice training programs have held their own despite the withdrawal of funds available to the Territory in recent years. Even with cuts of 28% in real terms, we have been able to maintain apprenticeship numbers in the Northern Territory. We have had a decrease in some areas, such as building, but we have had enormous increases in other areas. That is a proud record for this government.

We have created employment opportunities for disabled people, together with cadetships, scholarships and the school leaver employment program. Over 700 people are currently involved in the latter program. We also have widespread Aboriginal employment training programs which are well accepted and highly respected because of the initiatives of this government. We are training people for the jobs for which ATSIC will not be able to pay them because it is not providing the dollars. The Commonwealth government does some shameful things and gets away with them. An amount of $250 000 of DAA

funding prior to 1988 still has not been accounted for. I think that that is disgusting. This government could not even consider getting away with something like that, but the Commonwealth hides it. How does it do that?

Traineeship numbers are up, school leaver program numbers are up, apprenticeship numbers have been well and truly maintained and are up in many areas.

Mr Ede: Will you table the figures?

Mr McCARTHY: I have no problem with letting you have those figures.

Mr Smith: Thank you.

Mr McCARTHY: I did not quote them, but I am indicating that they are up.

This government is very proud of its employment development strategy. We have developed office skills programs, garment construction programs, tourism training, video productions, access programs, prevocational access, carpentry, screen printing, access courses in a number of communities, clerical intakes and strategic planning coordination. All of those are Aboriginal programs which we have put in place to try to get people into the work force and off the dole, unlike the types of programs which the Commonwealth is putting in place - programs which will result in people's unemployment situation being hidden so that it does not show up in the statistics.

In spite of everything the Commonwealth has done to us, and the very positive things we are doing to get the Territory up and running, the opposition believes that a politician's promise stands for nothing. The Leader of the Opposition obviously is talking about his own promises. I will tell you right now, Mr Speaker, that my promises stand for something, that the Chief Minister's promises stand for something and that the Deputy Chief Minister's promises stand for something, unlike those of the Leader of the Opposition who does not think that a politician's word can be relied on. I am glad that he has said that because it gives the lie to his assertions that he will not follow his party platform. Every time we mention an item in the platform which he finds embarrassing, he says that he does not intend to implement that item, and in that context, it is well worth repeating some of the things that the Chief Minister said this morning. I quote: 'The Australian Labor Party stands for establishment and development of public enterprises based upon federal, state and other forms of social ownership in appropriate sectors of the economy'. Social ownership, Mr Speaker. No doubt, the Leader of the Opposition would be out there buying up businesses and getting people into jobs by putting them into the public service.

Mr Smith: I promise not to buy a joinery, right?

Mr McCARTHY: 'A Labor government will support union initiatives to discourage the use of modern technology to monitor performance in the workplace'. That is absolutely shameful. Labor's platform looks unfavourably on the monitoring of performance in the workplace. Members opposite dare not have somebody found out for not doing a fair job. They believe that, if people are not doing their job, they should be protected. That is the policy of the opposition.

'Labor in government will assist those who choose not to be part of the normal labour market to establish economic independence to enable them to generate a level of income appropriate to their lifestyle'. Obviously, the Leader of the Opposition would provide shelter at Lameroo Beach or Gardens Park for those who like to sit under the trees drinking, because he believes that they have a right to their alternative lifestyle and should not have to work if they do not want to. That is the policy of members opposite.

'Labor in government will support, by all possible means, union advocacy of a shorter working week with no reduction in wages and conditions'. I could go on and on with examples because there are pages of those sorts of promises. Of course, we do not have to worry about them because the promise of a Labor politician stands for naught. These are the promises of the Labor Party, the promises of shadowy figures who hang around the back door and who will not hold an annual conference because they are afraid such matters might be debated. Those are the people whom we have to be afraid of. We know we cannot trust the Leader of the Opposition, but what do we know about those faceless people behind him?

Mr LEO (Nhulunbuy): Mr Speaker, I suspect that we are going to have an election within the next 6 months. Judging by the air of desperation which accompanies the speeches of government members, I suspect that this side of the House has every reason to believe that it will enjoy the outcome of that election. I have never heard such desperate speeches in my life.

The thing that the statistics do not show, of course, is what is happening in the electorate. A lack of employment generally does not directly affect the many people who continue to live in places like the northern suburbs. They are employed or have a lifestyle which can accommodate to the situation and, in that sense, the big barometer of politics, the hip pocket nerve, is not immediately affected. However, it is beginning to be affected in a way which is being publicised nationally. As a consequence of the drop in employment in the Northern Territory, housing prices have suffered. There are people who have taken out equity in accommodation in the Northern Territory and have seen that saving equity, that nest egg, diminish in value since the last election.

Mr Collins: It has happened all over Australia.

Mr McCarthy: It has certainly happened in Victoria.

Mr Manzie: It has actually happened less here than anywhere else.

Mr LEO: A national magazine, The Bulletin, recently publicised the fact that it had occurred here more than anywhere else in Australia and that Darwin was a buyer's market. That is a consequence of the lack of jobs.

With a note of sheer terror and desperation in their voices, members opposite have blamed the federal government, international money markets, interest rates and everything else imaginable. However, it does not matter whom they blame. They comprise the government of the Northern Territory and they will wear the political consequences whether they like it or not. That is a fact of life. I hope that the member for Nightcliff will speak because he will certainly be able to tell this House what his constituents are suffering. I have to tell you, Mr Speaker, that the situation has not directly affected my constituents. We are somewhat buffered from the events that are occurring in Darwin. Because the government has not provided us with any services, we have nothing to lose.

Mr Hatton: What, no schools, no hospitals?

Mr LEO: Oh, forget it Steve. Go home.

Mr SPEAKER: Order!

Mr LEO: The bottom line is that the constituents of most of the members on the government benches have been affected by this economic downturn. Of course, the biggest indicator of that has been the loss of jobs. There is no question about that, and the member for Nightcliff cannot deny it. It is a simple fact of life. I really do not care whom members on the other side blame. I do not care because it does not matter. They make up the government of the day and that is another simple fact of life. The political consequences of interfering with the hip pocket nerve of their constituents will inevitably lead to their political demise. If they do not understand that, they have not learned the lessons from Western Australia and Victoria. As a result of people learning the lessons in those places, 2 state Premiers have lost their jobs. Those are other simple facts of life.

It was absolutely pointless for John Cain and his Treasurer, probably quite accurately, to try to shift the blame to those persons whom they had employed to undertake various ventures. The fact of political life is that blaming people in those positions does not stick. It did not stick in Western Australia, it did not stick in Victoria and it will not stick in the Northern Territory. The government members' contribution today sounded as though it was coming from a collection of carping corpses who have recognised political reality for what it is. The political consequence of the loss of jobs in the Northern Territory is staring them in the face so baldly that even they cannot ignore it.

Mr HATTON (Health and Community Services): Mr Deputy Speaker, this has been a fascinating debate today about statistics. One can but remember that famous saying that there are lies, damned lies and statistics. I can understand quite clearly why the media and the public generally must become exceptionally confused at the many figures that are quoted separately. We heard a brilliant contribution from my good friend, the member for Nhulunbuy, who said: 'The facts do not matter at all. Because you are the government of the day, you will wear it no matter whose fault it is. That is all I need to say. See you later, alligator'. And off he goes to the bar again or wherever.

Mr DEPUTY SPEAKER: Order!

Mr HATTON: Mr Deputy Speaker, I apologise for even suggesting that the honourable member would have gone to the bar. He certainly left the Chamber.

I would like to deal with a couple of matters relating to the statistics. What are the indicators of employment growth, maintenance or decline in the Northern Territory? It comes down to an argument between 2 separate sets of figures, both published by the Australian Bureau of Statistics. One is the Employed Persons Trend Series and the other is the Labour Force Australia Series. All of those figures are different and the trend line shown in each set of figures is different also. It must be really confusing for people to follow.

During the last few years, every member of this House has used the Employed Wage and Salary Earners Series as the basis for employment figures. The latest figures that I have are for the March quarter 1990. I think that the figures for the June quarter have been released, but I do not

have a copy of them. In March 1987, there were 54 700 people in the Northern Territory public and private sectors combined. In March 1990, the figure was 61 300, which indicates a growth of 12.1% or 6600. The seasonally adjusted figures, which are also shown, indicate a rise from 56 100 to 62 700, a growth of 11.76%. These compare to national growth rates of 10% and 9.9% respectively. In other words, according to these statistics, the percentage growth in wage and salary earners in the Northern Territory is greater than the national growth in wage and salary earners for Australia.

The opposition says that the figures which I am quoting do not come from the most reliable set of statistics. The member for MacDonnell quoted a reference from the ABS: 'The ABS considers that the Labour Force Series provides the better indicator of overall employment movements at the Australian and state level'. I will come back to that in a moment, Mr Speaker. The paragraph before that states: 'The 2 surveys should be seen as complementary and movements in them have generally been broadly consistent. In recent time periods, the 2 surveys have shown some divergence in the estimates produced'. Generally, they have been the same but, in the last few months, there has been a divergence in those figures.

The Leader of the Opposition quoted the July 1990 trend figures. The trend series indicates that 73 500 people are employed in the Northern Territory at the moment. He then referred to a March figure of 74 500. It is interesting that he chose those dates because those figures are the ones which I consider to be suspect in terms of comparisons. I will give an example. If he had chosen January 1987 to January 1990, it would have shown an increase from 73 400 to 76 200, an increase of 2800 jobs. If he had taken December 1987 to December 1989, it would have shown an increase of 11 100 jobs. Between January and July this year, it shows a decline in employment in the Northern Territory from 76 200 down to 73 500. The Leader of the Opposition would ask us to rely on these figures to indicate there has been a decline in employment in the Northern Territory in the last 6 months, contrary to every other indicator in the Northern Territory and contrary to the Employed, Wage and Salary Earner Series figures.

I also refer honourable members to a statement in respect of the labour force in the Northern Territory by Mr Gardner, the Northern Territory statistician. I will quote from his statement and I am happy to make it available to the Leader of the Opposition. In referring to the qualifications to be made in respect of the labour force statistics, he says:

> These qualifications are particularly relevant for NT data as most of the Labour Force Series have proved to be extremely volatile from month to month. This comment should not be interpreted to mean that volatility itself is the reason for any variations, but simply that it is a factor which needs to be considered when drawing conclusions from the published data. The trend estimates of total Territory employment, as presented in table 2, do provide some assistance in analysing the underlying behaviour of the series over time. It should be noted, however, that the last few months of the series are subject to revision as additional observations become available.

That is certainly the case with respect to these figures, and I refer to adjustments that have been made already this year. The July labour force trend estimates show that, in June, the total NT labour force was 73 300. However, in the previous month's catalogue, it was claimed that the NT labour force was 72 100 for June. That is an underestimate of 1200. The

July survey shows that the labour force, in trend estimate terms, was 73 200 in May, which is quite different from June's survey which quoted 72 500. The figures are moving by 1000 to 1500 month by month. Nevertheless, the Leader of the Opposition asks us to accept the latest very preliminary figure, which perhaps will be subject to variation over the next 2 or 3 months, a variation which in the past has always been upwards, and to agree that this figure indicates precisely that there has been a decline of 1000 jobs.

When we look at the figures for other points in time, we see that there have been dramatic increases in job numbers and that such increases are consistent with the wage and salary earner statistics and the general labour force statistics. If we take the last couple of months, the only one that is out of sync is the trend statistics.

Mr Bell: Cut it out.

Mr Smith: Rubbish.

Mr HATTON: That is what these figures are showing, and members opposite can say 'rubbish' as much as they like. I am only quoting the numbers in the documents that the Leader of the Opposition referred to. The fact is that, on all the evidence available to us, they are exceptionally unreliable.

All the figures indicate that there was a decline in employment in the Northern Territory during 1987. It started in June/July 1987 and continued until December/January 1988. Nobody would dispute that there was a decline in employment in the Northern Territory then. Every statistic shows it. The statistics also show that, from the beginning of 1988 onwards, there has been a steady and rapid increase in employment, and the Employed Wage and Salary Earners Series shows that the employment growth has been in the private sector. We have already heard that these statistics exclude defence force growth. Obviously, if defence force growth was included, the figures would show much more significant growth in the public sector. However, they undoubtedly show employment growth since the beginning of 1988.

I intend to deal with the period June 1987 through to the second half of 1987 in referring to this data because, although we can argue and throw words around, there are some facts which we have all to recognise and live with. The fact is that that is the period when the decline occurred and that growth has occurred since then. According to the statistics, the growth has occurred in the private sector, with the general public sector being held fundamentally constant.

During the middle of 1987, a number of things occurred. Among those was the temporary relocation of No 75 Squadron out of the Northern Territory, prior to its changing over to F18s and its relocation at Tindal. Secondly, there was the relocation of the Australian Construction Service, the Telecom people, and the other Commonwealth public servants. Some 1000 jobs went out of the Territory, particularly out of Darwin, in that 6-month period. During that same period, the Commonwealth government refused to allow Nabarlek to exploit other mineral reserves within its mining venture, under the so-called 3-mine policy. Nabarlek closed down and another 300 jobs went out of Darwin. That was in the second half of 1987.

In addition, every member of this House will be very conscious of the fact that, at the 1987 Premiers' Conference, the Northern Territory suffered a 10% cut in allocations from the Commonwealth. It was the most traumatic

cut ever imposed on any state or territory. We had to make decisions that hurt, resulting in a decline in employment in both the public and private sectors in the short term while we restructured to get back onto a growth path. All these events occurred in 1987. We took our medicine up front and we have been back on a growth path since the first half of 1988. That growth has been consistent. It has been achieved by promoting development through the private sector rather than by use of the public-sector purse. Every statistic shows that the growth has occurred.

At the time of the last election, we could not have foreseen Commonwealth cuts amounting not just to 10% in 1 year but to 28%, in real terms, in the past 4 years. Are we to ignore the effect of that on Territorians and on employment growth in an economy which has been driven principally by the public sector? We have been restructuring to deal with that, and Territorians should be very proud of the way in which we have done that responsibly during the last 3 years to handle the financial holocaust which the federal Labor government has inflicted on Territorians. We have managed that. We have the economy on a growth path and we have maintained fiscal responsibility throughout that process. The problem with the states and the federal government is that they have not achieved that, and that is now coming home to roost in Victoria and Western Australia.

Mr Manzie: Tasmania.

Mr HATTON: Bannon in South Australia and Field in Tasmania - they are all copping it in the neck because they have been borrowing and burning up money to fund deficit budgets, and the Commonwealth has been doing the same since 1983. The member for MacDonnell says: 'Hallelujah! Hawke and Keating have saved the world'. Nobody believes that. How can anyone possibly support Hawke and Keating when families are suffering under 17% interest rates and are paying 22% to 23% on their bankcards when Hawke and Keating have cut real wages consistently over that entire period? The federal government is trying to drive down demand and employment. Through its monetarist interest rate policy, it disadvantages Australian manufacturers and advantages overseas manufacturers who are supplying our imports. Foreign manufacturers do not face the same interest rates which our manufacturers face, and have a competitive advantage because of the nonsensical policy of this federal government.

Despite that, all the statistics show that the Northern Territory is performing better than the rest of the country. Unemployment is down. Our employment growth is the highest and our unemployment is the lowest. Our CPI increases are the lowest. Our home loans are the most affordable. One honourable member opposite - I cannot remember which - wanted to argue that the fact that people can actually afford to own a home in the Northern Territory, despite the efforts of Treasurer Keating, was a disaster for the Territory. Let opposition members ask the young couples who are trying to get a start whether they would rather be paying 17% of their income in repayments in the Northern Territory or 55% in New South Wales. I know what the young people will tell them, and that is why they will never win government. They do not understand that sometimes you take your bumps, wear the consequences, and rebuild. We have done that in the Territory. We are in a stronger and better position. Not only that, the employment statistics show significant growth.

The Leader of the Opposition can fiddle around with this month's trend figure or he can pick up other data from trend figures. By taking a different month-by-month average, he can show a growth of 11 000 jobs. If we take January 1988 to January 1990 and compare the figures with those for

the period December 1987 to December 1989, we can show a growth rate of 11.1%. Even if we use the February 1987 to February 1990 period, despite the inevitable dip, there is still a growth of 1400 jobs. We do not deny that that happened. It did happen. Every Territorian who was here through that period knows that it happened. In June/July 1987, I knew that, at just about this time, the Leader of the Opposition would be jumping up and saying: 'They have not honoured their promise. They have not produced 1000 jobs a year'. I could see it coming back in 1987 when the budget cuts hit us.

We knew he would try to run that line, but the fact is that he is running on very dodgy statistics, very preliminary figures. Even his own series, if one uses different time frames, shows significant employment growth, particularly since the first 6 months of that financial holocaust in the second half of 1987. The wage and salary earners data shows that the growth has been in the private sector, not the public sector. That is precisely in line with what we sought to achieve and what we told the electorate we would do.

The programs and plans we implemented to deal with the 1987 problems, and the work that has been put in consistently since then, have put the Territory back on a growth path in spite of the recessionary problems faced by the rest of Australia. Territorians ought to be very grateful that they have a fiscally responsible government in the Northern Territory which was prepared to take the hard decisions when they needed to be taken and has continued to work in the interests of the Territory. This government ignored the nonsensical, carping criticism of the opposition and got on with the job, and has put the Territory on a growth path. Even the Leader of the Opposition's own statistics show that we have been consistently on a growth path since the first half of 1988.

I think the motion moved by the Leader of the Opposition is a joke. The only good thing about it is that it has given us a chance to put the lie once and for all to the nonsense the opposition is peddling. If he wants to talk about broken promises, where was he when the federal government backed out of its promises in relation to the railway and the new airport terminal? There is a great list of promises that the federal government has broken. When it dumped the accelerated Stuart Highway program, where was he? He was not around. He said: 'Oh, they had to do it because they have hard times in Canberra'. Nonsense! He is an apologist for the federal government.

Mr BAILEY (Wanguri): Mr Deputy Speaker, I would like to speak briefly to the motion. First, I will pick up the Minister for Health and Community Services on the exact statistics from which he has just quoted. I agree with him that, in the latter half of 1987, there was a major dip in the employment figures, which then picked up throughout 1988 and into early 1989. But, if he had been prepared to quote the continuing trend, we would have found that a line drawn at best-fit from then on would show that the figures have gone down and have continued to go down since ...

Mr Hatton: Those are only the rubbery figures.

Mr BAILEY: You have just tried to say that the figures showed a build-up after a major decline at the end of 1987. Compare the figures as they move from the peak in late 1988 and early 1989. They have continued to decline for the last 18 months.

I have risen to speak because of the significance of this stagnation of the Northern Territory economy and its effects on people in the northern suburbs. We have heard the minister say that it is great that we have some of the cheapest housing prices. I was one of many people who bought my house within the last 10 to 12 years in the Northern Territory. People are asking what is the point of buying a house when, after 5 years, the house is actually worth no more than its original price. There has been no capital appreciation on an asset.

Mr Collins: What about the high interest rates? Where do they come from?

Mr DEPUTY SPEAKER: Order!

Mr BAILEY: In the states, housing prices reached record levels driven by high demand even in a very high interest rate market. We brag about our low interest, subsidised schemes within the Northern Territory and still the prices of housing have remained almost constant for many years. Ask people who own houses. They are the bulk of the people. It may be very pleasant to be able to buy a house cheaply. It is not pleasant to own a house for many years and to see the value of that asset decrease in real terms.

We talk about statistics relating to whether there are variations in the number of people employed or not employed. All you have to do is to talk to the people in the northern suburbs who are out of work. The Greek contractors, hundreds of them literally ...

Mr McCarthy: You would put all subcontractors out of work.

Mr BAILEY: The contractors in the northern suburbs have been going interstate and overseas trying to find work because there is no work in the Northern Territory for them. This government supposedly was creating jobs for such people by pouring millions of dollars into projects like State Square, with which none of these small contractors had any hope of being involved.

Mr McCarthy: They certainly have no hope at the airport.

Mr DEPUTY SPEAKER: Order!

Mr BAILEY: If this government really wants to know whether or not its policies on employment and stimulation of the economy are working, it has only to go to the northern suburbs of Darwin and ask the people there whether or not they believe the claptrap that we have heard today about the Northern Territory economy being in a major growth phrase. What a load of rubbish!

Mr VALE (Tourism): Mr Deputy Speaker, I will be very brief. Anyone who initiates a debate on statistics should be taken out at dawn and shot. There is nothing more boring or more dull. Someone once said that, if you want 2 opinions, ask 1 economist. There are a couple of things that I would like to raise. In relation to the decline in employment numbers that the member for Wanguri mentioned a few minutes ago, he should perhaps check with the Prime Minister for the reason behind that decline. It occurred in the middle of the pilots' dispute.

It is patently obvious that the ALP members in this Assembly do not understand much about the economy. Two weeks ago, the member for Nhulunbuy said that the tourist industry was fragile. Today, the member for

MacDonnell said it was a shambles. Neither of them attempted to justify their remarks. They just made them on the run and left the matter at that, ignoring the fact that the tourist industry is the fastest growing industry in the Northern Territory. It now directly employs 10 000 people whereas, in 1978, it directly employed 1200-odd people. That amounts to close to 1000 jobs a year in that industry, let alone the other industries that have been directly employing people.

The member for Stuart waffled about statistics and how the federal government was doing such a great job with the economy. Someone should quote to him what his father-in-law said only a few weeks ago. Senator Walsh referred to Bob Hawke as an old jelly-back who did not have the courage to take any of the tough economic decisions that this country needs.

There was some criticism or comment by a number of the members opposite in relation to Yulara and the Sheratons. Do not believe what I say or what the government says, Mr Deputy Speaker. However, let me quote what Mr Len Taylor, the federal Chairman of the Inbound Tourism Organisation of Australia, said recently: 'The Northern Territory government investment in Yulara and the Sheratons was one of the best investments in the Northern Territory tourist market'. Taylor's organisation is the premier organisation of all of the inbound tour operators which bring tourists to Australia.

The member for Stuart also mentioned the 1 million jobs that the federal government had created. It is a bit like the planting of 1 million trees that the Prime Minister initiated. Press reports indicate that over 45% of those trees have since died. The jobs that the federal government has attempted to create are fence painting and pothole filling, in contrast to the permanent occupations provided by this government over a long term in the Northern Territory.

The member for MacDonnell mentioned how the Whitlam government promised to build Yulara. I was in Alice Springs in 1984, as was the member for Sadadeen, when Prime Minister Whitlam told a crowd of people on the lawns where the council chambers are now located, that he would start within 30 days to construct a dual-lane highway to Adelaide. Of course, 18 months later, he was gone and the highway had not been started. So much for Labor promises.

During the member for MacDonnell's speech, I interjected that he should ask Jock Nelson. As many Territorians would know, Jock Nelson is a very distinguished senior citizen who has served in many senior roles across the Northern Territory. In 1973, Jock Nelson took a number of tourist operators to Canberra to talk to the federal government about the building of Yulara. There were to be 8 or 9 ministers involved and the appointments had been set up some weeks prior to the visit to Canberra. When Mr Nelson and the group arrived, only 2 or 3 ministers showed up. Jock Nelson came back to the Territory and told everyone exactly how embarrassed he was about his former parliamentary colleagues in Canberra.

Mr Deputy Speaker, this would have to be one of the most absurd debates ever raised in this House. It has no basis in statistics. There has been no factual documentation. I would have thought there were many more important issues to be debated here today.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, this topic of employment figures and statistics gives me an opportunity to raise a matter which has come to my attention in recent days. It relates to CDEP, the Community

Development Employment Program, which seems to have had some success in some Aboriginal communities. In others, it has fallen rather flat. A few months ago, a person who works for ATSIC in Katherine was talking to me about this program. I was travelling with him on a plane. He said: 'We have to be very careful about it because the people must volunteer. You cannot force them to join a CDEP program. A large number of people in the community have to be willing to participate. Then, you have a chance'. It was good to hear from him.

Just 3 or 4 weeks ago, it was pointed out to me that Australia has ratified an International Labour Organisation convention, sponsored by the UN, which states that no person can be made to work for the dole. I bet that not too many members of this House are aware of that. I am not surprised because the ratification of a UN Convention is an interesting process. All that has to happen, depending on the nature of the convention, is for the appropriate minister - the Minister for Foreign Affairs or the federal Attorney-General - to sign it. One would like to think that he might obtain the prior agreement of his colleagues in the ministry. Subsequent to that, it is tabled in the federal parliament. There are people in this House who have had experience in that area. These matters are tabled on the last day of a sittings, generally towards the end and often with many other things, at a time when all the members of our federal Houses have no doubt had a tummy-full of the place and simply want to get home and attend to electorate business. These papers then sit unnoticed in the parliament for 30 days and, if nobody objects or comments, they are ratified. That is how we bind ourselves under such conventions. It is an interesting state of affairs.

It must be particularly interesting for the federal Coalition, whose policy states that people should be working and training with the dole money that is provided to them. I dare say that such money would not be classified as dole payments but, nevertheless, I would not be surprised if members of the federal opposition are unaware of the ILO convention. I asked John Howard's secretary about it. She is a lass who is well known to some people in Darwin because she comes from this area. She seemed to be unaware of it, although she certainly was aware that the Coalition had a policy which required work and training in return for the dole. Occasionally, one even hears comments from some Labor members which suggest that they feel that it would not be such a bad thing to require people to work or train for work in exchange for the dole. The community supports the concept. People who work and pay the taxes which allow people to receive the dole believe that those people should do some work.

From what I have been told, it appears that there is no listing of these conventions until after they are ratified according to the process which I have just described. Often, the process takes 2 or 3 years, during which period the community is unaware of their subject matter. To me, this is a fascinating state of affairs and an indication that there is something rotten in the state of Denmark.

The job situation in the Territory would certainly be a lot better if mining was under way at Coronation Hill. It is obviously a very rich mine. I think that the mineral riches involved are worth about $5000m. The commencement of mining was delayed for a year. That year has passed but the delay continues. Perhaps the reason is political, in the sense that there are those who do not want the Territory to go ahead in leaps and bounds again, with people obtaining employment, spending their money and generally aiding the economy right across the board. Such people would not want that to happen prior to a Territory election.

The member for MacDonnell said that he was terrifically proud of the Hawke-Keating government. I am darned if I know what he could be proud of. We have a foreign debt of about $150 000m. Let me just refer to another matter which has been brought to my attention in graphic terms in recent days. I refer to the gold tax. As far as I am aware, there has never been a company tax on gold. If there has been, it certainly has not been levied for many years. Because of this, companies have put their profits back into the gold industry and we have gone from 20 t of gold production about 5 or 6 years ago to something like 220 t today. The Territory, through some of its mines, makes a considerable contribution to this production. In fact, gold is now Australia's second biggest export earner.

This brings me to the question of our balance of payments. Boy, am I ever sick of Treasurer Keating! Whenever we have a monthly deficit of something like $1600m between what we buy and what we sell, he says that the figures are 'on stream'. One can only ask whether he wants to wreck the economy of this country. You cannot blame ordinary people for thinking that. More and more people are saying that the federal government is deliberately trying to wreck this country and it is making a good job of it.

The federal government is proposing a gold tax, which is a negative tax. Its effect will be to generate less revenue than would be generated if there were no such tax. We should be looking at the fact that gold production has increased from 20 t to 220 t, making it the second biggest export earner in this country, and asking how we could encourage such increases in other areas. Instead, the federal government is imposing a gold tax. Because gold companies want to get as much gold out as they can before the tax applies, instead of mixing the rich ore with the low grade ore, they are just taking the rich ore out. The output of low grade ore, which would have increased the life of mines and increased employment in this country, has been curtailed. Some mines are likely to close when the gold tax comes into force.

One such mine is located at Arltunga near Alice Springs. The source of my information is not official, but a supplier to the mining company. I have been told that the company has put on hold a large number of orders for materials which were to be used in expanding the mine. If this mine does not expand, it will be very sad for employment in the Territory. The gold tax can only be described as a stupid initiative.

One has to wonder what is behind such a move, which will result in low grade ore not being mined, a reduction in the life of mines, and the non-opening of other mines which otherwise would have proceeded. It is totally negative. No doubt, the mines and companies committed to mining gold will continue to operate, at least for a time. However, they will be likely to mine only the higher grade ore. Depending on how the tax affects production, estimates are that it will drop from 220 t to 150 t, a decrease of 70 t, soon after the gold tax is applied. Some say that those figures are optimistic. That is incredibly stupid, when gold is the second biggest earner of export dollars. It does not make any sense, and one has to ask what the federal government is up to.

Employment is important to all of us. I believe that it brings dignity to any and every person. I believe that the best thing you can do for unemployed people is to provide them with jobs which are real and wealth creating, which are satisfying, and which allow them to support themselves and their families. Such things are vitally important to the morale of the community.

We have seen mining at Coronation Hill delayed for a year. I recall the member for Arafura saying in a debate in this House that it was only 1 year. However, the delay was for political purposes rather than for the welfare of the country. It is just so very sad and so very stupid. If the federal government cannot see that the gold tax is negative and harmful to this country, and that it hurts the Territory because of the amount of goldmining which occurs here ...

Mr Coulter: We also have a gold tax in the Territory.

Mr COLLINS: Maybe you should consider reducing it, minister.

These matters concern me, Mr Deputy Speaker. As the member for Nhulunbuy said, we cannot live in isolation. The truth is that we have but partial self-government. There are many areas in which we do not have the control which we should have. I believe that we could make a grand contribution to the economy of this country if we were allowed to do so. Hopefully, the day will not be too long coming when we will be allowed to make that contribution and the Territory will thrive and again be a place which will attract people. That will not occur because we receive more from the taxpayer-funded federal purse than the states receive, but because we will have developed our economy and our resources and created the wealth and jobs which will enable us to stand tall and proud. Nobody will be able to point at us and say: 'You are just riding on the rest of Australia.' We can make our contribution if only we are allowed to. It is a bit like the gold tax. Can't the federal government understand what a contribution this Territory could make to the rest of Australia? I am sure that it can, but perhaps vested interests down south do not want to see the Territory go ahead. If that is the case, it is very sad. We are part of Australia and Australia needs us just as much as we need it.

Mr SETTER (Jingili): Mr Speaker, the quote of the sittings so far came from the member for Nhulunbuy earlier today. He said: 'I suspect that there is going to be an election in the next few months'. I wondered whether he had read the motion put forward by the Leader of the Opposition. That motion smacks of the commencement of the Leader of the Opposition's election campaign. He launched his campaign here this morning. His motion asks this Assembly to note 'the CLP election promise to create 1000 jobs' and continues in that vein. He did not even tell his own mate on the backbench, the member for Nhulunbuy. That is disgusting, Mr Speaker, absolutely disgusting.

Of course, as we all know, the best means of defence is attack. You whip up feelings and get stuck into your opponent which, in the Leader of the Opposition's case, is this government. He is doing this in an effort to disguise the inadequacies of his Labor Party policies. He was supported by the economic eunuchs who surround him, and we will hear a lot more about that as the days roll on during these sittings. Together with the fellow who sits next to him - he who would perhaps be king one day - and his other colleagues, he is caught up in a mess of left-wing policies. We heard the Chief Minister talk about a whole range of those earlier today. I know that the Leader of the Opposition is a member of the centre left. His deputy resigned from that faction and is now unaligned, and is having 2 bob each way. I particularly noticed how the Leader of the Opposition squirmed in his seat when the Chief Minister kept referring to specific Labor Party policies. He has released various up-front election policies and he has tried to hide the Labor Party policies, the policies of his own party rank and file - not the parliamentary wing but the party.

I would like to take a moment to quote from today's 'Views on the News', by Frank Alcorta. I know that the Deputy Chief Minister referred to this article in his comments. The article is headed 'NT Economy Misses Slump', and I would like to quote selectively and very quickly from it. It is worth reading into Hansard:

> The increase in population, although small compared with the giddy levels of 1978-85, is a very encouraging sign when put together with the effects of the pilots' strike, the federal government's relocation of about 200 Telecom staff to Adelaide and the downgrading of the Darwin office of Australian Construction Services by 70 personnel in 1989.

Thus, 270 of the 1000 jobs that the Leader of the Opposition claimed that we had lost from the Territory were lost as a direct result of his own federal colleagues' actions. The article goes on to say: 'By the year 2001, it is anticipated that the population will range between 181 400 and 208 800.

Mr Smith: Can you read that again?

Mr SETTER: Alcorta goes on to say that 'Employment in the private sector expanded by 5400 jobs or an astonishing 16.1%, from 33 600 jobs to 39 000 jobs in March 1990'. It is all there in black and white. You can read it for yourself.

Mr Alcorta continues: 'A similar comparison for the public service reveals a growth of 800 jobs, or 3.7%, from 21 500 to 22 300 jobs. Increases in employment in the NTPS (up 700 jobs) and local government (300 jobs) offset a fall of employment in the federal government (down 200 jobs)'. I would like to correct Mr Alcorta there because, in one of the previous paragraphs, he indicated that 270 jobs were lost in authorities controlled by the federal government.

Mr Alcorta points out that the 'NT has the highest total earnings in Australia and average weekly ordinary time earnings of full-time adults are above the national average'. He also points out that 'Consumer Price Index figures released by the statistics bureau on 1 August reveal the NT has the second lowest inflation rate in Australia'. I would like to repeat that: the Northern Territory has the second lowest inflation rate in Australia. Alcorta points out that the 'annual NT inflation rate for the June quarter stood at 6.4%, well below the national rate of 7.7%'.

Mr Speaker, this debate has gone on long enough, but I could quote you more and more statistics from that article which puts the lie to what the Leader of the Opposition was trying to lead this House to believe earlier. The reality is that Labor governments in this country have no economic credibility at all. You have only to look ...

Mr Ede: A million jobs.

Mr SETTER: 'A million jobs', says the member for Stuart. Yes, I can recall the million jobs. I recall that, when the Hawke government first came to power in 1983, it employed people on quick-fix, short-term, job-training programs. I must say that we can thank such programs for many of our cycle paths, but what the federal government was really saying was that those jobs were cumulative. It did not deduct the number of jobs that were lost, because they were all short-term programs. It was a sham.

Mr Speaker, have a look at the Western Australian government, WA Inc. What happened to what's-his-name, that previous Premier, the fellow who went to Ireland as Australia's Ambassador? Look what they did to Dowding just the other day, and who knows what will happen to the current Premier? And what about that bastion of Victorian state Labor leadership, Premier Cain? I could stand here for another half an hour and talk about what has happened in Victoria. Down the gurgler! Labor government after Labor government has gone. Look at Tasmania. Labor came to power on the coat-tails of the greenies, and there has not been a decision made in Tasmania in the last 12 months, because the greenies have the government over a barrel.

Somebody goes sailing with one of the greatest greenies the Northern Territory has ever known - although I will not go into the details of that. Although I understand that the Leader of the Opposition and this person have fallen out in recent times, after the Wanguri by-election they indicated that they were great friends and that the greenies would provide great support for the Leader of the Opposition in the next Northern Territory election. In fact, referring to the flow of preferences, the Leader of the Opposition said: 'Oh no, we do not want them to join the Labor Party. They are of more value to us where they are'.

Then, there is the federal government. This country is in an absolute economic shambles. Really, what we have to look at is how the Leader of the Opposition has been using the Premier of Queensland as the person whom he intends to put in the forefront of his election campaign. It is his coat-tails that the Leader of the Opposition intends to hold on to very strongly. However, the reality again is that Premier Goss has not had to make a decision since he has been in parliament, and he has really stuffed up a couple of things.

Nevertheless, the important thing that needs to be remembered about Mr Goss is that, whilst he is saying that Queensland's economy is in good shape, the reality is that the economy of Queensland is flowing along from what happened over the previous 20-odd years under a conservative National Party government. Queensland has full coffers, and that is why it is looking so good right now. However, give Labor in Queensland another 4 or 5 years and it will be in exactly the same position as Western Australia, Tasmania, Victoria ...

Mr Smith: Excuse me. Who was the government for 15 years, before the Labor Party?

Mr SETTER: I am not talking about 15 years. I am talking about Labor governments, regardless of their term of office. I am saying that the Goss government will blow it in Queensland even as your other state government mates around Australia have done. If the Leader of the Opposition thinks for one moment that the people of the Northern Territory can be conned or lulled into voting for the Australian Labor Party at the coming election, then he has another think coming. If, by some slim chance, through a flow-on of preferences from the greenies, he is ever elected into power, then boy, oh boy, we would see this place go down the gurgler so fast that it would be unbelievable.

Mr SMITH (Opposition Leader): Mr Speaker, it has certainly been an interesting debate. I agree that statistics can be very confusing and therefore I simply want to go over the statistical bases that we have used and our reasons for using them, and to remind people that we are not talking about a simple matter of statistics. We are talking about the central plank

in the CLP's last election campaign in which it clearly and unambiguously stated that it was its aim to create 1000 jobs a year.

Mr Reed: You have abandoned your policy before we have even reached the election.

Mr SMITH: To answer that interjection, I am very glad to go into an election campaign and to be judged, when we win, on the policies that we have put forward in the election campaign, and I would hope ...

Mr Reed: It is all done with mirrors.

Mr SMITH: ... that members opposite would have the courage to do the same, but obviously they have not.

Mr Reed: We have done that.

Mr SMITH: One thing in this debate confuses me a little. We have heard members opposite claim that the valid figures are the Employed Wage and Salary Earners Series and that, in fact, there has been a dramatic increase from 54 000 to 61 000 in March 1990. My confusion is this. We know, and the Deputy Chief Minister accepted it in an aside earlier, that in fact there are 81 000 people in the work force. That means that 81 000 people are actually employed or are looking for jobs. Are we to assume, if there are only 61 000 wage and salary earners, that 20 000 people are unemployed, an unemployment rate of 25%? Of course not. The figure is ridiculous.

The problem with using the Employed Wage and Salary Earners Series as a benchmark, as the Deputy Chief Minister and the member for Nightcliff tried to do, is that we know and always have known that it is an incomplete record of those who are employed in the Northern Territory. That is because it does not look at those employed in agriculture and defence, and those who are self-employed. It has big holes in it. It picks out the industries and comes up with a figure, and that figure of 61 000 is 12 000 people short of the total number of people who are employed in the Northern Territory. If members opposite do not accept that, they should say so. I am prepared to accept that 73 500 people, or thereabouts, are employed in the Northern Territory at present, but I am not prepared to go as far as the government seems to be doing, saying that only 61 300 people were employed in the Northern Territory as of March 1990. That is obviously a nonsense. And that is the reason why we cannot rely on the wage and salary earner figure at all. It does not pretend at all to be a comprehensive figure covering the whole of the work force in the Northern Territory.

What we do have is the Labour Force Australia Series, which overcomes the monthly glitches and covers the whole of the work force. It is based on an adjusted monthly survey of about 800 people, not the 35 people which the Deputy Chief Minister referred to off the top of his head. In terms of indicating long-term employment trends, it is the best figure available to us in the Northern Territory. That is what we are on about - long-term employment trends in the Northern Territory. What those figures quite clearly indicate is that there has not been an increase of 3000-plus jobs since March 1987, when the last election was held.

Mr Coulter: Right. 6600 is the figure.

Mr SMITH: I can understand why one of the first jobs that the Chief Minister did when he became Chief Minister was to take over the Treasury.

After hearing that comment from the Deputy Chief Minister, I am practically speechless.

Mr Coulter: They are ABS figures. I do not know what you are speechless about.

Mr SMITH: Watch my lips, as George Bush said on a famous occasion.

Mr Coulter: Look what he did. He increased taxes within 12 months of saying it.

Mr SMITH: I will say it very slowly. The problem with the wage and salary earner figures is that they do not reflect the total number of employed. They are 12 000 short of the total number of employed. The reason is that agriculture, defence and self-employment are not included. To use a practical example, all the doctors and lawyers who are self-employed in the Northern Territory obviously are not covered by the wage and salary earner table because they are not wage and salary earners. They are self-employed.

I do not want to prolong this debate any further. The evidence is clear. There was a definite government commitment - 'Make It Happen with Hatton' - to create 1000 jobs a year, beginning in March 1987. As of July, on the best figures available, figures supplied by the ABS indicate that, instead of a 1000 jobs a year being created, we have lost 1000 jobs. There is no one else to blame. The federal government did not twist the arm of the Chief Minister in February 1987 and insist that he make this promise. He had available to him all the information about what would happen. This promise, the key plank in the Northern Territory's government election commitment, has been broken. That is why this motion was moved today.

Motion negatived.

MINISTERIAL STATEMENT
ISC Report Into Road User Charges

Mr FINCH (Transport and Works): Mr Speaker, in May this year, a report was tabled in the federal parliament entitled, 'Road User Charges and Vehicle Registration: A National Scheme'. This report, compiled by the now defunct Inter-State Commission, recommended far-reaching changes to the way in which our roads are funded and just who is paying the bill.

The report's recommendations represent a dramatic challenge to the way freight is moved in this country in the name of micro-economic reform. In doing that, the ISC has put the cart before the horse in that it pre-empts the Hawke government's national freight initiative and the overall need to provide a more rationalised and efficient freight network. Clearly, an integrated freight system is an urgent priority, given the demonstrably inefficient nature of the rail network. Ironically, it is the same inefficient rail network which stands to benefit from many of the ISC report's recommendations.

While the ISC report lacks a global land transport perspective, its recommendations clearly have ramifications for the whole land transport sector. It deals with road transport in isolation, and suffers because of it. Indeed, there is also a clear need to examine the sea land interface which is vital to any micro-economic reform process. The thrust of the report was to forge a direct link between road use charges and road expenditure. At present, there is no connection between road user related

revenues, such as registration fees and fuel excise, and the funding of federal, state and territory road programs.

The ISC report recommends that all diesel fuel excise payments, all vehicle registration fees and a portion of petrol fuel excise be earmarked specifically for roads. This would involve greater federal control in 2 key areas. Firstly, state and territory vehicle registration charges would be eliminated in favour of a single national registration scheme. Charges would be imposed on a supposed user-pays basis with all vehicles paying through the pump via an increased petrol levy. In addition, heavy vehicles would be subject to a mass-distance charge. In other words, for heavy vehicles, charges would vary according to the weight of the vehicle and the distance travelled. Secondly, states and territories would no longer have the right to impose any fuel tax. Current state and territory charges would be incorporated into the federal charges and, in the case of petrol, there would be a 9.4¢ per litre increase above the current 24.2¢ per litre federal fuel excise. I believe that, in the last week, that federal excise has gone up another 1¢ or so.

In addition to these 2 cost aspects, road funding programs submitted by the states and territories would be determined by an independent federal body which would assess grants based on funds received from the federal fuel levy and what it saw as national priorities. The road funding formula would be based on a traffic density basis which naturally would favour the high density areas of the east coast. There would be no comfort to remote areas from the proposal to have the funds administered by a so-called independent committee of 3 who, after all, would be appointed by the federal minister himself.

The basis of funding is not good news for remote areas. Irrespective of traffic density, government is required to provide a basic level of service to essential areas as demanded by the community. A simple traffic density formula ignores this. States and territories would continue to collect registration fees on behalf of the federal government and would continue to take responsibility for road construction and maintenance using funds allocated by the so-called independent board.

As I have stated, the concept is user pays and, for Australia's major population centres, there is some logic to it. From the downtown Sydney consumer's point of view, why should someone who uses their car only occasionally pay the same amount for wear and tear on the road as the frequent user? If they pay their share through the petrol pump only, then there is some justice to it. Of course, the real target of the ISC report's attention is the heavy transport industry, which is perceived as being responsible for the majority of wear and tear and accidents on the nation's highways.

However, in recent times, there has been an announcement which indicates that, in fact, heavy transport does not have the major responsibility for some of the accidents on the east coast. The east coast has seen a massive explosion in the heavy transport industry. It has provided a highly competitive alternative to the inefficient and over-subsidised rail network. The heavy transport game has become a cutthroat business with just about anyone who knows how to drive a truck gaining access to easy finance and putting a rig on the road. The result has been a dramatic increase in the number of heavy vehicles on the east coast roads, obviously causing damage to those roads and creating that much-publicised road safety concern. It now seems that that concern is falsely based.

The Inter-State Commission has sought to defuse this situation by applying an extremely strenuous user-pays principle to the heavy transport industry based on a mass-distance charge. This charge will not apply to the prime mover, which will be the subject of an administrative fee only, but will be levied on a per trailer basis. Distances travelled would either be assumed at an annual average of 90% for the class of vehicle or would be measured by a costly 'hubometer' - an instrument which is not tamper-proof. Vehicle weight or mass is calculated on an average figure based on information obtained from the New South Wales Road and Traffic Authority.

It starts to become clear why there may be 1 or 2 problems with this report's recommendations in relation to remote Australia. The objective of this ISC report is clearly to shift the transport of freight from road to rail, a strategy which might have some merit where both options exist. Need I say that the Northern Territory would not be nearly as disadvantaged by the report's recommendations should an Alice Springs to Darwin railway be in place. The mass-distance charge represents such a substantial increase on the current registration fee charge that road freight would be rendered less competitive compared with rail. Rail fuel will be exempted from the 24¢ per litre federal impost, again putting rail in a more artificially attractive light - all this, despite the fact that the taxpayer currently subsidises an inefficient rail network to the tune of some $3000m per year. However, there is a political climate on the metropolitan east coast which suggests that any move to shift the big rigs off the roads is a move in the right direction.

In this House, we have concern about the needs and welfare of Territorians and the sad reality is that this report is not good news for the Northern Territory or the developing north generally. In fact, it is a recipe for disaster. While the Northern Territory government has no objection to a user-pays principle in relation to road funding, we do have a problem with the way in which the principle has been applied. Simply put, in seeking to promote a road to rail freight emphasis, the report ignores the consequences for those areas of Australia which have no rail network. In other words, areas such as in the Northern Territory, which are almost totally dependent on road transport, are automatically disadvantaged by any moves to penalise the road transport industry.

More to the point, the formula adopted by the ISC is particularly devastating for the road train industry which itself forms the backbone of the Territory freight lifeline. 90% of our incoming domestic freight arrives in Darwin by road train. Similarly, the vast majority of our Territory products are dependent on road trains for movement to southern markets.

The breakdown of figures speaks for itself. At present, the Territory government charges an average of $1100 per road train per annum. This is $2000 to $3000 lower than in the states. This low rate is not an accident. The Territory government has always recognised the need for an efficient road transport industry because we have no alternatives. Why put obstacles in the industry's path? We have no rail north of Alice Springs and virtually no coastal shipping. The ISC has put more than obstacles in the path. The formula would take charges for the average road train from that $1100 figure to a massive $70 000 per annum. Initial estimates of the charges put the figure at $53 000 per annum. However, a careful examination of distances travelled by Territory road trains painted an even more dramatic picture.

Given that the charges apply on a per trailer basis, 1 Territory firm, which operates 200 trailers, would see its annual registration charges rise from just over $100 000 per annum to about $5m per annum. Even supposing that this firm could accommodate such an increase, its freight charges would go through the roof to accommodate not only the immediate increase but also the servicing of borrowings required for that company to stay afloat.

Industry indicators predict that 50% of Territory transport operators would immediately go to the wall should the ISC report's recommendations be implemented. Competition would be reduced accordingly and it is the Territory consumer who would meet the ultimate cost of the report's folly. Increased freight charges for incoming goods would be passed on to the consumer. Similarly, Territory product, which competes on the open market, particularly that of livestock, would be dearer to freight interstate. In reality, not all these increased freight costs can be passed on and, in the end, Territory primary producers would bear the brunt of them.

On a recent inspection of rural roads, a number of Tanami cattle producers suggested to me - and they were quite serious - that they would consider droving cattle to their markets if freight charges rose to the levels proposed under the ISC report's recommendations. Are we going back in time? Is this some sort of employment program? Is it all about employing Aboriginal stockmen to drove thousands of cattle for weeks on end? If it is, we will need some reconsideration of stock routes throughout the Northern Territory. The cost of shifting livestock by road to southern markets is likely to increase between $15 to $20 per head at the very least if increased freight costs are passed on to primary producers. A possible 14¢ per kilo increase in freight charges, and reduced availability of transport - and that is far more important to the producers - for cost-sensitive products such as melons and other horticultural produce, could leave growers with little option but to leave crops in the ground.

This report supposedly has something to do with the micro-economic reform. However, quite clearly, its recommendations are economically counterproductive. You have to ask yourself where the federal government is coming from on this issue. ISC Chairman, Ted Butcher, told a group of road train operators in Queensland on 3 July that they had to recognise what pressure the federal government was under to deliver a $100 per car reduced charge to the motorist. Is pandering to the Sydney motorist what this whole thing is all about - buying off the general public at the expense of the transport industry? Of course, for Territorians, the cost of registering small and medium cars would actually increase. The general public in this part of the world would cop it both ways. It would be slugged an extra 9.4¢ per litre, less the current Territory charge of 4¢ per litre for petrol.

The efficient movement of goods to our export markets is hardly going to benefit from skyrocketing freight costs. It seems obvious to me that the report has simply failed to address the problems faced by areas in which efficient rail transport is not available - areas which probably include the entire nation - and which are totally dependent on road transport. Further evidence of this can be found in the so-called externality charge incorporated in the petrol and diesel excise.

In recognising the fact that road use imposes costs on society other than wear and tear, the ISC report identified 2 major external costs: firstly, congestion costs, estimated by the Bureau of Transport Economics at $2000m per annum; and, secondly, air and noise pollution costs of about $1300m per annum. However, the ISC report recommended a levy on diesel users for air and noise pollution costs only, that levy being 8.5¢ per litre

in the total proposed diesel levy of 24.1¢ plus recent variations. To put it into perspective, the figure of 8.5¢ per litre represents almost double what the federal government spends on road construction.

The rationale of a charge on noise and pollution costs only is quite beyond me since congestion costs are by far the greater economic evil, although they do not apply in the outback but only in the major cities. Additionally, the noise and air pollution levies appear to be designed with only city conditions in mind, where the problems are obviously far greater than in the bush. Needless to say, this is another example of the report's failure to come to grips with the reality outside the east coast of Australia. Life does exist beyond the Blue Mountains, and it does exist beyond the railhead. Do the report's authors honestly believe that kangaroos and buffalo will be offended by the sound of road trains moving down the track and that, accordingly, our road train operators need to be levied 8.5¢ a litre to compensate for that? Clearly, this externality charge, or environmental charge as it is also known, is all about downtown Sydney and has nothing to do with Australia's remote regions. In the meantime, the congestion problem caused by traffic in our cities would simply go unpenalised. There is simply no logic in that.

The ISC report's recommendations are contrary to any policy of decentralisation or of equity in Australia, given the reliance of many regional centres on heavy transport to link regionally-based plant and markets in Australia and overseas. In addition, the Territory government has a philosophical problem in relation to road users - and, more specifically, those involved in the heavy transport industry - having to pay the total cost of roads. The Territory government believes that road users, particularly the heavy transport road users, should pay only for the damage that they do to the road system - in other words, the marginal cost. The ISC report seeks to penalise heavy transport to the extent of paying for the local cost not only of road maintenance but also of the initial road construction cost. After all, roads are a public utility that benefits the whole community and therefore no one section of the community should be singled out to pay for their total construction cost. By all means, if one section of the community causes damage to a road, it should pay the cost of repairing that damage.

Of course, we are not talking only about philosophy in this case. We are concerned about the very real impact on all Territorians if the ISC report findings are not challenged. There would be an immediate impact on the road transport industry, pastoral industry clients, and every Territory home. Territory families would pay more in the supermarkets and electrical stores and Territory businesses would pay more in their day-to-day operations. Competition in the freight industry would be dramatically reduced and, invariably, reduced competition has a sequel in increased prices. The flexibility of the freight industry would be reduced and the only logical outcome of such inflexibility would be an increase in costs. When a freight operator is forced to cough up more than $20 000 for every trailer in operation, the option of having trailers left at strategic locations, which gives current operations their flexibility, will be a thing of the past. Either that or the end user will have to pay more to accommodate that flexibility.

Government, industry and the public were given the opportunity to comment on the report 3 months ago, before the Chairman of the ISC made his final recommendations to the federal Land Transport Minister, Bob Brown. I have to say that, given the extraordinary impact these recommendations are likely to have on the Northern Territory, the response from the ALP in the

Territory and from members opposite has been nothing short of disgraceful. The Leader of the Opposition has had precious little to say on the subject. All he has done is to say, 3 months ago, that he would read the report to ensure that Territory interests were looked after and, more recently, to criticise me for actually trying to do something about the report.

This report represents one of the most serious challenges to the Territory in the past decade. The Territory stands to lose $100m a year, and the Leader of the Opposition's only contribution has been to complain that the government has spent $5000 getting a lobby group down to Canberra to do something about this Territory disaster. If we succeed in exempting the Territory from this report's recommendations or, at the very least, in minimising their impact, that $5000 will have been very well invested by this government.

We have heard barely a peep from the opposition's transport spokesman. He came out of hibernation a couple of weeks ago to say he had mentioned the matter to Senator Bob Collins.

Mr Coulter: Who is he?

Mr FINCH: For the benefit of those honourable members who are not aware of the fact, the opposition spokesman on transport is the member for Nhulunbuy.

Mr Coulter: No, I meant Bob Collins.

Mr FINCH: Oh! That is a tricky question. I will bypass that one.

This comes, of course, some 2 months after the report's release. The opposition spokesman or his leader could have been rather more constructive if they had spent 41¢ on a stamp and sent a letter to the Land Transport Minister to complain about these recommendations which, as it turns out, basically reflect the view of the minister's own department.

As for our federal member, who after all is the parliamentary secretary to the Minister for Land Transport, what have we heard from him? There have been 2 statements. The first was issued on the day after the report was tabled in the federal parliament. It suggested that I was a bit presumptuous in my comments that this report might be damaging to the Northern Territory. The second was made on radio the other day. It pointed out that the report's recommendations will need to be adjusted, heaven forbid, for those areas with no rail option in order 'to ensure that remote Australia receives maximum benefit'. Maximum benefit! Mr Speaker, what benefit? What is this man talking about? There is no benefit in destroying the economy of northern Australia. Minimising the damage is what he should be talking about or, if he has the Territory's interest at heart, eliminating any damage to this developing part of Australia.

What a pathetic response we have seen from the ALP in the Territory. It has done nothing but criticise this government's attempts to get something done about this dramatic and catastrophic report. For the benefit of members opposite, I will bring them up to date with what has been going on in the real world while they have been off in Queensland shooting television commercials. Yes, I did take a lobby group down to Canberra. We did meet with groups such as the Livestock Transporters Association, the Cattle Council of Australia, the National Farmers Federation, the Long Distance Transport Association, the Transport Industry Forum, the federal minister and the chairman of the committee. We spoke with everyone who

would listen to us. We provided them with the facts and figures needed to convince the federal government that there is a problem with this report and its implications for northern Australia.

As I said, I met with the federal minister and the Chairman of the ISC to brief them on the problems that we have. It is a real world out there, but members of the opposition do not want to know about it. If they want to be educated on the subject, I am more than happy to undertake the task. The Chairman of the ISC, Mr Ted Butcher, acknowledged that he was getting the message. In fact, right across Australia he has been given a clear picture of the report's impact. The Leader of the Opposition, who is seeking to find some new-found northern Australian compact between the states, would be interested to know that at least Western Australia shares our views on this issue whilst, of course, his friend in Queensland is sitting on the fence.

The chairman of the committee does not mind admitting that the report initially did not take into account the road train situation in northern and western Australia. He has now re-examined a whole range of assumptions that he made in preparing his initial report, a report which took some 3 years to put together. I must confess at this point, with a great deal of sympathy, that the Chairman of the ISC has had his work cut out for him. There has been an excessive demand on his time to put together some extremely important documents on behalf of all transport sectors in Australia.

Assumptions were made, for instance, that road trains operate at 90% capacity, both ways, because figures supplied to the commission via the New South Wales Road Traffic Authority showed that that was the case for semitrailers operating on the Hume Highway. I explained to him that a road train shifting livestock in the Territory does not bring much back on the return trip except, of course, a load of manure. The average loaded distance for road trains carrying livestock is not 90%. Rather, the industry figure is about 40% to 50%.

I think it is fairly clear that the ISC report was based on a number of assumptions which have nothing to do with remote regions. The ISC Chairman got that message here and he got the same message in Queensland from the industry last month, at a series of meetings with transport and primary industry groups. He admitted that he had been stunned by the cost impact on the oil drilling industry, for instance, after he was supplied with figures by Santos. Higher transport charges for that industry would make many smaller oil and gas fields uneconomical.

The Chairman of the ISC, Ted Butcher, has now made a number of recommendations to the federal Land Transport minister for consideration - and I emphasise the words 'for consideration' - before the federal minister makes his report to a meeting of Transport Ministers in Hobart early next month. I have been provided with that review and its recommendations. There has been a view in some quarters that this report's recommendations are so disastrous, and I refer to attitudes of the Darwin media in particular, that they could not possibly be implemented by any reasonable government. That might be a comforting thought if it were not for the fact that it has taken 3 years to produce a report which adopts the recommendations of the federal minister's own department. This government has now been confronted with that fact and that is why we have been out there fighting hard.

With that in mind, I have to inform honourable members that there is not a great deal of comfort in the review of the report which was handed to the Land Transport Minister last week. The review's author states that the

ISC's original recommendations 'are sound and should stand'. The review does recognise a number of areas of Northern Territory government concern, but by no means alleviates that concern.

Let me first deal with the changes to the proposed mass-distance charge for heavy vehicles. The report acknowledges the need for a special category for road trains and livestock trailers and adjustments have been made to the mass-distance charge affecting those types of vehicles. The charge, if approved - and I emphasise the words 'if approved' - has been adjusted downwards and is calculated at a figure of $41 000 per annum for the average Territory triple trailer road train. That is hardly a figure to make us throw our hats in the air.

The review does seek to compensate heavy vehicle operators with recommendations in a number of other areas, but it is as good a pea and thimble trick as one could expect to see anywhere. To ease the burden of such a sudden impost, the review recommends a 2-stage implementation period beginning in 1992 with the mass-distance charges to come fully into force in 1994. First year estimates on annual distance travelled by individual vehicle classes would be deliberately conservative. Mr Speaker, now you see the saving but, hold your breath, now you don't. That is because, to compensate for the shortfall in revenue from these initially lower mass-distance charges, the review recommends a 6¢ per litre of diesel fuel transitional surcharge. In order to make up for such kind consideration, 6¢ per litre for diesel fuel is to be added. That will apply to all vehicles which use diesel fuel, including small trucks, school buses, 4-wheel-drive vehicles, light vans and so on. Thus, in this initial 2-year period while operators are reorganising their contractual and repayment arrangements, something which will not easily be achieved, they will be paying an extra 6¢ a litre or $11 000 per annum on average, through the pump. Every user of diesel fuel will pay that additional 6¢. However one looks at this scheme, someone new gets slugged.

Let me refer to another compensating recommendation designed to alleviate the problems of the mass-distance charge in remote Australia. It is recommended that sales tax on trucks and truck tyres be reduced from 20% to 10%. For a road train, that would reduce the annual bill for tyres alone by some $5000 while sales tax on trucks would average out also at about $5000 per year. The forced elimination of the Territory's 4¢ per litre diesel fuel excise would save operators a further $7000 per annum. In other words, for Territory operators, there would be a saving of some $17 000 per year. That is, of course, if the federal government were to take up the option of the reduced sales tax.

Of course, the $7000 per annum is a Territory road funding cost. Deducting that figure from the mass-distance charge of $41 000 per annum, the average net increase in charges per road train is around $25 000 at the very least. That is still a big problem, given that the current Territory charge is only $1100 per annum. If one adds on the higher finance and servicing cost to meet such an increase, the figure will rise to more than $32 000 per year for that component of the exercise alone. Is this the result of what Warren Snowdon last week referred to as his 'consultation on the need to take special care when establishing the size of charges to be levied on road trains'? Does increasing a cost from $1100 a year to $32 000 a year represent special care?

More to the point, I am far from convinced that any federal government in Canberra would give even a fleeting thought to a 50% reduction in sales tax. That $10 000 per annum sales tax savings on trucks and truck tyres is,

I believe, a little contentious to say the very least. The report itself recognises this, proposing that a 3¢ per litre reduction in the price of diesel fuel be implemented until such time as the sales tax decrease is introduced.

Mr Speaker, if you are becoming confused about the ups and downs of this exercise, I do not blame you. How do you think the average motorist or average transport operator feels? That 3¢ compensation decrease, of course, is to be deducted from the 6¢ per litre increase in diesel fuel, which was designed to compensate for the 2-year transitional introduction of the mass-distance charge.

The ISC report and review is a hotchpotch, hit-and-miss conglomeration of financial levers and pulleys which has more exceptions than rules, but which still manages to cast an economic shadow over the Northern Territory and over northern Australia that is, frankly, frightening. I go back to the review's introductory remarks that the report's recommendations were 'sound and should stand'. From the Territory's perspective, the threat of massive freight cost increases is still there. The proposed 9.4¢ per litre increase in the price of petrol is still there, an increase in registration charges for the average Territory car is still there, and Territory families will be slugged in the supermarket and on the road. This is all because the east coast of Australia cannot deal with the congestion caused by trucks on metropolitan roads and needs an excuse to get freight off the trucks and onto the rail network, which is an inefficient network at that.

The overall direct impact on the Northern Territory economy will be the best part of $100m per annum. That figure - and this is the frightening part - could be more than doubled with secondary effects such as flow-on from reduced competition, lost primary production and other business reductions. Each and every Territory family, regardless of financial capacity to pay, is likely to be up for an extra $2000 per annum at the least. Australia does exist beyond the railhead and the Territory government will continue its fight to ensure that this report is dismissed and discredited as the disaster that it truly is. I seek the absolute and unequivocal bipartisan support of members opposite.

Mr EDE (Stuart): Mr Speaker, the minister has chosen rather a strange way of seeking bipartisan support. I think that events have probably got beyond him. We have made our position quite clear in other forums and we wish to make it quite clear at the commencement of our contribution to this debate. We oppose any increase whatsoever in operating costs for Northern Territory freight providers. Our position is that costs should not rise by a single cent. We recognise that that may require the exemption of road trains from the provisions of this report.

I believe that the minister was among those who welcomed the appointment of the federal member, Mr Snowdon, and Senator Bob Collins to their portfolio positions, stating that he would work with these gentlemen in Canberra to ensure the best outcomes for the Northern Territory. I would hope that, in his reply, the honourable minister will advise us of the meetings that he has had with Mr Snowdon and Senator Collins in relation to this matter. My advice is that there have not been any.

A member: Whose fault is that?

Mr EDE: Oh, it is their fault, is it? The honourable minister did not seek meetings with Territory members of the federal parliament who could

have given him direct access to the very portfolio which is the source of his problems, the federal land transport portfolio.

I have a copy of the original submission which the Northern Territory made to the ISC, the body which produced the original report which did not take into account the needs of remote areas or the difficulties of those areas which do not have adequate rail networks. Nor did it take into account the differences in externalities, the difference in usage, and the difference in kilometres travelled in such areas. That point was acknowledged very early in the piece by Hon Bob Brown, the federal Minister for Land Transport. The point was made to him by members representing the Northern Territory, Senator Collins and Mr Warren Snowdon. They identified the problems underlying the whole approach.

As a result, Mr Brown asked the retiring Chairman of the ISC, Mr Butcher, to carry out another report into the recommendations of the ISC, which was called 'Road Use Charges and Vehicle Registration: A National Scheme'. He asked him to carry out a report looking particularly at problems that arise in remote areas such as the Northern Territory and rural areas of Queensland and Western Australia. That report is now available and I have a copy, although I must admit that it did not come to me from the Minister for Transport and Works. Last night, I looked at the list of submissions contained in the report. Whilst the minister made a submission to the original review, it was clear that this report would be crucial. This opposition had put its point of view where it would be most effective, by talking to people like Warren Snowdon and Senator Bob Collins. But, Mr Speaker, do you know who did not make a written submission? The Northern Territory government.

A member: We made one.

Mr EDE: I went through the list of written submissions, and it is a pretty comprehensive list. The submissions are detailed in the appendix. This government's name does not appear. That is rather amazing. I presume that the minister was too busy making television and radio appearances in relation to the issue to make a formal submission to Mr Butcher, putting forward the same positions as Senator Bob Collins and Mr Warren Snowdon. If he had talked to them, he would have known that they were putting positions which this opposition had discussed with them. They were attempting to secure changes at the heart of the portfolio. That is the way to get these things done.

There was a meeting with the honourable minister. He did meet Hon Bob Brown, the Minister for Land Transport. It was on 20 July at a seminar called 'Rail 2000' in Adelaide. He asked the federal minister whether he would give an assurance that the Territory would in no way be penalised under any new proposals. He received an assurance from the federal minister that the Territory would in no way be penalised under any new procedures that were being introduced under any new proposal.

In spite of that assurance, he has decided to waste the time of this House today with a hodgepodge of a report. If one reads the minister's statement, it is easy to see what has happened. The first 21 pages of the statement were prepared before he received the report from Mr Butcher. When all the waffle and the asides are left out, it contains criticisms of the original ISC ...

Mr Finch: It is the only report before federal parliament.

Mr EDE: We will come back to that in a moment. It is one of many reports which are being examined in this total context. Your federal counterpart was wrong when he stated that it would be presented to Cabinet this week. It is far from that point.

The minister was in full flight in relation to what would happen if the recommendations of the original ISC report were implemented. He was not going to let a few facts get in the way of a good story, including the fact that aspects of the original report were being rationalised. He told his colleagues: 'I have a beauty here. This will really rock them'. He then appended a few extra pages to his statement, in which he talked about possible savings under Mr Butcher's proposals and attempted to knock them.

The real problem is that he has not understood Mr Butcher's report. Even after reading it, he has persisted in drawing comparisons between the registration fee which we charge in the Northern Territory and the total fee which would affect a road train in a year's operation if the proposals contained in the report were accepted. As I said, it is one of many reports which will be submitted. The beauty of it is that it starts to come some of the way towards where we want to be.

The minister has made a fallacious comparison. As any fool knows, as any idiot who has been around the industry will tell him, registration is not the only cost which road transport operators have to bear. They also have to pay excise duty on fuel and sales tax on the initial purchase of the vehicle and on spare parts. The only way a comparison can be made is by aggregating all the federal and Territory costs as they were prior to the event and as they will be after the event. It is then possible to conclude whether there will be an increase or not, and the extent of any increase. However, it is an absolute nonsense to argue that it will increase from $1100 up to $21 000. I see that the honourable minister has the grace to grin.

Mr Finch: I am grinning at you.

Mr EDE: He is being either dishonest or incompetent in this regard. His grin gives me a clue because, obviously, that $21 000 is not comparable with the $1100.

Mr Finch: Why?

Mr EDE: If he wants to understand the costs and some of the comparisons, he should look at this report. In the case of triple bottom road trains of 104 t, depending on the state or territory, the Butcher report says that changes to charges could range from a decrease of 0.6% to an increase of 2.5%. For 115 t triple bottom road trains, the change could range from a decrease of 0.5% to an increase of 4.2% in the first year of operation. That demonstrates - I was about to say 'the dishonesty' but that would be unparliamentary - of what the minister has attempted to portray here today.

Mr Speaker, we will not accept this report either. I have said 'not a penny' because the Territory would be in the higher range of those percentage increases. Those increases would apply only in the first year of operation and the increases in subsequent years would go well beyond that percentage increase. It is an impost that we cannot bear in the Northern Territory. It would be unfair and unjust to place such an impost on a growth area like the Northern Territory.

Let us look at how we can tackle these things. This is a prime example of how Labor's concept of a north Australian economic community could operate to our advantage. The governments of Western Australia and Queensland made written submissions to the inquiry. In their remote and rural areas, particularly those with no rail services, they face similar problems to those which we face. As an aside, I would dispute the minister's statement that we would not be affected if we had a railway. Rural producers certainly would be affected because they would not be moving such short distances.

Mr Finch: I said affected less.

Mr EDE: They would not be loading their cattle and moving them to a railroad. They would go straight past.

Mr Finch: At least you have some minimal understanding.

Mr EDE: Mr Speaker, we understand the Territory government's inability to operate with other governments. It has always wanted to be out on its own. Working with others would make it much easier to have these matters corrected. I will come to that aspect in a moment.

First, I want to explain what the timetable is. The honourable minister carried on as if the report's recommendations were to be implemented during the next couple of weeks. There is a mad panic because 1 report is before parliament and, suddenly, there is another report. The recommendations are for a number of stages. It is hoped that there will be an in-principle agreement on the scheme and the legislative responsibilities by 31 September 1990.

Mr Finch: 7 September.

Mr EDE: The authority designate, the federal state and territory officials, would develop a detailed structure for the agreement of ministers by 1 July 1991. The other dates are: legislation for the new scheme, be it territory, federal or state, 31 December 1991; the independent authority, 31 December 1991; and vehicles operating under the new charging arrangements from 1 July 1992. That is the time frame that we are dealing with. Let us not be panicked by the honourable minister into believing that what he reads on a piece of paper at the moment is what will finally be enacted. Members on this side of the House, together with our federal colleagues, are working to ensure that costs do not rise by a single cent and that, if necessary, things like an exemption for road trains can be envisaged.

Let us have a look at the broader issue which is involved in this. From the way the minister has spoken, one might think that what we have is simply a proposal that the federal government increase all the costs of transport vehicles around Australia. The basic principles, those which Mr Butcher said should still be supported, relate to the micro-economic reform of the whole road transport industry. I hope that no member of this House would dispute the need to effect that micro-economic reform. The Prime Minister has spoken about the difficulties which we labour under in Australia. He has pointed out that, in a few years time, trade between various countries in Europe will be freer than trade between the various states of Australia. We must address those issues.

The minister said that there is a clear need to examine the sea land interface. If he was on top of his job, he would realise that, a matter of weeks ago, Senator Bob Collins gave a reference to the House of

Representatives Standing Committee on Transport and Infrastructure, chaired by Peter Morris. That reference concerned the appropriateness, efficiency and performance of the interface between sea transport and land transport. If we adopt the honourable minister's time frame, we will never keep up with the rest of the world. We will never regain our competitiveness. These matters have to be addressed simultaneously if we are to get the country back on the efficient road it would have been on had it not suffered so many decades of Liberal National Party rule.

Mr Finch: It took 7 years to fix up the waterfront.

Mr EDE: It took your mates down in Canberra 25 years to destroy it.

Mr Speaker, the opposition has a position on this matter. We have put that position to Senator Bob Collins and Hon Warren Snowdon, both of whom are involved in the transport portfolio. Our position states that the costs of Territory transport operators should not be increased by another cent. It can be no clearer. If the honourable minister will take a little advice, he will get his act together and meet with people like Warren Snowdon and Senator Collins.

Mr Finch: I have done that.

Mr EDE: In that case, the minister might like to give us some times and dates.

Mr Speaker, if he meets with those people, he could possibly begin to put the Territory's case more effectively in the halls of power. His current approach, which involves screaming, yelling, ranting, raving, incorrect figures and comparisons between apples and oranges, is getting him nowhere. He is simply making a joke of himself and making it more difficult for the rest of us, who want to look rationally at micro-economic reform in this country.

Mr Finch: You have sold us out! You are snowing us.

Mr EDE: We want to come up with a rational and sound basis for the development of Australia. That is what we are after.

Mr Finch: You are kidding yourself!

Mr EDE: The honourable minister should get back on track and stop carrying on like someone who is deeply in love with the sound of his own voice. He should start to utilise the available processes. Our position is clear and we are stating it to great effect, using the proper processes, the processes which I recommend to the minister. I have confidence that those processes will produce the results which we all desire.

Mr POOLE (Araluen): Mr Speaker, it was very pleasing to hear the Deputy Leader of the Opposition supporting the Northern Territory government's attitude towards this report by Mr Butcher, which certainly carries out a bit of a butchering job on the Northern Territory. During the transition period referred to in the report, an amount of 6¢ per litre would be added to the cost of diesel fuel. Of course, many tourist operators in the Northern Territory utilise diesel fuel to transport tourists around the countryside. Petrol prices would rise by 9.4¢ per litre which, of course, would greatly affect the costs which face the average Australian holiday-maker, the person who drives around the countryside in his own motor vehicle.

A large percentage of tourists who come to the Northern Territory arrive in private vehicles, including 4-wheel-drives, often towing caravans. With the horrendous prospect of the price rises which could result from the Iraq situation, I dread the thought of what might happen in the long term when additional amounts are levied on petrol and diesel fuel.

Mr Ede: Offset by lower registration fees, of course.

Mr POOLE: Maybe. That is debatable.

The Northern Territory is almost solely reliant on road transport for freight. Most people here would consider that the road transport industry is very competitive and efficient. If this report is implemented as it currently stands, I do not believe that we have much to gain from it. In spite of the benefits which the Deputy Leader of the Opposition sees in terms of micro-economic reform, I doubt that we will ever be on a level playing field in terms of road and rail competition. I am told that we would face freight price increases of about $15 per tonne between Alice Springs and Darwin, and more than double that from state capital cities.

The honourable minister stated that the living costs of an average Northern Territory family could rise by between $1000 and $2000 per annum. Of course, the additional transport costs will have an adverse impact on the viability of exports, the cost of living and employment, the cost of delivering government services and the capacity of the Northern Territory government to raise revenue through the fuel franchise revenue system. The concept of a level playing field implied in the report is an illusion. Other transport policies in areas such as domestic shipping and, to a certain extent, international aviation, impose added costs and growth restraints on the remote areas of Australia, and similar imbalances result from trade protection. These, of course, tend to favour the south-east corner of Australia, where most manufacturing is located, at the expense of the north. A true level playing field would imply the use of countermeasures to compensate for this tendency.

The cost penalty imposed by distance is compounded by taxes on transport. Earlier ISC reports opposed taxes on transport as an intermediate product. This applied particularly to sales tax but is applicable to other revenue such as stamp duty. I understand that the Northern Territory submission to the ISC suggested a 50% allowance. At the very least, these imposts should be reduced to the average level on products throughout the economy. Sales tax on freight costs should also be removed in line with the original 1983 ALP election commitment and, we understand, as is the current case in Canada. Not only does it add arbitrarily to costs but it distorts the normal business arrangements.

The report proposes that the revenue from mass-distance charges be returned to the states in which the vehicles are registered. Registrations are proposed to be nominal only. Leakage could be a much more serious problem with the mass-distance charge than is the case for current registration charges, with the less populous states more likely to lose out unless a suitable adjustment method can be identified. The resultant distribution of revenue lacks any logical rationale.

The impact of a reduction in the Northern Territory tax revenue base and related loss of discretionary power from any loss of fuel franchise and registration revenue certainly needs to be addressed. What assurance is there that the Commonwealth can be trusted regarding its use of additional

taxing powers? History gives people in the Territory no confidence, whatever the Commonwealth's motives are initially. How can this be overcome?

Given the present developmental stage of the Northern Territory economy, it is essential that the cost impact on the Northern Territory's people and its industries be reduced by direct reduction of the charges and by application of provisions which have both subsidy and compensation elements. In terms of road funding, there is uncertainty about future funding levels and concern that the road investment economic evaluation methodology presently employed at the federal level tends to favour the more populous urbanised states. The problems with this methodology stem from its over-reliance on traffic demand and under-emphasis on external costs such as congestion and pollution, on the one hand, and economic development and the social benefits of roads in rural areas on the other.

In any negotiating situation, the NT is at a disadvantage because the main interests of most, if not all, states are in the developed areas. In practice, the Commonwealth tends to operate this way also. There is a lack of discretionary power in the use of road funds to respond to local situations. This is unlikely to be appreciated by any centralised vetting group and will lead to a misallocation of resources.

There is a need to ensure that, in any national evaluation system, all roads are correctly categorised so that the evaluation correctly identifies relevant needs and costs. For example, if too high a road standard is presumed to be needed, the evaluation results may suffer. There is also a need to avoid the traps of standardised data. For example, vehicle operating costs are higher in the Territory than in the main population areas. There is a need for special allowance to be made for the funding of local roads in areas which cannot support local government, including those servicing rural and Aboriginal communities.

The eastern states are concerned to retain current road funding, and they will compromise moves to develop more appropriate evaluation approaches. There is likely to be less bias towards economically developing areas. It may well be that a different evaluation methodology needs to be employed for economically developing areas to capture the external developmental benefits of roads in areas like the Northern Territory.

The road industry itself will face difficulties with up-front payments of mass-distance charges. Even with quarterly payment, more than $15 000 extra will be required per quarter for a road train. The industry is unlikely to be able to pass on all the costs above marginal costs to, for example, small businesses or export industries. Disproportionate increases in road train charges versus those for articulated units will result in a 16% greater increase per tonne for a 100 km trip.

As a group, road trains tend to carry a higher proportion of unidirectional loads than articulated units. The mass-distance charge does not appear to allow for this. Many road train operations are totally unidirectional, such as those carrying ore and often those carrying cattle. Where there is no backloading, it is common practice to carry piggybacked general trailers.

Distance measuring devices would seem to be an expensive way of allowing lower payments. There may be some scope for alternative administrative arrangements and treatment of road train operations in conjunction with a modified charge regime. Many operators who do not use

road trains also carry unidirectional loads and are thus discriminated against under the mass-distance pricing regime.

It appears that no apparent consideration has been given to a third option - namely, the provision by the Commonwealth of a legislative framework with complementary state and territory legislation. This would provide for national consistency whilst recognising legitimate differences in local needs. The Uniform Shipping Law Code is an example of this kind of legislation.

The report suggests that, even if the Commonwealth alone were to regulate vehicle registration and driver licensing, the states and the territories could administer the provisions so that full use could be made of local knowledge and so that local factors would be taken into account as far as practicable. The Northern Territory would want to be convinced that the Commonwealth could and would allow such flexibility. As an example, even before Federal Interstate Registration Scheme legislation was finalised, the Northern Territory sought to ensure that transport inspectors had the same scope for FIRS vehicles as any others, in terms of directing them to a weighbridge for weighing. The most recent amendment to the FIRS regulation makes even more specific a maximum limit for FIRS vehicles of 5 km in the forward direction for this purpose. The Territory government has consistently sought a maximum limit of 30 km for this purpose which is more in keeping with local operational conditions. If the Commonwealth cannot accommodate the Territory on such a simple matter, how can it offer adequate flexibility on much more significant matters?

While the concept of a single national registration system sounds attractive, the major benefits may be attained on a much more cost-effective basis through a uniform rather than a centralised national system, and this is being progressed now for heavy vehicle driver licensing through a committee set up under the auspices of the Australian and New Zealand Transport Authorities Conference.

The Northern Territory Economic Development Strategy envisaged broadly based diversified growth across the minerals, energy, primary and secondary, and tourist industries, supported by an efficient transport sector. Efforts to attract private investors to establish a rail link between Darwin and Alice Springs should and will continue. This economic development strategy also involves extending and upgrading the road network to improve access between urban centres and remote communities. Thus, while the railway is a logical part of the development strategy, it is important to hold overall transport costs down. Certainly, inflating road transport costs is not seen as a desirable objective in this context. The key objective is efficient, cheap transport. Such a system is essential for our rapid economic development.

The Northern Territory is a developing economy characterised by long distances, a small population and with a significant portion of the community living in remote conditions and relying on social security. Therefore, its industries and people have special needs and should be insulated from the adverse side effects of a range of national policies which run counter to the concept of a level playing field which would apply equally to manufacturing industry and the primary and tertiary industries upon which the Northern Territory is mostly dependent.

To the extent that the proposals preclude local flexibility and discretion for administrative action and in the raising and spending of funds, they will also lead to misallocations of resources and make it more

difficult to obtain the broader long-term social and developmental objectives. As far as the Territory government is concerned, the outcome from any review of road pricing and investment arrangements must be consistent with its own strategy in relation to the economic development of the Northern Territory.

I am sure that honourable members share my concerns about this matter and that all are waiting anxiously to see the final outcome of this report and its subsequent review. I do not share the confidence of the Deputy Leader of the Opposition that all is well and that we can rely on Canberra to do the right thing by us, because the federal government has certainly not done that in the past. There are many people in the Northern Territory who operate motor vehicles, coach companies and so on. I believe that they have good cause to worry about what is happening in the south in respect of our road transport costs. I support the Minister for Transport and Works in his concern and I hope that, at the end of the day, we really will be able to stand up and say that the opposition was right and that that latest transport review will have ended up without a single cent of additional cost being passed to the people of the Northern Territory.

Mr BELL (MacDonnell): Mr Speaker, I listened with interest to the statement to this House by the Minister for Transport and Works in respect of the ISC Report into Road User Charges. I want to place on record in the Assembly today my concern about the possible impact this may have on my own electorate. As honourable members will be aware, the electorate of MacDonnell includes a large area of central Australia, and I have received representations in respect of the proposed increases in road user charges.

A few years ago, I had the privilege of representing the parliament at a backbenchers' conference in London. During that conference, I was asked on a number of occasions how many voters lived in the electorate of MacDonnell. Quite a few eyebrows were raised when I said that there were about 3000, give or take a few. Other MPs thought this was an extraordinarily small number by federal standards in Australia and, certainly, by UK standards. I was at least able to rejoin by saying that the area of MacDonnell would take in all of the British Isles and all of the United Kingdom. When I make such comparisons in Australia, I tell people that MacDonnell includes an area somewhat larger than Victoria. That shuts them up fairly effectively.

I refer to those comparisons in this context because I really do not think that people who live in the southern capitals realise just how big northern Australia is. I do not think that they realise the extent of our dependence on road freight. For that reason, I want to support the remarks of the Deputy Leader of the Opposition and indicate to the Minister for Transport and Works our desire to participate in an exercise of lobbying the federal government to ensure that fair charges are levied on road operators in the Territory. It comes down to that very basic northern Australian concern about distance and about the extent to which people are or are not able to afford charges in the same way as they might be able to elsewhere. We should not be ignorant of the fact that half the population of Australia lives in Sydney or Melbourne. As an Australian, I find that fact quite chilling. In this context, it is important for us to ensure that that political reality does not prevent a greater element of fairness applying with respect to these charges than appears to be being contemplated at the moment.

As an Australian, I endorse the proposal that road user charges be increased where rail services are available. I notice that, in his

statement, the minister made a broad-brush accusation of inefficiency in respect of rail services. I am not convinced that that broad accusation is reasonable, when one considers all the costs associated with road usage. I might say in passing that it sits oddly with the Minister for Transport and Works who is keen to see, as we are, the construction of a railway between Alice Springs and Darwin. I am concerned that the minister has seen fit to make such an unconstructive broad-brush attack.

It basically comes down to this. A current charge of $1100, plus the existing fuel excise and sales tax, is being paid by constituents who have made representations to me. These people, who cart their own cattle, face prohibitive costs. I am determined to do whatever I can to ensure that any charges levied on them are fair and that the system of national charges reflects the realities of northern Australia as well as the realities of the Hume and Pacific Highways.

I have had cause to say this on a large number of occasions, but I thought that the tone of the minister's statement was objectionable. On the one hand, he attempted to seek a bipartisan approach but, on the other, he devoted a large portion of his speech to bagging the federal government and the Territory's representatives in Canberra.

Mr Finch: I bagged your leader as well. He has had 3 months in which to comment.

Mr BELL: I am just talking about the federal representatives at this stage. If the minister genuinely wants a bipartisan approach, I suggest that the tone of his statement does not particularly encourage that.

The member for the Northern Territory, Warren Snowdon, has been energetic in his representations on behalf of the Territory. I draw the honourable minister's attention to Mr Snowdon's press release of 7 August in which he indicates that he has been making representations to the federal Land Transport Minister, Bob Brown, in this regard. That press release is headed 'Snowdon protects remote Australian transport costs'. I believe that the minister's accusation that Northern Territory Labor is not interested in this issue does not, in the final sense, serve the interests of road transport operators. It certainly does not serve the interests of my constituents who own trucks in their efforts to move cattle out of remote properties around the Centre. It does not assist them in their battle to ensure that those charges are fair.

Mr Speaker, I seek leave to table Mr Snowdon's press release.

Leave granted.

Mr BELL: In conclusion, let me assure the Minister for Transport and Works of the opposition's desire to ensure that only fair charges apply, charges which do not result in massive increases either to road transport operators in the Territory themselves or to other Territorians by way of increased food prices and prices of other commodities. I assure the minister of our desire to ensure that a fair taxing regime operates in this regard.

Mr REED (Primary Industry and Fisheries): Mr Speaker, in rising to speak in this debate, I must say at the outset that, if the member for MacDonnell was concerned about the tone of the minister's statement, which he found objectionable, I find equally objectionable the silence of the opposition on this issue for a period of approximately 3 months. This issue

has been on the boil for at least that long and the opposition's silence has been deafening notwithstanding the importance of this impost to freight service operators in the Northern Territory and, indeed, to all Territorians. I might say that the opposition is not displaying any great commitment in relation to this matter if one judges that commitment by the number of opposition members present in the House during the course of this debate. I do not believe that the Leader of the Opposition has been here at all during the debate.

Mr Bell: Have you actually got anything to say, Mike?

Mr REED: I know that it might be a sensitive matter for you but it is a point that Territorians should be made aware of.

Mr Bell: If that is the best argument you have, you should sit down.

Mr REED: My point is valid. It clearly indicates the opposition's lack of concern and lack of genuine commitment on the part of the opposition ...

Mr Bell: Bulldust!

Mr VALE: A point of order, Mr Speaker! The member for MacDonnell interjected whilst not in his chair and I believe that his interjection was unparliamentary.

Mr SPEAKER: There is no point of order. 'Bulldust' is not an unparliamentary term.

Mr VALE: He interjected whilst not in his chair.

Mr SPEAKER: That is debatable.

Mr REED: Mr Speaker, in confirmation of my remarks, I note that there are now no members of the opposition in the Chamber. That is a clear indication of their lack of commitment to both the Territory and to this real problem which faces us all.

I welcomed the comment of the member for Stuart that not another cent should be imposed on Territorians in relation to these matters. We have waited for a long time to hear such a comment, one which the opposition has been very wary of making until now. I cannot, however, be comforted by his views or the views of the member for MacDonnell on these matters. Whilst the member for Stuart might be satisfied with being sold a pup, I do not think for a moment that we can rest assured that, in the event that these charges were imposed on the states and not on the Northern Territory as he suggests, the states would sit by and accept such a situation. We are, after all, talking about a national scheme. That is what it will be in the final analysis. I do not think that any of us should be fooled that something to the contrary will occur.

Even in the unlikely circumstance that the member for Stuart's hopes were to be fulfilled and that, for some unusual reason, the federal government decided to vary the treatment which it has given to the Northern Territory in respect of a number of matters in recent years, the fact is that we would not escape the imposts which the introduction of the ISC recommendations would place on transport vehicles interstate. It is obvious that vehicles carrying goods to and from the Northern Territory are not all registered in the Northern Territory. Clearly, there would be a flow-on of

costs to Territorians, both in prices paid for produce transported from interstate and in the cost of transporting Territory goods interstate, where interstate-registered vehicles were used. It is for this reason that I believe that the members opposite have been sold a pup. If they think for a moment that we will receive special treatment, they will ultimately find that they were sadly mistaken.

I was disappointed that the member for Stuart did not address some of the problems that will confront primary producers in the Northern Territory, given his responsibilities in that area. They are really much deeper than they appear to be on the surface. There has been a tendency for the media and, today, for members opposite to consider this problem simply in relation to the shipment of cattle from a pastoral lease to an abattoir or to a point interstate where the producer receives a return upon sale. However, there are many inputs in the pastoral industry and most of them come from interstate. Most of them also apply to all of us, as consumers, because much of the product that we consume is supplied from interstate. From the point of view of the pastoral industry, I speak of fertilisers, hay and feed supplements.

It is interesting to dwell on those few issues because, in recent years, we have seen a great transition in the pastoral industry, from a situation in which producers virtually harvested semi-wild animals to the current situation in which producers are improving their land, and ploughing and fertilising areas. They are putting in improved pastures and they are putting out feed supplements for their cattle. This transition is transforming the pastoral industry in the Northern Territory. It is vastly improving the quality of the product that is raised and put on the market and, as a consequence, it is opening up new markets which were previously closed to us. The potential impact of the imposts proposed by the interstate commission is therefore dramatic. They could be devastating to a vastly changed pastoral industry in the Northern Territory.

The increased costs would also apply to other goods which pastoralists purchase, at least to some extent, from interstate. Such goods include: fuel, fencing materials, most of which come from interstate, and, of course, food for owners of pastoral leases, their managers and other employees. All of these goods are imported, mostly from interstate. They are taken to regional centres in the first instance, before being transported to the properties. The oncosts not only affect the financial viability of the property at its heart, but will increase the cost of production, therefore impacting significantly on our ability to access other markets.

Operational costs on the properties will be affected, including equipment costs, the transport of equipment for graders, the grading of firebreaks, maintenance of roads and fence lines, and the rehabilitation of specific areas, something to which the opposition has given great emphasis in its greener moments. The proposals put forward by the ISC jeopardise the ability of pastoral lessees to continue to operate in the very responsible manner in which they have operated in the past and, indeed, in the improved manner they have adopted in recent times. The proposals place the whole pastoral industry in the Northern Territory in jeopardy. I single out the pastoral industry because it is large, but I do not ignore industries like the horticultural industry which will suffer similar imposts, although its lower operating levels mean that they will be on a lesser scale. The situation of the pastoral industry clearly emphasises the problem which we all face.

As I have said, it is not simply a matter of the transport of stock from the property to the point of sale. There are intervening movements of cattle which producers necessarily face in particular circumstances. When a property is hit by drought or is suffering because of a lack of food or water, cattle may have to be moved for agistment to another property in the Territory or indeed interstate. When better conditions begin to prevail on the original property, the cattle then have to be returned. Under such circumstances, the Territory's pastoralists would not be able to bear the additional costs imposed. It may be necessary to transport cattle for fattening before slaughter, to feedlots within or outside the Northern Territory. The cost imposts are too great to relate. They do not apply only to the outputs of pastoral properties but to the inputs as well.

That is what disappoints me about the concerns expressed by members of the opposition today, and the lack of concern which they have displayed until now. They have completely overlooked the overall imposts and the issues that will arise from the ISC proposals, as they affect both the pastoral industry and the broader sectors of the Northern Territory. I understand that the freight costs involved in moving cattle could increase by as much as $15 to $20 per head. That is simply the costs which would apply to the movement of cattle from the property to the point of sale interstate. It does not take into account all the other costs to which I have just referred.

I call on members opposite to have a much closer look at these proposals and to investigate more precisely the imposts which they place on the pastoral industry. Hopefully, in doing that, they will recognise that there is no easy fix. We cannot be comforted by their view that these costs will not be applied to the Northern Territory but will be applied to the states. That flies directly in the face of statements made by the Leader of the Opposition in relation to his cooperative approach to northern development. Mr Speaker, can you imagine for a moment that the Leader of the Opposition will be able to convince the Premiers of Queensland and Western Australia that they should face these imposts but that the Territory should not? I cannot imagine that happening and I do not think for a moment that the states would allow it to happen, although I must say that there has been a deafening silence from Queenslanders on this issue.

In Adelaide recently, I met with Hon Ernie Bridge, Minister for Agriculture in the Western Australian government. He was not aware of these issues at the time, but I was heartened to find that, as our discussions proceeded, he showed a considerable appreciation of the imposts which would be imposed on the pastoral industry in the north of Western Australia and, indeed, on anyone living in that region. I am pleased to say that, in response to a statement which I made to the Agricultural Council in Adelaide last month, I received very strong support from the Western Australian minister. He was certainly appreciative of the fact that I had drawn these matters to his attention and, in turn, I was appreciative of his support.

I am not at all surprised that the member for MacDonnell has received representations in relation to this report and the imposts it envisages. I am, however, a little surprised to find that he has also accepted the pup that the member for Stuart was sold. I found his response to the minister's statement to be objectionable. Likewise, I find that the members opposite have blighted themselves by their silence in relation to this matter. They have sold the industry short and they have sold all Territorians short. I hope that they realise that they still have not found a solution which will be satisfactory to any of us and that there is still a large amount of work to be done. In realising that, I hope that they will take up the cudgels

and accept the honourable minister's suggestion that we adopt a bipartisan approach on this issue, because it is sorely needed. Members opposite need to realise that this matter is important and that there is as yet no solution at hand. Although, as the member for Stuart said, the measures will not be implemented in the short term, once these sorts of programs are on track, they are very hard to derail, which is what we have to do if we are to save our manufacturing base and to ensure that Territorians can continue to live here without being burdened by insufferable costs.

Mr SETTER (Jingili): Mr Speaker, the transport system in this country is in a shambles and the shambles has been becoming gradually worse and worse. We have heard about the sea transport problems that this country has experienced over many years now. Senator Bob Collins, the Minister for Shipping, tells us that he will solve all of those problems within the next 12 or 18 months or else depart the scene. More importantly, what we are talking about today is the ISC Report into Road User Charges which, I believe, the federal government sees as a panacea which will solve all of the problems that have been created by its neglect over the past 7 years.

I say 'its neglect' because the proof of the pudding is in the eating. The facts show that, during that 7 years, road funding has decreased dramatically in a whole range of ways. During its period in office, the Labor government has almost totally neglected road development and the upgrading of roads. What will happen if the recommendations of this ISC report are implemented? We will see inflation in this country increase dramatically. It will not result only from the charges that follow from those recommendations. Because of the conflict between Iraq, Kuwait, Saudi Arabia and others, there is a distinct possibility that oil prices will go through the roof. In the last week or 10 days, there has been a 4¢ per litre increase in petrol prices at the bowser. A freeze on petrol prices was imposed by the federal Treasurer a few days ago. That will be in place for only about 3 weeks. Once that is lifted, and if the conflict in the Middle East is not resolved in the short term, we will see the cost of fuel increase dramatically.

On top of the additional charges proposed to be imposed by this report, we will see inflation in this country go through the roof. That particularly affects the top end of the Northern Territory and the Northern Territory in general. We do not have any alternative means of transport. In the Top End, we depend entirely on road transport. As the minister indicated, based on the recommendation of the ISC report, that will mean an increase of up to $2000 per annum in costs to the average taxpayer in the top end of the Northern Territory. Fortunately, the people at the bottom end have rail. We should have a railway too. In 1983, Mr Hawke said that, if elected, his government would continue to construct the railway which was already under way, courtesy of the Fraser government. That was one of the first promises that he broke. We are at the mercy of the road transport system. We now see this impost being added on top of everything else.

I indicated earlier in my comments that the responsibility for the present situation can be sheeted home to the federal government and its policies. When it came to power, the fuel excise imposed by the federal government was around 5¢ or 6¢ a litre. Today, it is something like 26¢ a litre. However, that same Hawke government has cut road funding by almost 30% in real terms. I feel sorry for the Greiner government in New South Wales. There have been some horrendous road accidents in New South Wales in the last year or so because the standard of the roads in New South Wales, and indeed in most other states of Australia, has hardly improved in the last decade. The original concept of the fuel excise was that that

money was to go towards road funding. Despite the fact that there has been a fourfold increase in the excise, we have seen a 30% reduction in real terms in road funding.

If the level of road funding had been maintained at the 1983 level, the Pacific Highway would now be a magnificent road. The Victoria Highway and other roads would have been upgraded. That money, which was originally designed to be directed into road funding, has been redirected into alternative lifestyle funding. We heard a bit about that today. It has gone into the welfare industry that has been created by the current Hawke government. It is absolutely disgraceful.

The revenue that the Hawke government has raised through this excise has increased by 482% in its terms of government. The estimated revenue from that fuel excise in 1989-90 is $5645m. In 1989-90, it spent $1333m on roadworks. That is a shortfall of well in excess of $4000m. That is why we have a problem and that is why this ISC report will now impose all these horrendous charges in the hope that it will be a quick fix.

A month or 2 ago, I can recall an MP from the federal Labor government suggesting that we impose an additional excise charge of 3¢ or 4¢ per litre at the bowser. I forget the exact amount. The additional charge would be used to upgrade roads. One of the backbenchers came up with this proposal.

Mr Finch: 1¢. He was told by the Prime Minister: 'Don't be silly. There will be no increase'.

Mr SETTER: 1¢ a litre was it?

In fact, the federal government is already ripping off 25¢ a litre. That goes almost unnoticed. It is like the indexed excise and taxes on alcohol and cigarettes. It is taxation by stealth. There is no doubt that the federal government has become a past master in that area. In fact, I will quote Frank Alcorta for the second time today. On 17 July this year, he wrote an article entitled, 'Grasping Taxman Robs Job Incentive - Regime Discourages Work'. It describes how the Hawke government has been taxing this country to such an extent that we are now on our knees.

Whilst there has been decreased expenditure in real terms on our roads and whilst road improvements have not kept pace with the conditions that prevail today, since 1983 there has been a horrendous increase in the number of vehicles on the roads. There has also been a change in the vehicles. A few years ago, I used to drive a Ford Prefect utility. I drove it from Mt Isa to Darwin in 1964. She would do 45 mph downhill, flat out. Today, it is nothing to see somebody in a modern car doing 160 km/h on the highway.

We have also seen a horrendous increase in the use of road transport. A couple of decades ago, there was hardly a road train on the roads in the states. Today, there are thousands. I would hate to drive at night on the Hume Highway between Sydney and Melbourne. You would be taking your life in your hands to attempt to do that. There has been an enormous swing of commercial freight away from railways to road transport at a time when the number of domestic vehicles has dramatically increased and the standard of our roads has remained almost static for the last decade. That is why we have a problem.

Why has there been such a move away from the railways, a move that the ISC report is now trying to reverse? It is doing it the hard way by imposing all these increased charges in the hope that people will move back

to rail. The reason why people moved away from rail was because the charges were far too high and the service was inefficient. The damage sustained by freight as a result of lack of care and poor handling was horrendous.

I will give you one example, Mr Speaker, and you can see it today. If you went to the Roma Street goods yard in Brisbane at 9 am or 10 am, you would see at least 100 trucks lined up waiting to load. Imagine the cost involved in that exercise, as all the drivers sat reading books or chatting. When one truck was loaded, the next moved down the line. The cost would have been astronomical. Where the loading occurred, there were no forklifts or cranes. It was done by a gang of railway workers with old-fashioned trolleys. In many cases, they still use the same means of handling that they used 20 years ago.

Until the railways modernise their equipment and eliminate featherbedding in work practices, there is no way they will be competitive. A couple of years ago, I heard that New South Wales railways was being subsidised by its state government to the extent of some $400m per annum. It is probably closer to $600m now. That is why people moved away from rail to road. It is sad that the federal government has neglected the transport system in this country in such a way. It has come up with this quick-fix package which will not fix anything. What we need to do is to redirect that 26¢ per litre back into road construction and the upgrading of roads and bridges.

Recently, the Commonwealth tried to force us to accept its road safety package. Of course, it dangled a carrot as an incentive, saying that it would make available up to $110m over the next 3 financial years to eliminate road black spots which exist as a result of all the conditions that I described a moment ago. How much would the Territory receive if we participated in this road safety package? We would get $5.4m over 3 years. The package also contained a bit of blackmail, the inference being that we would receive a few dollars if we accepted the road safety package. The amount, however, was really peanuts. Even $110m spent nationally, is peanuts really. I recollect that the construction of 1 km of road in the Northern Territory costs well in excess of $1m. What we are obtain over that period for that amount of money is an absolute joke.

The Commonwealth was trying to impose all sorts of things on us. It wanted to impose a national 0.05% alcohol limit for drivers. It wanted to introduce national licensing of heavy truck and bus drivers, and I believe that the ISC report also recommends that. I might say that, even though trucks registered in the Northern Territory will not have to face this horrendous increase in annual registration if we are not part of the overall package, an increase which will range from $3000 or $4000 to $40 000 or $50 000, the reality is that the majority of our freight is carried by vehicles which are registered interstate. The cost of all the additional charges borne by those interstate-registered vehicles will be passed on to the consumer, the average Joe Bloggs on the street.

The Commonwealth also wanted to impose speed limiters on heavy vehicles. I think that has already been done in New South Wales, with a limit of 80 km/h on New South Wales roads. I noticed that a recent move was made to have that increased to 90 km/h or 100 km/h. Other measures included a zero alcohol limit for young drivers, increased enforcement to ensure that 1 in 4 drivers are random breath tested for alcohol in a year, the introduction of compulsory wearing of helmets by cyclists, the introduction of daylight running lights for motorcyclists, and the enforcement of the use of seat belts and child restraints. Whilst I have no problems with a number

of those provisions, and I know that the same applies to the minister, some of them are unacceptable to the people of the Northern Territory.

Whilst I appreciate the fact that the federal government is finally trying to do something about the problems that we have on our roads, it is doing so in a heavy-handed manner which attacks the problems from the wrong direction. What we need to do is to redirect the resources presently being contributed by the taxpayer, the road user. Those resources need to be redirected from welfare packages, the funding of murals and Trades and Labor Council buildings, into upgrading our roads. That is apparent to anybody, but the federal government does not want to do that.

I share the minister's concern and I was pleased to see that members of the opposition endorsed quite a few of his remarks and shared the concerns of members of the government. I also noted that one of the members opposite gave an undertaking to lobby, in an effort to ensure that these horrendous and unacceptable charges are not imposed on the people of the Northern Territory.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, my remarks on the honourable minister's statement in relation to the ISC Report into Road User Charges will be brief. In commenting on the report, I would like to support the remarks of the Minister for Primary Industry and Fisheries.

The minister spoke about the increased charges to the pastoral industry. He concentrated on the likely results if the report's recommendations in respect of higher fuel charges and registration charges for heavy vehicles are implemented. The charges, levies and tariffs on primary production in the Northern Territory are extremely high as it is. Anybody who cares to inspect the situation closely will recognise that the Australian farmer is one of the most careful and productive primary producers in the world. Primary producers in the Northern Territory are among the hardest-working people in the Northern Territory. Despite high production and transport costs, they compete advantageously with southern growers on both the southern and export markets.

Transport costs are the major costs borne by primary producers and I can speak from experience in that respect. Only yesterday, I commented on the price per kilogram for which I sell my goats. I was told that I was getting a pretty good price. The person who said this came from down south and was surprised to learn that I have to pay $18 a bag for lucerne chaff, which sells for $3 to $5 in South Australia. Even if I buy locally produced cracked maize from Katherine, I have to pay about $330 per tonne. I have to pay about $400 per tonne for my goat pellets. These products are produced locally but they still contain a freight component, which represents the cost of bringing farm machinery up from down south, and importing fuel and parts from down south. There is also a greater cost component in relation to wages and salaries in any agricultural production.

If there is a further increase in the costs of primary industry, as intimated by this report, I can see many primary producers simply going to the wall. I can see many enterprises going out of production, which will be to the detriment of the job situation and the development of the Northern Territory. I believe that the small operator will feel the brunt of these increased charges more than the large operator.

The increased registration charges on heavy transport operators are so ridiculous that they would be a big joke if they were not so serious. When the honourable minister went south to discuss the situation with his federal

counterparts, he took 3 very well-known freight operators with him to put the case for the Northern Territory. I do not know whether those 3 people were listened to or not, but they certainly have a world of experience behind them. They are very successful businessmen but they also have very strong grassroots knowledge.

If the cost of fuel and registration and other charges rises, every cost of production for agriculture, horticulture and the pastoral industry will rise, from the cost of tractor parts to the twine used for bailing hay and the star pickets for fencing. The price of every item will rise and, if the producer is to remain viable, those charges will have to be passed on. The resulting increase in the price of produce will not allow farmers to compete in export markets or southern markets and Territory consumers will therefore bear the brunt. In other words, a very large proportion of the community will bear the increased charges. Whilst the report states that increased fuel and registration charges would be countered by a reduction in the sales tax on certain items, my answer to that is that pigs might fly but the reductions will not come.

Many aspects of the report are very confused. Mention is made of a phasing-in period of 2 years before the recommendations are fully implemented. I believe that will add further to the confusion of the situation.

I might refer in passing to the fuel levy which was applied to fund the Bicentennial Road Program. To my knowledge, that levy is still in place. I wonder whether the minister could confirm that.

Mr Finch: It is still on.

Mrs PADGHAM-PURICH: That is what I thought. It seems that the federal government levied this charge to fund a road building program for the Bicentenary and has never removed it. I cannot see it doing so now. Meanwhile, our roads are not getting any better. We all know that our roads are becoming more congested with increased heavy transport traffic. I was made very aware of that recently when I drove down to attend the Katherine Show. I passed and was passed by a large number of road transports carrying all manner of goods used in housing construction, farming, mining and so on. Other honourable members would be more conversant with the effects of increased transport and fuel costs on the mining industry in the Northern Territory. No doubt, it would suffer as much as agriculture and other forms of primary production.

The federal government has fallen into the old trap of using the stick rather than the carrot. I believe that the carrot in this case is the objective of making rail transport more attractive. However, the federal government is using the big stick, in the form of added costs, to penalise the people who use the roads. In encouraging the use of the rail system, a rehabilitative approach would be better than a punitive approach. Governments tend to have a particular blind spot in this respect, always tending to impose punitive measures.

In the Territory, we do not have a railway, although we would very much like one from Alice Springs to Darwin. Of course, that is very relevant to the subject of this debate. I think that perhaps the government may have something up its sleeve as far as the railway is concerned and may intend to give us a plethora of information on the matter just before the election. Whilst I know that the cost of the railway is becoming more and more prohibitive, somebody has to bite the bullet and construct the darned

thing. Only when that railway is built, and runs from Adelaide to Darwin through Alice Springs and all the places in between, will we see an increased rate of development in the Territory both along the line and radiating out from it, as well as a great reduction in our freight costs. The transport operators may well believe that they have a vested interest in opposing the construction of the railway. That situation could change if those operators had an interest in the railway and did not stand to lose business if people were to take advantage of lower rail costs.

In conclusion, I support the remarks of the honourable minister in his statement on the ISC report. I hope that, in his continuing fight for a fair deal for people in the Northern Territory, he will pay particular attention to the interests of those engaged in primary production.

Mr FINCH (Transport and Works): Mr Speaker, I thank honourable members for their contributions. I include the speakers from the opposition benches, although they were a little distressed by my approach. I do not apologise for that. I think that the results speak for themselves. I am disappointed that, despite the Leader of the Opposition's statement some 3 months ago that he would examine the report and its implications for Territorians, and would subsequently make appropriate comments, we have not heard today from either himself or his spokesman on transport. That is disturbing. This is a major matter and is not to be treated lightly.

The member for Stuart did not seem to want to acknowledge the cost implications of the report. Concerns about those costs are held not only by this government, but by the Western Australian government. Unfortunately, the Queensland government has not acknowledged the problem. For the benefit of the Leader of the Opposition, he needs to come back to the real world and to realise that there will be many occasions on which he will disagree with members of the Labor Party, whether they be in Queensland, Western Australia or, pertinently, in Canberra. It may be of interest to him to know that the most vociferous speakers at ATAC are often members of the same party. That has always been the case, Mr Speaker, as you would well know. Even when the Liberals were in power, some of the most heated debates were between state governments of the same political persuasion, and that is as it should be.

In fact, at the very first ATAC meeting which he attended, the South Australian Minister for Transport, Frank Blevins, vigorously attacked the federal government in relation to the 10-point road safety package - and so he should have, because he was there to speak on behalf of South Australians. He is not being paid to echo the voice of the federal government. I find it extremely frustrating, although of course the scenario he paints will never actually occur, that the Leader of the Opposition attempts to convince the Territory electorate that, as Chief Minister, he would have some sort of easy cooperative run with his Labor colleagues interstate and in Canberra. What an absolute nonsense! Queensland cannot agree with Western Australia on this issue. They could not agree on the 10-point package. Different electorates have different requirements and different needs.

The reality is that a Coalition government will be in power in Canberra within 2 years. In Victoria, it is a fait accompli and the sooner the Victorians go to the polls the better, not just in a political sense but in an economic sense. As for Western Australia, it is also heading down that trail. Once again, the Leader of the Opposition is living in Disneyland in terms of the potential courses of action available to him.

I was interested in what the member for Stuart had to say about my not consulting with our federal members. Of course, I have consulted with our federal members. I did so in the presence of the federal minister at the opening of a section of road on the Victoria Highway. I had what I thought at the time was a constructive discussion with the federal minister and our federal member, and I suggested that we compare notes in respect of this matter

Mr Smith: What, on the side of the road?

Mr FINCH: The Leader of the Opposition can laugh as much as he likes, but it was a constructive meeting. The federal minister then said to me: 'Of course, Warren Snowdon will be the very man who coordinates all the replies and suggestions which come from throughout Australia. Warren will take particular care to look after the needs of the Northern Territory'. Among them, of course, was our original submission and the written submission which, for the benefit of the member for Stuart, was handed to the committee chairman during his review. If the member for Stuart had comprehensively read the supplementary report from Mr Butcher, he would realise that Mr Butcher sought comments from the Territory government, from myself and from 3 officers from my department. At our meeting with Mr Butcher, he was given a report some 6 pages long. I will table that report for the benefit of the member for Stuart so that he is no longer under any misapprehension that we did not provide a written response to the original report.

Naturally enough, at those meetings and at subsequent meetings, one of them in South Australia, we reinforced our views in an extremely pointed way, views which are shared by Western Australia and by every transport organisation and every primary industry organisation in Australia. It is all very well for the member for Stuart to use figures that are inappropriate to the Northern Territory, when he tries to assure Territorians that costs will change only by a factor of between plus or minus 3%, or whatever figures he used, but those are nonsensical figures. They are figures which relate to the submission of the New South Wales Traffic Authority. They have nothing to do with the kilometres that we travel in the Northern Territory or with the types of trucks that we have in the Northern Territory. We do not have B doubles here. We do not have in common use the vehicles which are represented by the figures to which the member for Stuart referred.

The reality is that, whichever way one looks at the figures, they spell disaster for all of those people who use road trains similar to those used here. People in other places, primarily parts of Queensland and Western Australia, will suffer that dramatic increase of some 3000% at the very least. Certainly, the figures are complicated, and I will allow that the member for Stuart may have been confused by them. However, if he wishes, if his leader wishes, or if Warren Snowdon or Senator Collins wish, I am more than happy to make a comprehensive briefing available to them, by experts from the Department of Transport and Works. That offer is extended to any member of the Assembly because this is a critical matter. Whether fuel is included or excluded, the figures are catastrophic. At the very least, the net figure for a triple trailer road train in the Territory will be $32 000 per annum.

Some of the other comments made by the member for Stuart were extremely interesting. He placed on the public record an assertion that the federal minister gave me assurances, at our meeting in Adelaide, that the Northern Territory would not suffer at all. That was not true and I will put that on

the public record. Unfortunately, it is not true. The minister is not in a position to give such assurances. How could he treat the Northern Territory differently from other remote areas in Australia and expect to get away with it? It is just not possible. Certainly, he gave me an assurance that he would give us a sympathetic hearing. However, the sympathetic hearing has been and gone. I have the supplementary advice from the ex-chairman, Mr Butcher, and the supplementary advice still stinks.

In respect of the timing and the implementation of the program, the member for Stuart argued that it will not all happen tomorrow and, in fact, it will take years for it to be put in place. The fact is that, if it is implemented, it will be trouble from the start. Even the phasing-in will be trouble. How do people invest in new equipment under the shadow of the catastrophic increases which are foreshadowed when the recommendations are implemented in a few years time? As for the member for Stuart's suggestion that approval in principle does not need to occur until December, I remind him that the ATAC meeting to be held in Perth on 7 September was called originally purely to deal with the ISC report. Although the purpose of that meeting has now been expanded, that was its sole purpose originally, and it remains the fundamental basis of the meeting. Minister Brown said to me in Adelaide recently that what he wants to achieve at that meeting is agreement in principle.

We have only a few weeks to get this matter straight and, unless we get the forces of this nation behind us in this regard, we will be rolled by the federal government. If anyone does not think that that will occur, let me take them back to the day when federal Minister Brown tabled the original report in parliament. In fact, technically speaking, that is the only report before parliament to date in relation to this matter. The other report has not yet been aired in parliament. On the day of tabling it, the minister walked out to the parliamentary steps and said, almost word for word: 'If the states do not go along with this report, we will not hesitate to use federal powers to implement it'.

That is the atmosphere in which we have operated since day 1 of the tabling of this report, a report which was in the hands of the minister 2 weeks before a federal election, but was sat upon. Obviously, it was sat on because of all the horrible information it contains. Look at the date of the original report, look at the date of the federal election and tell me that this is not skulduggery. The members opposite have the hide to denigrate the efforts of honest Territorians who have a long history in the transport industry and who went to Canberra, on their behalf and on their constituents' behalf, to put a case. They gave up their own time to do that, substantially at their own expense. Certainly, the air fares were picked up by the Northern Territory government, and so they should have been.

I will ask the Leader of the Opposition, who has not given a peep in relation to this matter for 3 months, whether he has spent 41¢ on a stamp to send his views to the federal government. The response is ear-shattering. We have yet to hear what his views are. His deputy, the member for Stuart, said that he thought that the costs of freight providers should not go up by a single cent, and that road trains should be exempted. He has not said anything about the 6¢ diesel levy on coaches, school buses and light trucks that was not to be imposed before. It might be for an interim period only while the full implications of the mass-distance charges come into effect over 4 years, but what about his constituents in that regard? What about the impost on ordinary Territory motorists of 9.4¢ per litre for petrol, not to mention the nominal administrative charge? Different views are being expressed on this, but we understand that that charge will be more than the

current registration fee on small motor cars in the Northern Territory. We have not yet talked about the hundreds of dollars involved in that fuel tax alone.

This whole subject requires a great deal of airing in public. There are many aspects of it that have not yet been discussed. We have not talked about the radical changes which are required to the total transport infrastructure in this country, including the integration of services. The member for Stuart suggested that I am not up with what is happening and am not familiar with new reports on the waterfront to land transport interface. Of course I am. What is required is for the waterfront review to be implemented, for shipping efficiencies to be implemented, for land transport corridors to be set aside, for a national rail bridge to be adopted and for private entrepreneurs to be brought into rail freight. All of these things need to be done. There needs to be an expansion of the network to include Darwin so that we can get that land bridge down from South-east Asia. All of those things need to be done.

The member for Stuart says that there are no demonstrated inefficiencies in rail. What nonsense, Mr Speaker! New South Wales railways has put off 9000 employees in the last 6 months, and it still has 5000 to go ...

Mr Collins interjecting.

Mr FINCH: There was an instance of a country railway station which had 6 train drivers permanently on duty. I was told about that by the federal opposition spokesman on land transport. There were 3 vehicle drivers whose job it was to drive the 6 train drivers to and from the railway station. The only difficulty was that, for many years, those drivers had never had to work on trains because the trains no longer interchanged at that station. There were 5 or 6 ticket sellers in the office, selling tickets to 5 passengers a day. Then, there were half a dozen extraneous workers. I forget the name of their classification but they really did not have a job. Nevertheless, they were still there. All of those people were there to serve some $30 000-worth of business a year. That is incredible. It is no wonder that the country is going badly, particularly in transport matters. There are billions of dollars to be saved in this country and, what is more, there is much to be gained from business that can use a reliable, integrated freight system that is efficient and can gain us a decent reputation overseas instead of making us a laughing-stock.

The member for Stuart had the hide to suggest that the inefficiency of the rail system is not proven. Something like 15 000 man days a year are lost in the Victorian rail system as a result of sickies. In New South Wales, about 1500 workers would be absent from work at the same time for one reason or another. Those are incredible figures and figures that the member for Stuart and Deputy Leader of the Opposition surely ought to know about.

Some of the things that need to be done but have not yet been addressed involve sales tax on freight. The great 1983 Labor policy platform said that Labor would address the subject of sales tax on freight. That has still not been done, despite this 3-year review. For the information of members opposite who have bush electorates, the question of running trucks on gravel roads has not been considered in either this report or the review. It has said that people who drive on private roads can go through the administrative nightmare of applying for a rebate. What nonsense!

Mr Speaker, let me talk briefly about some of the scenarios that are likely to eventuate. Not only will people go to the wall, but road trains will become a thing of the past. They have proved that they are efficient carriers of freight in this part of the country, but we will see each road train being replaced by 3 smaller trucks with single trailers. Capital investment will be reduced because a lower-powered unit will be needed to pull them. We will have 3 times the amount of traffic on the road resulting in 3 times the amount of danger. The carriage of freight will cost much more because a driver will be needed for every trailer instead of 1 for every 3 trailers. There will be more pollution. All of that is quite predictable. That is what this will bring. We have heard nothing from the Leader of the Opposition to date, and we still await his views.

Motion agreed to.

MINISTERIAL STATEMENT
Equal Opportunity Legislation Discussion Paper

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, I rise to make a statement concerning an equal opportunity legislation discussion paper. The Territory government has always been a strong proponent of equal opportunity programs for Territorians. We believe that, while our society is made up of a whole range of different people, every one of them is entitled to the same opportunities. Every Territorian has the right to be treated with fairness, equity and dignity, whatever their colour, sex, status, background or beliefs.

The Northern Territory government regards equal opportunity as an integral part of its policy of recognition of the individual worth of each member of the community. It is committed to the principle that each person has the right to be treated with dignity and to make decisions unrestricted by assumptions based on prejudice. The government supports the right of any person to be judged according to his or her skills, abilities and experiences. It rejects the notion that the colour of a person's skin, the place where he or she was born, or his or her religious beliefs or lack of them, are relevant to that person's capacity to perform a job, to repay a loan or to use a service.

While these are notions which I believe are held by the vast majority of Territorians, simply believing in them is not good enough. This government believes it must do more than merely encourage non-discriminatory practices. We must actively promote equal opportunity practices. With this in mind, it is my pleasure today to table a community discussion paper on proposed equal opportunity legislation for the Northern Territory. This discussion paper will serve 2 purposes: firstly, it will stimulate community debate on equal opportunity and raise public awareness of the issues involved and, secondly, it invites community input into the drafting of equal opportunity legislation for the Northern Territory.

This discussion paper will be circulated widely throughout the community in the coming weeks. This will be followed by a series of public meetings to ensure the widest possible consultation. As the discussion paper says, discrimination costs the community dearly. While many people consider only the situation of the person being discriminated against, we should also be mindful of the great costs society suffers through the under-utilisation of people. We simply cannot afford not to fully utilise the skills and abilities which are available throughout the community. By putting difficulties in the way of people reaching their full potential

simply because they differ in some way from what may be considered as the norm, we are wasting our most precious resource - our people. Equal opportunity is important therefore, not only for those who suffer from discrimination but for the community as a whole.

This discussion paper talks about proposals for legislation, but the government does not believe that legislation should stand alone. It is just one part of a broad program which has been introduced to overcome discrimination. Some of the actions already taken by the government include the establishment of the Women's Advisory Council, the Office of Women's Affairs, the Disabled Persons Bureau, the Office of Ethnic Affairs, the Aboriginal Development Branch and the Office of Equal Opportunity.

In establishing the Office of Equal Opportunity, the government resolved initially to monitor relevant legislation and to raise community awareness of issues associated with discrimination. Functions of the office include advice to members of the community on related issues, handling of complaints, identifying areas in employment and in the delivery of services where equal opportunity is being denied, promoting awareness of issues in the community, and advising the government on matters of equal opportunity.

Already, legislative and administrative provisions are in place to protect workers in the public service, and the government has also introduced equal opportunity management planning into the public sector to ensure that active strategies are developed to promote equal opportunity. These equal opportunity management plans will be greatly enhanced by the equal opportunity survey which was carried out across the public service early last year. The survey results have been completed recently and publicly released. This was the most comprehensive survey of its type conducted by any state or territory government, and I believe that that shows our commitment to equal opportunity in the Territory.

I would like to table a summary of the survey results for the information of honourable members, because the results are encouraging, regardless of what the Leader of the Opposition has reportedly said to the media. Mr Deputy Speaker, I table that summary.

A few weeks ago, I saw the Leader of the Opposition on television. He was saying that the survey results show that 1 in 5 public servants fear cronyism. Either he failed to read the survey properly or he was quoting from a different survey altogether because our results do not indicate that at all. In our survey, 2 sections related to politicisation, patronage or favouritism. The first listed a series of factors which respondents may perceive had affected their employment in the public service. In this section, only 2% of respondents commented on what they perceived to be politicisation of the service, and 11% of employees commented on what they perceived to be patronage or favouritism. In the second section of the survey dealing with this issue, the 8500 respondents were asked to comment on areas of concern to them. Only 269 people, or 3%, commented on what they believed was patronage, favouritism or politicisation of the public service. Even this very low figure, which represents less than 2% of NT government employees, should be put in context.

The responses included comments, but I need to point out at this stage that the comments I am about to read out were not taken from the forms which came back. These are comments that were concocted within my office, but I am advised that they would be representative of the types of comments made on the survey forms which, of course, have been destroyed. The data was not available for public scrutiny or even for my scrutiny and the forms were

destroyed. My office concocted these comments in order to give an idea of the sorts of remarks made and we agreed that, in that form, survey responses could be referred to. They included such comments as: 'I did not get a promotion because I do not drink with the boss on Friday nights' and 'The woman who got the promotion is more popular than me, so they picked her instead'. Whilst those specific comments were not taken from the forms, they indicate the nature of comments made. Of course, such comments are very clearly based on a perception rather than the rule.

I am sure that you will agree, Mr Deputy Speaker, that these are hardly examples of widespread cronyism in the public service, as the Leader of the Opposition would have us believe. The Leader of the Opposition has his own axe to grind, and that is understandable. He has spent the last 18 months trying to build up a perception of widespread discontent in the public service in an effort to justify his rather second-hand election strategy. He must have spent months sweating it out hoping that our equal opportunity survey would lend some credibility to his campaign. However, he got it wrong. The figures show that 94% of respondents did not feel that they were discriminated against because of their sex. 96% of people surveyed did not feel that race, colour, ethnic origin or accent was a disadvantage. 98% were unconcerned about sexual harassment and 98% felt that political conviction was no impediment to employment or promotion.

Mr Deputy Speaker, while you will agree that these results are extremely encouraging, I do not believe that there is any room for complacency. While even 1% of people believe that they suffer from discrimination, we still have work to do. Since this survey was carried out, the Public Service Commissioner has issued new guidelines for selection procedures to ensure that interview panels do not discriminate against any employee in any way. The guidelines point out that, without realising that they are doing so, interviewers can sometimes give the impression of engaging in discriminatory practices. The guidelines outline ways in which interviewers can positively promote equal opportunity to end any possibility of discrimination.

I do not believe that our equal opportunity survey is anything to be ashamed of. I am proud that this government has had the courage to face up to the problems of discrimination and to address them positively. Through the mechanisms outlined above, the government has laid the foundations for combating discrimination. However, as has been witnessed in other states and other countries, goodwill is often not enough. It may well be that legislation which provides avenues for redress will be the vehicle to ensure that the rights of all Territorians will be protected.

Equal opportunity laws are in place in some overseas countries and in various Australian states. The Commonwealth government enacted the Racial Discrimination Act in 1975. New South Wales introduced its Anti-Discrimination Act in 1977 and both Western Australia and South Australia followed suit in 1984. Subsequently, the Commonwealth has introduced the Sex Discrimination Act 1984, the Affirmative Action (Equal Employment Opportunity for Women) Act 1986 and the Human Rights and Equal Opportunity Commission Act 1986. I understand that Tasmania and Queensland are in the process of introducing similar legislation.

Mr Deputy Speaker, given the apparently extensive coverage of the Commonwealth legislation which already applies to Territorians, you may ask why it is considered necessary to introduce our own legislation. The answer is that, for all its legislative provisions, there are several grounds, and sectors of the community, which are not protected against discrimination.

These include age, mental and physical impairment, sexuality, political belief and religious conviction and cover a range of areas including education, accommodation, provision of goods and services, and clubs and associations. The area of employment is already fairly comprehensively covered by the Human Rights and Equal Opportunity Commission Act and regulations. However, the existence of Commonwealth legislation is no bar to the Northern Territory initiative. For example, where there is Commonwealth legislation in existence covering grounds such as sex or race, Northern Territory legislation could reflect and, in some cases, extend Commonwealth legislation.

Administrative arrangements between the Commonwealth and the various states which have already enacted equal opportunity legislation allow for the particular state government not only to administer its own legislation but also to act as an agent for the Commonwealth. It is proposed that the Northern Territory government would enter into negotiations to facilitate a similar arrangement in the Northern Territory, thereby avoiding any possible duplication and providing easier access for members of the community.

The provision of Territory legislation which covers all grounds and situations will simplify the complaint procedure for all matters associated with discrimination in the community and ensure that local issues are solved by Territorians. Territorians have nothing to fear from the introduction of equal opportunity legislation although honourable members opposite may have a few problems with their policy to give preference to unionists in local government employment. They give us a great deal of rhetoric about their commitment to equal opportunity, yet their own party platform specifically states that they will discriminate against people who will not join unions.

Responsible equal opportunity legislation should not infringe on the private lives and thoughts of individuals. Its aims are to see equality of opportunity and human rights for the citizens of the Northern Territory, to provide effective remedies against unlawful discrimination on the various legislated grounds, to encourage the application of equal opportunity and human rights principles and practices in education, employment, the provision of goods and services, accommodation, partnerships, in clubs and associations and in sport, to develop in the community an understanding and appreciation of the contribution equal opportunity laws and practices could make to the economic and social welfare of the Northern Territory, and to ensure that victimisation of complainants is not permitted. It is proposed that the legislation will contain a strong emphasis on educating the community on the merits of equal opportunity and its practical application. It is also proposed that a conciliatory approach between the complainant and the discriminator be the basis of the legislation with provision to proceed to a tribunal if conciliation proves unsuccessful.

Appropriate structures would need to be established to facilitate community education programs, to promote equal opportunity issues, to advise consumers and service providers on equal opportunity concerns and to receive and investigate complaints. Such mechanisms could be provided by the establishment of an Equal Opportunity Commission in line with the practice in the states, but the Northern Territory government is not necessarily wedded to this concept.

A critical element in developing equal opportunity legislation for the Northern Territory is to include the views of the community which it will affect. I cannot stress strongly enough how important this consultation is. I understand that members opposite have produced some form of equal opportunity legislation which they plan to introduce next week. I doubt

that they have taken the time to find out what the community wants from equal opportunity legislation. Simply plagiarising other legislation is not good enough. Legislation for the Northern Territory must reflect the factors particularly affecting Territorians. Unless there is wide-ranging consultation, we will end up with a lame-duck act which will do nothing to end discrimination in the community. Our consultation process will include interest groups and the wider community prior to drafting of legislation.

The discussion paper explains why the Northern Territory government considers legislation necessary and provides background information similar to that which I have already provided to honourable members. The main body of the paper then discusses the grounds where discrimination could be prohibited in Territory legislation. It highlights areas where current situations could be seen to be discriminatory, but it also explains where exemptions may be necessary, particularly as a result of statutory requirements.

Discrimination on the ground of age is an example of an area in which exemptions may have to be considered. For example, would it become discriminatory to limit ages for driving licences, to divide sports into age groups or to restrict aged hostels to aged people? The discussion paper does not seek to answer these problems, but to stimulate debate on them. It does not present a Northern Territory government position on the grounds or format of the legislation. It provides information and seeks community input.

The Office of Equal Opportunity will also call for submissions through the local media and will hold public meetings in all major centres to encourage additional input. This whole process is aimed at educating the community about the issues and facilitating a consultative process which will result in legislation which is relevant and appropriate to Northern Territory society. I commend the discussion paper to honourable members and invite and encourage maximum participation in the development of this important piece of legislation.

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

Mr SMITH (Opposition Leader): Mr Deputy Speaker I rise with some pleasure to participate in this debate. It is an important debate and I will attempt to keep clear of point-scoring. I simply make the point that it is an issue that we on this side of the House have been pursuing for some considerable time. We have moved a number of motions on this matter and we have been ignored and defeated on the floor of the House by the government. I welcome its change of heart. The introduction of a discussion paper is a positive move. In part, we have gone 1 step further. We have prepared draft legislation which covers some, although not all, of the areas outlined in the discussion paper. We are of the view that there are some areas which require much more discussion.

Mr Deputy Speaker, I seek leave to table a draft bill relating to equal opportunity.

Leave granted.

Mr SMITH: Mr Deputy Speaker, having congratulated the government on its positive initiative, I now wish to speak to the draft legislation which is our response at this time to this vital question. This draft legislation is the first equal opportunity and anti-discrimination legislation to come before this parliament. The draft legislation provides the core for equal

opportunity. However, a number of other grounds may be included at a later time. Discussions will continue to be held with particular groups with a view to including other grounds once the feeling of the community becomes clearer. The bill itself is presented in draft form to allow adequate time for discussion in the community.

Some of my remarks will be repetitive because there is a surprising amount of commonality between what the government has put forward and what we have suggested. Several Commonwealth acts, notably the Sex Discrimination Act 1984, the Racial Discrimination Act 1975 and the Human Rights and Equal Opportunity Commission Act 1986, apply to citizens of the Northern Territory. However, the Commonwealth has acknowledged that other governments may want to regulate against discrimination and has drafted its legislation to enable the passage of other non-conflicting laws. Most states have proclaimed their own equal opportunity or anti-discrimination legislation - legislation which is complementary to and extends or consolidates federal legislation. Tasmania and Queensland are planning to introduce such legislation.

In each of the states which has its own legislation, there have been negotiations with the Commonwealth which has resulted in the states acting as agents for the Commonwealth legislation. Consequently, administration is undertaken by one body, bringing the benefits of both coordination and cost-sharing. While Commonwealth legislation provides for some disadvantaged individuals and groups, it does leave particular gaps either in the groups covered or in the remedies it makes available to victims of discriminatory practices.

To the extent that the Commonwealth legislation in this field covers citizens of the Territory, it is administered locally by the regional office of the Human Rights and Equal Opportunity Commission. People in the Northern Territory have a right to equal opportunity and anti-discrimination measures which affect everyone equally and provide equity and predictability in terms of outcomes and available remedies. The Northern Territory government acknowledges in its own publications that past practices have resulted in certain individuals or groups having been disadvantaged to the point where the creation of barriers has become commonplace. The Northern Territory government even has an Office of Equal Opportunity. It also seeks to promote equal opportunity through the Disabled Persons Bureau, the Office of Ethnic Affairs, the Office of Women's Affairs and the Aboriginal Development Branch.

However, the Northern Territory government has not yet sought to underpin all of this activity with laws which spell out clearly people's rights and the remedies available to them when those rights are infringed. Equal opportunity legislation is, after all, about basic human rights. It is about giving everyone a fair go. Equal opportunity is not about people's private lives and their privacy. It is about the fact that everyone has a right to a fair go and to participate equally in what society has to offer regardless of identifiable or assumed characteristics on which prejudice may be based.

Natural justice in providing equality of opportunity in the workplace means that people can be assured of selection on merit, not on the basis of irrelevant characteristics which have nothing to do with their capacity to perform a job. Quite apart from equal opportunity in the workplace, anti-discrimination legislation, linked with appropriate education programs and other appropriate measures, has a real capacity to bring about the social change required for a more just community in the Northern Territory.

It is detrimental to us all if some are disadvantaged and discriminated against.

The causes of discrimination and conditions conducive to its creation are many and they underline the need for broadly-based legislation. We are committed to the implementation of such comprehensive legislation while recognising that priority must be placed where broad agreement is reached on key elements of new laws. The draft bill before this Assembly will provide to the people of the Northern Territory comprehensive legislation on those elements where, in our judgment, broad agreement is currently available and which define the limits of acceptable behaviour.

The bill has been drafted following a broad-based review of legislation in operations at the Commonwealth level and in the states. This review has enabled us to draw on and take advantage of years of trial and error as well as successful experience in other places. The bill declares certain kinds of behaviour unlawful and makes available effective remedies to people who wish to enforce their rights. Such rights may be sought by conciliation processes or, when these fail or are not appropriate to the particular circumstances, by a decision of a tribunal.

The bill provides that it is unlawful to discriminate against another person on the basis of sex, sexuality, marital status, pregnancy, race, impairment or age. All of these grounds featured in the results of the survey among public service employees. Broadly speaking, common remedies are provided in this bill for people experiencing discrimination on these grounds. We believe that this draft legislation reflects the maturity of the attitudes and the values of the Northern Territory community about various discriminatory behaviour towards particularly affected individuals and groups.

As well as outlining the grounds of discrimination, the bill defines clearly those areas to which the laws will apply. The bill covers discrimination in employment, discrimination by associations or qualifying bodies, discrimination in education, discrimination in relation to land, goods, services and accommodation, and discrimination in relation to superannuation. The bill also makes an additional provision for discrimination on the grounds of race if authorities or bodies that confer authorisations of qualifications to practise a profession, trade or occupation fail to inform themselves properly on overseas authorisations or qualifications of applicants for positions.

Victimisation is also a behaviour made unlawful in the bill. 'Victimisation' is defined as unfavourable treatment of a person because of their bringing proceedings under the act, giving information or evidence in any proceedings under the act, because of their making allegations about behaviour which contravenes the act, or because of their asserting the right of a person to complain or proceed under the act. Unfavourable treatment in this definition does not include the making of a false allegation or not acting in good faith.

We believe that sexual harassment is commonplace and that people should be free to enjoy their lives without being subjected to this behaviour. The bill addresses sexual harassment in a provision which defines this as a behaviour which causes a person to feel offended, humiliated or intimidated as a result of an unsolicited and intentional act of physical intimacy, a demand or request, directly or by implication, for sexual favours, or the making, on more than one occasion, of a remark with sexual connotations relating to the person when it is reasonable in all the circumstances that

the person should feel offended, humiliated or intimidated by the behaviour.

The bill therefore provides that it is unlawful for an employer to subject an employee to sexual harassment, for an employee to subject another employee to sexual harassment, for an employee of an education institution to subject a student to sexual harassment, for a principal to subject a commission agent or contract worker to such harassment, or for any person to subject another to such harassment in the course of offering or supplying goods, certain services or accommodation. In addition, the bill will make it unlawful to impose a condition or requirement that would result in a blind or deaf person being separated from her or his guide dog.

Some discriminations are not unlawful under this bill. For example, lawful discrimination is allowed on the basis of actuarial or statistical data in the provision of insurance or superannuation. It is, however, unlawful under provisions of this bill to fail to notify the persons to be discriminated against, to fail to notify them of their right to a summary of the data on which the discrimination is to be based, and to fail to comply with a request for that data. The bill would not make it unlawful to discriminate on the basis of age where, in the case of children, particular responsibilities of adults to protect them are spelt out in other laws.

I have already stated the grounds on which this bill would make it unlawful to discriminate and areas to which this would apply. I would now like to address the definition of 'discrimination' provided in the bill, and to describe more fully the areas covered under the goods and services provisions.

The meaning and definition of 'discrimination' is to treat another person unfavourably (on any of the stated grounds) because the person does not comply or is not able to comply with a particular requirement, and the nature of the requirement is such that a substantially higher proportion of persons from another group complies or is able to comply with the requirement than the person concerned, and the requirement is not reasonable in the circumstances. The definition also extends to circumstances where a person is treated unfavourably on the basis of a characteristic that appertains generally to the group to which the person belongs or to a presumed characteristic generally imputed to that group.

In this bill, 'services' means: access to and use of any place that members of the public may enter; services of an employment agency; banking and the provision of credit or insurance; the provision of a scholarship, prize or award; entertainment, recreation or refreshment; the services of an introduction agency; provision of coaching or umpiring in a sport; transport or travel services; professional or trade services; and provision of services by a government department, instrumentality or agency or a local government council.

This bill seeks to redress the existing and broadly agreed inequalities of opportunity in the Northern Territory. For reasons which I outlined earlier, it does not seek to cover every possible ground of discrimination. Rather, it addresses the most common grounds of discrimination and the areas in which these occur, and commits the Labor Party to further discussions on other areas. The bill is reasonable and fair in its drafting. It defines unacceptable behaviour and makes clear the responsibilities which people in the Northern Territory would have under the legislation. The bill is drafted in parts which cover both the grounds of particularly discriminatory behaviour and the circumstances in which such behaviour would be unlawful

under the legislation. Each part contains a series of exemptions pertaining to that part which overcome legitimate concerns expressed by everyone affected by new laws. This is not a law for disaffected individuals and groups, but a draft bill for all Territorians.

Mr Deputy Speaker, I seek leave to have incorporated in Hansard my comments relating to the description of the clauses.

Leave granted.

Explanation of clauses:

Clause 1 is formal. Clause 2 provides for commencement of the act. Clause 3 contains the definitions for the purposes of the act. Clause 4 contains interpretive provisions. Clause 5 binds the Crown. Clause 6 provides for the appointment of a Commissioner for Equal Opportunity and for the commissioner to be appointed for a term of 5 years and upon conditions fixed by the Administrator on the recommendation of the Public Service Commissioner. Clause 7 provides for the appointment of staff to assist the commissioner in the administration of the act. Clause 8 provides that the commissioner is responsible to the minister and subject to the direction of the minister for the administration of the act.

Clause 9 requires the commissioner to foster among the general public positive and unprejudiced attitudes for the purpose of eliminating discrimination on the grounds of sex, sexuality, marital status, pregnancy, race, physical or intellectual impairment, or age. The commissioner may carry out or assist in research, and provide information and advice on subjects relevant to the administration of the act; and make recommendations to the minister for administrative or legislative reforms. Clause 10 indicates that the commissioner may provide advice on any matter covered by the act.

Clause 11 provides for the commissioner to make an annual report to the minister and for the minister to table the report. Clause 12 provides for delegation of powers by the commissioner with the approval of the minister. Clause 13 exempts the commissioner from personal liability in carrying out her or his functions under the act.

Clause 14 establishes the Equal Opportunity Tribunal. Clause 15 provides for the appointment of a presiding officer and deputy presiding officers of the tribunal. A presiding officer must be a judge of the Supreme Court of the Commonwealth, a magistrate, or a legal practitioner of not less than 5 years standing.

Clause 16 empowers the Administrator to establish a panel of not more than 12 persons nominated by the minister for selection to sit at hearings of the tribunal. Clause 17 provides for validity of proceedings of the tribunal and immunity of members. Clause 18 provides for constitution of the tribunal to be a presiding officer or a deputy presiding officer and 2 members drawn from the panel.

Clause 19 deals with conduct of proceedings by the tribunal. The presiding officer is to determine questions of law and procedure;

all other questions will be determined by majority opinion. Tribunal proceedings will be heard in public unless the tribunal decides otherwise. Clause 20 provides for giving notice of proceedings and deals with joinder of parties and intervention of interested parties. Persons appearing before the tribunal are entitled to appear personally, by counsel or, by leave, be represented by another person. Clause 21 establishes the powers of this tribunal in obtaining evidence.

Clause 22 establishes a power to award just costs against a party to proceedings before the tribunal in certain circumstances. Clause 23 empowers the tribunal to refer parties to conciliation with the consent of the parties. Clause 24 provides for the appointment of a registrar of the tribunal. Clause 25 describes the definition of discrimination on the grounds of sex, sexuality, marital status or pregnancy.

Clause 26 makes it unlawful for an employer to discriminate against an employee or prospective employee on the basis of sex, sexuality, marital status, or pregnancy. Clause 27 is a similar provision dealing with commission agents. Clause 28, a similar provision, deals with an agency employing a worker under contract. Clause 29 prohibits discrimination by a firm against existing or prospective partners of the firm. Clause 30 provides exemptions from the division.

Clause 31 deals with discrimination by associations on the ground of sex and provides that, where there are both female and male members, each sex must have access to all classes of membership in general terms and to the same or equivalent services. Clause 32 is a similar provision dealing with the ground of sexuality.

Clause 33 prevents discrimination by authorities or bodies empowered to confer professional or trade qualifications. Clause 34 prevents discrimination on the ground of sex by educational authorities. This clause does not apply to single sex schools.

Clause 35 deals with discrimination in relation to land. This section does not apply to the disposal of an interest pursuant to a testamentary disposition or gift. Clause 36 deals with discrimination in relation to the provision of goods and services. Clause 37 deals with discrimination in relation to accommodation. This section does not apply to accommodation in a private household.

Clauses 38 to 41 deal with discrimination in relation to superannuation on the ground of sex. Clause 38 defines and includes 'de facto spouse' in this division and defines and includes 'employer subsidised superannuation scheme'.

Clause 39 provides in subclause (1) that, subject to the division, it is unlawful for a person who provides an employer-subsidised superannuation scheme to discriminate against a person (a) by providing a scheme which requires or authorises discrimination against that other person or (b) in the manner in which the scheme is administered.

Subclause (2) provides qualifications to the general principles set out in subclause (1). Subclause (1) applies only in relation to an employer-subsidised superannuation scheme under which more members (being members who are still employed by the employer) reside in this Territory than in any other territory or state. Other qualifications may be prescribed. Subclause (3) provides that the clause does not render unlawful discrimination in the rates upon which a pension may at the option of a member to whom it is payable, be converted to a lump sum or a lump sum payable to the member may at the member's option be converted to a pension, where the discrimination (a) is based on actuarial or statistical data that has been disclosed to the person the subject of the discrimination, and (b) is reasonable having regard to that data. Subclause (4) provides that the clause does not render unlawful discrimination in the benefits payable where (a) the contributions payable by the employer and employee are fixed by the scheme, and (b) the benefits that will accrue to the employee are reduced by any insurance premiums paid under the scheme in respect of the employee, to the extent only that the discrimination is based upon a lawful difference in those insurance premiums.

Clause 40 provides that it is unlawful for a person who provides a superannuation scheme or provident fund (not being an employer-subsidised superannuation scheme) to discriminate against a person by providing a scheme that requires or authorises discrimination against that other person, or in the manner in which the fund is administered, except where the discrimination is based on actuarial data that has been disclosed to the person the subject of the discrimination and the discrimination is reasonable having regard to that data.

Clause 41 provides that a superannuation scheme or provident fund does not discriminate on the ground of marital status by reason only of the fact that it provides benefits to the surviving spouses of members or that it does not provide benefits for surviving de facto spouses of members, or provides less favourable benefits for surviving de facto spouses than it does for surviving spouses.

Clause 42 exempts charitable trusts from the operation of the foregoing provisions. Clause 43 provides that part III does not prevent the granting to women of rights or privileges in connection with pregnancy or childbirth.

Clause 44 provides that part III does not prevent schemes intended to ensure equal opportunities between the sexes. Clause 45 provides that discrimination on the ground of sex is permissible in competitive sports in which the strength, stamina or physique of the contestants is relevant.

Clause 46 permits discrimination in the terms of annuities, life assurance and other forms of insurance. Such discrimination must, however, have an actuarial basis.

Clause 47 exempts religious orders and denominations from the provisions of part III in so far as such an exemption is necessary to safeguard the free practice of religion.

Clause 48 defines discrimination, as it applies to discrimination on the ground of race.

Clauses 49 to 53 relate to discrimination in employment, commission agency, contract work and partnerships. They are in the same terms as the corresponding provisions of the previous part.

Clauses 54 to 60 relate to discrimination by clubs or trade or professional associations, discrimination in education, discrimination in the provision of goods and services and discrimination in the provision of accommodation. These are in the same terms as the corresponding provisions of the previous part.

Clauses 61 and 62 allow charitable instruments and schemes to confer benefits on the ground of race.

Clause 63 defines discrimination, as it applies to impairment. Clauses 63 to 80 cover the same areas of discrimination as are dealt with by the corresponding provisions of the previous 2 parts. A number of clauses are of particular note. Clause 75 deals with discrimination in relation to superannuation. The clause does not apply in relation to a superannuation scheme or provident fund to which the employer makes contributions and under which a greater number of members (not being members no longer employed by the employer) reside in any one other territory or state than reside in this territory. Subject to that qualification, it is unlawful to provide a superannuation scheme or provident fund that requires or authorises discrimination against a person or which is administered in a discriminatory manner, except to the extent that the discrimination is based on actuarial data upon which it is reasonable to rely and is reasonable having regard to the data. Clause 77 allows positive discrimination in favour of people with impairments, in certain circumstances. Clause 78 allows discrimination where the nature of the disability renders discrimination unavoidable. Clause 80 relates to access to buildings.

Clause 81 defines the extent to which discrimination is lawful based on actuarial or statistical data.

Clause 82 sets out the criteria for establishing discrimination on the ground of age (and is consistent with other provisions of a similar nature throughout the bill). Clause 83 will make it unlawful for an employer to discriminate against a person on the ground of age where the person is applying for employment with the employer, or is an employee of the employer. Clause 84 will make it unlawful to discriminate against a contract worker on the ground of age. Clause 86 will make it unlawful to discriminate against a partner within a partnership on the ground of age.

Clause 87 sets out the various exemptions to the provisions relating to employment. The provisions will not apply in relation to employment in a private household, to situations where there is a genuine occupational requirement that a person be of a certain age, or age group, or where the person's age could affect safety at work. The provisions will also not apply to acts performed under industrial awards or agreements.

Clause 88 provides that, after the expiration of 1 year from the commencement of the new part, it will be unlawful for associations to discriminate against an applicant for membership, or a member, on the ground of age. However, the provision will not apply where an association has, on a genuine and reasonable basis, established various categories of membership or where it is reasonable that a particular service or benefit be provided to a particular age group.

Clause 89 relates to qualifying bodies and clause 90 to educational authorities.

Clause 91 will make it unlawful to discriminate against a person on the ground of age in relation to the disposal of, or dealing with, an interest in land.

Clause 92 applies to the provision of goods or services, but will not regulate various scales of fees or fares, or the terms or conditions on which a ticket is issued, or admission is allowed to any place. Clause 93 applies to the provision of accommodation.

Clauses 94 to 99 set out various general exemptions from the operation of the new part. Nothing in the part will derogate from the law that relates to the juristic capacity of children, or affect the provisions of a charitable instrument. The part will not render unlawful any scheme or undertaking initiated to meet the needs of a particular age group, and will not affect competitive sporting activities. Special provisions are also made for insurance and superannuation schemes.

Clause 100 will require the minister to prepare a report for parliament on the acts of the Territory which provide for discrimination on the ground of age.

Clause 101 defines an act of victimisation and makes it unlawful for a person to commit such an act. Clause 102 defines sexual harassment and makes it unlawful for a person, in defined circumstances, to commit an act of sexual harassment.

Clause 103 protects the right of blind or deaf people to be accompanied by a guide dog.

Clause 104 provides for lawful discrimination in the provision of insurance of superannuation based on actuarial or statistical data where the person to be discriminated against is notified and informed of their right to a summary of that data.

Clause 105 deals with the position of a person who causes, instructs, induces or aids another to commit a breach of the act. Such a person incurs the same criminal and civil liabilities as the person who commits the breach.

Clause 106 imposes vicarious liability for the acts of agents and employees. The principal or employer may offer a defence by establishing that she or he could not, by the exercise of reasonable diligence, have prevented the occurrence of the circumstances out of which the liability is alleged to arise.

Clause 107 empowers the tribunal to grant exemptions from the operation of the new act. Such an exemption may be granted for a period of up to 3 years and may be subsequently renewed. The tribunal is empowered to make non-discrimination orders to correct discriminatory situations where they are found to exist.

Clauses 108 and 109 provide for the lodging of complaints by victims of discrimination. Clause 110 sets out the investigative powers of the commissioner in relation to a complaint. Clause 111 deals with the conciliation of complaints. Where, however, conciliation is impossible or unsuccessful, or the complainant requires reference of the complaint to the tribunal, the complaint is referred to the tribunal.

Clause 112 sets out the remedies that may be granted by the tribunal on a complaint. Clause 113 entitles a party to proceedings before the tribunal to a written statement of the tribunal's reasons for decision. Clause 114 provides for an appeal to the Supreme Court against decisions of the tribunal. Clause 115 provides that the act will not give rise to any civil, or criminal consequences except those expressly stated.

Clause 116 deals with interaction between the new act and the Industrial Relations Act. Clause 117 indicates that it will be a defence in proceedings under the act to prove that the subject matter arose from written advice of the commissioner. Clause 118 makes it an offence to molest, insult, hinder or obstruct the commissioner or an officer assisting the commissioner, in the performance of official functions.

Clause 119 makes it an offence to publish an advertisement that indicates an intention to perform an act that is unlawful by virtue of the act. A defence is available to a person who proves belief, on reasonable grounds, that the publication of the advertisement would not contravene subsection (1) (which constitutes the offence).

Clause 120 provides for the summary disposal of proceedings for offences against the act. Clauses 121 and 122 are regulation-making powers.

Mr SMITH: Mr Deputy Speaker, this is extremely important legislation. The government and the opposition have certainly come at it from slightly different points of view. However, what we finally have in common is a commitment to doing something practical about equal opportunity in the Northern Territory. I take the minister's point that we really cannot afford a situation in which, for various obscure reasons unrelated to ability, people are discriminated against.

I have stated on a number of occasions that the statistic in the public service survey which really got to me was the one which indicated that the average salary of women in the public service was $5000 less than the average salary of male public servants. For the life of me, I cannot think of a reason why that should be the case. There is no reason why, if we have a properly functioning system, we should have such a huge gap between the average salaries of women in the public service and the average salaries of men in the public service.

Mr McCarthy: That does not occur only in the Northern Territory.

Mr SMITH: I am not singling out the Northern Territory at all and I am not saying that equal opportunities legislation will solve the problem. However, if we put legislation in place and if that legislation is strong enough, it will certainly send a very clear and very strong message to the public service. There are some considerations which are not upfront, but which underlie subtle undertones in the many job applications and the workings of promotion panels etc. Strong legislation in this area would constitute a very clear message from the government of the day, whether it is a Labor or CLP government, that those considerations are not acceptable and that merit and merit alone should determine who gets jobs in the Northern Territory public service.

That is one of the key elements in this equal opportunity legislation. We have to ensure that we obtain the maximum benefit from the human resources we have. For one reason or another, we are not overloaded with human resources in the Northern Territory and we certainly have to ensure that we provide our human resources with the maximum opportunity to achieve their potential. That is not just because of the warm inner glow we might experience when we know that we are doing everything possible for the people to achieve their full potential, but equally and more practically, because there is a definite and strong benefit to the system.

As I have said, our draft legislation covers what we consider to be the core areas, the areas in which we have received continual complaints, both from the private and the public sector, over a period of time. There are other areas identified in the discussion paper, in which we are at the same stage as the government. We think that there is a need for broader community consultation and discussion in those areas and we will be a part of that, both together with the government in response to its discussion paper, and on our own.

We have the rare opportunity to approach this matter with some sort of bipartisanship. I know that it is very tempting, particularly with an election campaign not too far away, to diverge from that. However, if we look very seriously at the issue, we must acknowledge that we have a very real opportunity to address it in as bipartisan a manner as possible. I will be very happy to circulate the government's discussion paper among relevant people and, of course, we will be circulating our draft legislation as well. I would hope that, in the fairly near future, the result will be legislation of which we can all be proud, legislation which protects the rights of everybody in the Northern Territory and which recognises that we have an obligation to ensure that people can perform to their potential and win jobs on merit, and that they can enjoy membership of clubs and be entitled to the provision of goods and services on a non-discriminatory basis.

We are not talking about equal opportunity in terms of jobs alone. In fact, it has been suggested to me that the whole matter might be more appropriately addressed in terms of anti-discrimination than equal opportunity. However, equal opportunity is the phrase which has become accepted in the community. I emphasise again that we are not talking about equal opportunity simply in terms of employment. As the honourable minister said, and as I have said, it covers a whole range of situations in which there is potential for people to be discriminated against for reasons which are not valid.

I close by saying that I look forward to the community discussion which will occur as a result of what we have done in this House today. I inform the people of the Territory that the matter is high on our agenda for action

and I take it from the government's statement today that it is high on its agenda as well.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, some people might think that I would welcome the minister's statement with open arms, being a female and there having been a perception that I was discriminated against by the Country Liberal Party. However, far from welcoming the statement with open arms, I view it with grave suspicion. I do so for 2 reasons.

The first is because there is an election in the offing, and the honourable minister and his government no doubt think that this statement and the legislation that they plan to introduce will win them votes. I do not believe it will, but that is probably what they think. Secondly, I think that it will be viewed with suspicion by other people in the community because, whilst I believe that certain discrimination is directed at many people in the community, introducing legislation to remedy the situation is not the answer. Human attitudes cannot be changed overnight. Social attitudes have to be changed over a number of years. You can introduce legislation, honourable minister, until you are blue in the face, but that does not mean that you will change people's views.

I do not have a great knowledge of the operation of the public service, but I believe that there has been discrimination from time to time, mainly against women. I also believe that there has been sex discrimination against young women in the public service. Such matters have been brought to my attention on several occasions and I have suggested a remedy for the situation. My remedy for such a situation may not be the sort of remedy that would be covered by legislation. My remedy is usually more direct, but it would bring quicker results and there would be no further sex discrimination or sexual harassment.

I believe that this legislation will see the start of a reduction of the community to a grey, amorphous mass. It follows federal legislation and legislation in the states, but we cannot all be put in the one box as if we were all the same. We are not. We are different. There are irregularities and there will be differences in the human population till the end of time.

Mr Ede: I still open the door for you.

Mrs PADGHAM-PURICH: And I will say thank you, but I will open the door for you too. I will even buy you a drink from time to time if we are at the bar together.

I have in mind the amorphous mass that one saw represented on the streets of China until very recently, when people in that country discovered that the benefits of communism were not what they were touted to be. We saw Chinese people in their thousands, in their grey trousers, their grey tunics, and their little grey Mao hats. I believe that legislation like this leads us down that path. People in China and eastern Europe have realised that communism and reducing the population to the one level in all sorts of ways is not the way to go, but we are still moving along that path.

In any legislation regarding equal opportunity and sex discrimination, I would like to see a provision for an appeal against a decision brought down against an employer. Again, I am speaking mainly of a private employer. On a brief reading of the minister's statement and the legislation put forward by the Leader of the Opposition, I do not believe that this is covered adequately. As I said earlier, the minister and others

can pass legislation till the cows come home, but common sense will still prevail.

I cannot see why, as an extremely small employer, I cannot engage the sort of people that I like. I want a certain person for a job, but that person is a whole person. I consider their sex, their age, their upbringing, their dress and probably even where I think their political affiliation will lie, although we do not usually get down to that in a job interview.

Mr Coulter: You will be in jail on the first issue.

Mrs PADGHAM-PURICH: I know.

Mr Deputy Speaker, I will tell you what came out to my place. One could not call them people; they were things. They came to my place looking for a job on the farm a couple of years ago. I used to advertise for a farm worker. It was hard to differentiate. I really wanted a fellow or a sheila. I did not want one of those things that you could not tell what it was. These fellows came out in skirts and beads, with long hair, and they wanted a job as a farm worker. Imagine putting one of those on a tractor or a slasher. They would not last 5 minutes, Mr Deputy Speaker.

Mr Coulter: He would get his sarong caught in the fan, and that would be it.

Mrs PADGHAM-PURICH: That is just a case in point. I was a private employer. My time was wasted. I could not say to these people that I would not have a bar of them without talking to them because their dress betrayed what they really were. You take all these things into account. Usually, I pick the people that ...

Mr Ede: What were they? You said you did not know what they were.

Mrs PADGHAM-PURICH: I did not know what they were, but they were not what I wanted.

Mr Deputy Speaker, I believe that private employers will waste a lot of time on interviews if they advertise a job or jobs and many people turn up, some of whom the employers would not touch with a barge pole. They would still have to waste everybody's time in interviews and the rigmarole that goes with an extensive panel of interviewees, although they know that only a fraction of the people who present themselves would be suitable for the job. As I said, there is no right of appeal if the employer uses other than actual job qualifications to select for the job.

In some situations, discrimination may be positive. If, in a primary industry situation, 2 people of equal merit apply for a job and one man has a wife and a couple of children and the other has not, I would be tempted to give the job to the family man. But, again, I would be positively discriminating against the other applicant.

That brings me to what I believe is negative discrimination in the community at present. I call it negative discrimination, and it discriminates definitely and negatively on ethnic grounds. I know the reason this negative discrimination exists is purportedly to give opportunities to Aboriginals and others who are said to have been discriminated against in education or health fields. Some jobs are offered

specifically to people of Aboriginal extraction and ethnic group extraction, and I regard that as a form of negative discrimination.

A chap came to see me about a month ago. I think he was a migrant from Germany or Holland. Certainly, he was of European extraction. He believed that he had the qualifications to work as a tracker for the police, and he had applied for such a position. He believed that he had been discriminated against because, when he applied for the job, he did not receive the support he believed he should have for his job application.

Mr Coulter: Sign language in German was not appropriate in the Northern Territory.

Mrs PADGHAM-PURICH: He spoke English quite well, for the honourable minister's edification, and he believed his qualifications were good enough to fit him for the job.

As I said, I view this legislation with some suspicion. There is a limited reason for introducing it, but I do not believe that it will change community attitudes. People like people for their own particular reasons, and I believe they are entitled to have their reasons for liking or disliking employing particular people. Of 2 people applying for a job, one may perhaps have extensive qualifications which admirably fit them for the job and the other person may not have such good qualifications. However, as a result of inquiring on the grapevine, which a good employer should do, one may find that the one with the better qualifications has other detrimental qualities which would preclude the development of a happy working relationship in the workplace. According to the proposed legislation, that person is supposed to get the job. We cannot take all these private and personal matters into consideration. I do not regard that as a correct attitude in the workplace.

I can see that there may be greater costs to industry if the legislation is enacted. I have not studied the legislation, but I have a fear that it would result in greater costs to industry. As occurs in other situations, frivolous complaints may be made. There will be people who try actively to work the system for their own benefit against employers or against other people in the workplace. All of these cases will have to be considered in the lead-up to the minister's proposal to introduce legislation and also in connection with the legislation put forward by the Leader of the Opposition.

I am a little confused here. Draft legislation has been put forward and the minister proposes to put forward legislation at a later date. Are we to have a combination of these 2 pieces of legislation or what? I am rather confused as well as being rather suspicious. Altogether, I am not in a very happy frame of mind as far as this legislation is concerned. I will have to give it some thought, together with the honourable minister's discussion paper. Whatever happens, I hope that there will be avenues for appeal. I am not speaking for the public service as much as for private individuals and private businesses, especially small businesses.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, I welcome the minister's statement and the tabling of his discussion paper tonight, which is probably pretty timely. Whenever the issue of equal opportunity arises, I am reminded of a meeting I had in America many years ago with the principals of a firm called the Kerr-McGee Corporation. It was a very big mining company with a technical and professional staff of engineers and geologists who were mainly whites. USA equal opportunity laws required the company to employ a

certain number of Hispanic and Negro people in its work force as part of the proactive equal opportunity scheme introduced with the legislation. I asked the company how it would overcome this type of problem, given that it might be difficult to attract people from those backgrounds with the necessary mining qualifications. I was told that the solution was very simple. The company bought a professional basketball team, gave it the company's colours and put it on the company payroll. That satisfied the criteria. When I asked how it turned out, I was told that the team won lots of games and made a great deal of money.

That drove home for me the reality of how everybody has their own perception of equal opportunity and how different groups in the community go about paying lip service to the concept. There is no doubt that there is a need for some form of legislation to take account of equal opportunity in the Territory. It is only natural for people who are unsuccessful in obtaining jobs for which they apply to believe that they have been discriminated against, on the basis that they are old or young, black or white or catholic or protestant, and the decisions had nothing to do with their qualifications or their performance. If you miss out on a job, it is pretty easy to rationalise that the reason was because you had the wrong ethnic qualifications rather than not having the right achievement qualifications. If you were denied service in a pub, it is easy to rationalise that you were denied it because you are black or white or under-aged rather than because you were drunk and disorderly. If you are thrown out of a taxi, it is easy to believe that that is not because you were making a mess of the taxi but because you are black or white or whatever. There is always a form of discrimination occurring in the community. It is a matter of how we handle it. Obviously, we have reached a stage in the Territory where we believe there needs to be a formal set of rules to deal with unreasonable discrimination against people.

In handling any set of rules relating to discrimination, what is most important is that we agree that the rules are fair and reasonable and are not designed to make it difficult for one group or another. More importantly, the rules should be designed so that those who use the system and become parties to a dispute believe that they have had a fair go and a fair hearing in terms of having their dispute resolved. I say that because, for all the complaints in the Northern Territory community against people, there are plenty of complaints about discrimination in favour of people. Honourable members would have heard of cases of discrimination in which applicants for positions have to be Aboriginal, female or whatever. That is irksome to people who find that they have missed out because of such criteria. It is a fact of life that that type of proactive discrimination is a part of our system. It may be necessary and it may be a good thing. However, it irritates many people in the community.

The minister referred to the figures in the public service report relating to people who felt that they had been discriminated against. Those figures really highlight what the minister was pointing out. The 20% or so of people in the 2 major departments that were mentioned perceived - whether realistically or not ...

Mr McCarthy: The figure of 20% is wrong. I pointed out that it was considerably less than 20%. It was 2% overall.

Mr TUXWORTH: For the benefit of the minister, Mr Deputy Speaker, I will assume that it is 2%. The point is that 2% of the people believe - and it is probably a perception rather than a reality - that they have been discriminated against. It does not help the management of the service or

the morale of the people in the workplace to have that type of disgruntled employee on the payroll. It is in everybody's interest to ensure that, if people feel that they have been discriminated against in the selection or appointment or appeals process of their job, they have an opportunity to take that dissatisfaction to a place where it can be arbitrated fairly in their eyes. That is not always easy. Every member of this House would have heard one of the major complaints of public servants which concerns people who apply for jobs and are interviewed by committees. In cases where people appeal against the decisions of these interview committees, they often find that members of the interview committees are also involved in hearing the appeal. Public servants in this situation tend immediately to feel that it is unreasonable that the guys who rejected them in the first place are hearing the appeal.

Whatever system we have, it must be perceived to be fair in the eyes of those who are part of it. If we are to have an appeals system, it ought to be sufficiently independent to be able to hear the appeals and pass judgment on them so that people have complete trust in the workings of the anti-discrimination or equal opportunity legislation.

No matter where you go in the Northern Territory and no matter whether you talk to people working in the public or the private sector, everybody seems to have their own story about how discrimination works around them, for them or against them. What is important is that, if this perception of discrimination exists, it is dealt with in a civilised way. I believe that the minister's statement is a starting point. I would be happy to circulate the discussion paper to people who I know would be interested in it. Whilst it is unlikely that such legislation will get off the ground before an election, people can work towards it in a positive and cooperative way because it is something that will benefit us all at the end of the day.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, I thank honourable members for their comments. I was interested in the Leader of the Opposition's comments on the discussion paper and the tabling of his own draft legislation which, undoubtedly, will become a valuable contribution to the debate on the discussion paper.

Having listened to the Leader of the Opposition's speech, there are obvious comparisons between what he said and what I said in my statement. There are some grounds for feeling that we may be getting somewhere. It has to be recognised, of course, that the act of tabling a discussion paper does not lock the Northern Territory government into all aspects of that paper. We seek wide community input to this debate during the next few months so that, when we introduce legislation, it will be satisfactory to the wider community and not simply something which we have thought up ourselves or taken from legislation in the states. It must suit the needs of the Northern Territory and its particular requirements in respect of equal opportunity legislation.

I do not think that there is any need to comment further on the Leader of the Opposition's remarks other than to say that I was pleased with his attitude. I can assume, now that we have this document, that we will be able to make good use of it. We may well be able to use parts of it in our discussions with the Territory population during the next few months.

The member for Koolpinyah was concerned that it was impossible to educate the public in the ways of equal opportunity. I do not think that that is the case. The whole thrust of what we have been doing in the past, and will continue to do, is to provide an education system which will bring

people to an awareness of equal opportunity in the Northern Territory. It has been our position all along that we preferred education initially rather than legislation. We have come a long way in the Northern Territory, particularly in the public sector where very positive equal opportunity programs have been put in place. However, there is still a way to go. Quite clearly, we can now talk about the possibility of legislation and provide a general background to promote discussion.

I cannot accept the member for Koolpinyah's view that you cannot educate people. After all, people have been educated to wear seat belts. Initially, nobody liked it. Today, all people wear seat belts and accept them as being a reasonable solution to part of the road toll problem. When decimal currency was introduced, everybody believed that we would never understand it. Today, everybody understands and accepts decimal currency and metric measurement. We have gone a long way towards educating public opinion in relation to equal opportunity. We can go further and our whole thrust will be to continue that educational process.

I also do not accept that we have come up with a very comprehensive discussion paper overnight. The fact is that we have been working on this for quite some time. Our survey dates back 18 months. That does not relate particularly to this paper, but it indicates how long we have been taking a very strong interest in working towards a better form of equal opportunity in the Northern Territory, in particular in the public service.

The member for Koolpinyah is confused by the Leader of the Opposition tabling his draft legislation. Undoubtedly, it will become a part of discussion over the next few months. It does not need to be tabled again. All that the Leader of the Opposition has done is to bring forward his tabling of that document by a week.

The member for Barkly spoke of processes within the public service which need to be improved. If the member for Barkly were as familiar with the public service now as he may have been some years ago, he would recognise that we have changed things dramatically since the days when he had some say in the matter. The discrimination that he may have believed to exist certainly does not exist these days. We have changed things very dramatically since that time. During the last few years, certainly during my time as minister, many processes have been put in place to ensure that members of the public service are not discriminated against. We continue to improve those processes and will do so with or without legislation.

It will take a few months to prepare legislation because, quite reasonably, I have allowed 3 months for discussion on this document. I do not think that we could do it in anything less. If it is found that we need longer, we may have to consider a longer period. However, I think 3 months is a satisfactory period. We will be seeking input right across the Northern Territory community and we will be taking the matter to the people through public discussion forums. I have no doubt at all that, when we do implement legislation in the Northern Territory, it will not be ad hoc and it will not be something which has been grasped out of the air and dumped on people. What we will have will be legislation that is acceptable to the Northern Territory community and will benefit everybody in the Northern Territory.

Motion agreed to.

ADJOURNMENT

Mr PERRON (Chief Minister): Mr Speaker, I move that the Assembly do now adjourn.

I would like to take this opportunity to correct some information which I provided to the House in answering questions this morning. The information concerns the cost of self-government celebrations. I advised the Assembly this morning that the total cost was $200 000 and that that included broadcast time for the advertisements when, in fact, the correct figure is $222 355.

Mr Coulter: And 20¢

Mr PERRON: Yes, and 20¢. I am sorry, I still do not have it right.

Mr Speaker, the reason that I did not have the correct total was because, after producing the video, we made a decision to have it put into a format which would enable it to be shown in cinemas. It was also decided to make some copies to leave with Northern Territory government tourist offices around Australia. Those 2 decisions added to the costs. The actual production cost of the advertisement, including the format for cinemas, was $133 840. The cost of playing time on radio, television and in cinemas was $49 318. The remaining $39 197 was for the brochure, rulers, balloons, stickers, print advertising for the flag-raising ceremonies in different parts of Australia, and the hire of a canopy, chairs and sound system for the Darwin ceremony. That is a complete list of the costs and I apologise to the Assembly for any inconvenience that I may have caused in incorrectly giving an all-up figure of $200 000 in this morning's question time.

Mr SMITH (Opposition Leader): Mr Speaker, I rise very briefly to respond to a small part of what the honourable Chief Minister said - his reference to the decision to show the self-government advertisement in cinemas. From the Labor Party's point of view, I hope that the government will continue to screen it forever. It has received an amazing response.

I was at the cinema on Saturday night when the advertisement came on. I can say without exaggeration that the cinema erupted. Somebody said: 'Wasted taxpayers' money'. People all over the cinema said things like: 'Get it off! We do not want this sort of rubbish on our cinema screens'. They were not Labor Party people and they certainly did not know that I was there because I was running late and entered the cinema when it was dark. I have to say that, if the government keeps the advertisement running, members on this side of the House will have no problems whatsoever with the expenditure involved. The response was quite astonishing.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to speak in this evening's adjournment debate, I would like to address a couple of matters. The first concerns the lack of a qualified professional in the field of ophthalmology. I have been told by a constituent that patients wanting an appointment with the qualified ophthalmologist at the hospital face a wait of anything from 3 to 6 months. There is only 1 qualified ophthalmologist here at the moment. Another doctor in private practice has some expertise, but I understand that his qualifications are not as extensive as those of the professional ophthalmologist employed by the Royal Darwin Hospital. I understand that, in the old days, there were always 2 ophthalmologists here.

I believe that we need to pay particular attention to the need for specialists in ophthalmology because of the high demand for their services. As well as dealing with accident cases and medical cases, ophthalmologists are in demand by many people who are getting on in years and find that they need the ophthalmology services for cataract removal and so forth. I can imagine that there would be more work here for an ophthalmologist than perhaps for an ENT specialist. I would like the Minister for Health and Community Services to give this matter his consideration because it is stretching it a bit for people to have to wait 3 to 6 months for treatment. Not only is that a test of people's patience but it does not do their medical conditions much good either.

Mr Collins: Have they been discriminated against?

Ms PADGHAM-PURICH: Yes. They are being discriminated against. I understand that, in dire cases, people would no doubt be sent south for treatment. However, I would like the honourable minister to give some consideration to the appointment of another ophthalmologist so that waiting periods for treatment in our public hospital will be reduced to a more reasonable level.

Coincidentally, the next matter I wish to raise also comes within the competence of the member for Nightcliff, this time in his capacity as Minister for Conservation. I have written to him about this matter previously and I have also spoken about it previously. It concerns the shocking state of Fogg Dam which is a disgrace to him and to the Conservation Commission. I do not know whether it is the result of lack of care or lack of concern for the tourist industry and the conservation of the area. I am not talking about people who are highly placed in the Conservation Commission. I am speaking about the concern expressed to me by people lower down in the ranks of the Conservation Commission. They all say that it is more than time that something was done about it.

There are no birds at Fogg Dam now. For bird lovers, it used to be a special treat to go there at dawn to see all the water birds. People made special trips to see them. Nowadays, you are lucky if you see any water at all. I am not necessarily talking about the condition of the dam in the dry season. It is choked with weeds and water lilies, and with rushes and sedges, or whatever the monocotyledonous plant life out there is called. As well as you-beaut things like the creation of new wildlife parks, nature parks and reserves, it is more than time that the Conservation Commission looked at the upkeep of areas under its control. Fogg Dam is in a very deleterious condition.

I do not know whose responsibility it is, but the road into the dam also is in a shocking state. It is bad enough for a private vehicle to have to venture across the dam wall to the other side, but for the masses of tourists who visit the area, many of whom come in large buses, travelling over such a shocking road certainly does not provide a very good introduction to the viewing of the Northern Territory's wildlife. I have travelled over a few roads in the rural area and, if I say a road is shocking, I mean that it is full of potholes one could practically get lost in. I believe that that road is reaching the dangerous stage, especially for buses. Do we want buses loaded with tourists to have accidents on the road to Fogg Dam just because somebody thought it was an area of minimal interest which did not warrant the expenditure of funds?

The locals are also concerned. I am not referring only to the Conservation Commission rangers to whom I have spoken but also the people

who live at Middle Point, the Coastal Plains Research Station, and in the Beatrice Hill area. They are concerned because they believe that it is a beaut little area. The people there constitute a cohesive little country community, and they would like to see Fogg Dam rehabilitated and returned to what might be called its former glory. It is not a very big place and I do not think that it would cost much to rehabilitate. However, in the interests of true conservation, and especially for the sake of aviculturists, tourists and nature lovers generally, it is more than time for the Minister for Conservation to give serious consideration to rehabilitation of the area.

I was very pleased to hear the Minister for Labour, Administrative Services and Local Government say, in response to my question this morning on the repeal of the Dog Act, that individual local government authorities will have discretion in terms of whether they take on the current provisions of the Dog Act in their own by-laws or whether they refrain from doing so. The control of dogs is an important matter. The dog-owning community is divided into 2 roughly even groups: those who like their dogs and look after them, and those who have dogs which other people cannot stand. Dogs belonging to people in the second group roam freely, frequently biting adults and children and killing their pets. These 2 interest groups in the community do not seem to understand each other's points of view. Unfortunately, people who look after their dogs by keeping them on leads, by keeping them in yards and by looking after them from a veterinary viewpoint, are penalised for the mishandling of dogs by irresponsible dog owners.

I believe that the Litchfield Shire Council intends to conduct a survey asking residents whether they want the shire to adopt the provisions of the Dog Act as by-laws. There will also be a statement concerning the amount each person can expect to pay for what could be considered to be a luxury. Officers of the shire have calculated that, if the shire accepted responsibility for enforcing the provisions of the Dog Act, ratepayers in the shire would face a rate increase of $91 to $94 in the first year. If the survey proceeds, it will be up to people in the shire to say whether or not they want the provisions of the Dog Act to be adopted as local by-laws. Certainly, the cost of such a step will have to be considered.

I believe that that there are many irresponsible people in the community who should not be allowed to keep dogs. Some of them do not look after their animals as well as they should. If one has animals, one should look after them. If one cannot afford to keep them or if one is not interested in them, one should do the next best thing and give them up or make more permanent plans for their future. I look forward to the results of the survey if it proceeds. I am interested to see what people in the rural area think about the massive increase in rates which they would face if the shire council introduced by-laws for dog control. Whilst this move may be admirable in many cases, the cost has also to be considered.

Mr EDE (Stuart): Mr Speaker, I rise tonight to say a few words about the Yuendumu Sports, which I attended during the Picnic Day weekend. Once again, the sports were a real credit to the community and the people on the organising committee, who go to a great deal of effort every year to put together a varied set of sports which attract people from all over the Territory. This year, there was very strong representation from South Australia and across in Western Australia. In fact, one of the early highlights was a fly-in by the teams from Warburton, who had chartered a number of planes and arrived in a squadron-like formation. This year, crowds were up by over 1000 on last year and, as always, competition was

entered into with considerable vigour and enthusiasm. People had an incredibly good time.

Of course, next year is an anniversary year and it is expected that the sports will be one of the biggest events for many years. This year, the prizes were spread throughout the teams. As usual, I gave prizes for the best sportswoman and the best sportsman, and those were particularly well contested. Unfortunately, in the case of the best sportsman, the prize was won by somebody from the electorate of the member for MacDonnell, so he can get up and praise him.

Mr Bell: Who will pay for the trophy?

Mr EDE: Yes. I must admit that, now and again, I get fed up with paying for trophies which are carried off by people from my colleague's electorate, who regularly come to the Yuendumu Sports and win all the prizes. However, it is great fun. All of our mob go to the Papunya Sports and to other events in his electorate and, now and again, we have a few wins too.

All credit is due to the people of Yuendumu, particularly to the members of the organising committee who do an incredible amount of work. I would like to thank firms like Adidas which, for the first time, has started to become involved in sponsoring athletics at the sports. It is a great move and, as the fame of the event spreads further and wider throughout Australia, hopefully more firms will become involved as sponsors, helping it to continue to grow and prosper.

Mr Speaker, that was on a happy note. Before I go too much further, I will say that I have heard that there is also some cause for joy in relation to the debate over whether therapists who have long been employed by the Department of Education will or will not move across to the Department of Health and Community Services. It has been my belief all along that those therapists should remain with the Department of Education. I know that there are some grey areas, but I believe that the example set by most of the states, which have such therapists working in education, should be followed. I have heard that the earlier move to locate those therapists in the Department of Health and Community Services has been reversed and that they will stay with the Department of Education. That decision will certainly be welcomed by the therapists and the people whom they look after.

My electorate secretary, Alf Leonardi, has a considerable interest in this subject and, during the course of researching the matter, he spoke to a number of people in various states, including a very senior gentleman in the Queensland department. Initially, it seemed that the department favoured the transfer of therapists, but subsequently changed its mind. When Alf asked why the department no longer supported the move, the answer was like something straight from 'Yes Minister'. The gentleman said that there would be 'severe administrative exigencies at the cooperative inter-agency interface', which I presume meant that they would fight like cats and dogs.

On a less pleasant subject, I would like to talk about the lack of services at the homestead on Ti Tree Station. It is very disheartening to visit the homestead community at Ti Tree Station and to see the incredible lack of services available in that community. The people themselves draw comparisons between the services provided to them and those which have been provided to Pmara Jutunta. Certainly, I will not decry the services which have been provided at Pmara Jutunta. I believe that those are of the

standard which should apply, but one cannot help but see the differences when one goes to Ti Tree Station.

At Pmara Jutunta, which is 6 miles from Ti Tree, the health workers are allowed to take the vehicle home at night so that, if there are problems during the night, they can drive people to the clinic in Ti Tree. At Ti Tree Station, that is not allowed to happen. We have asked constantly for a health worker vehicle there or some ability to home garage one of the vehicles. In spite of the fact that it is more than twice as far from Ti Tree clinic as Pmara Jutunta is, those requests have fallen on deaf ears.

The amount of time that it takes to get people in to do simple things like pumping out overflowing septic tanks etc is simply ridiculous. The number of times that that has been a problem, and that requests have been submitted only to find that nothing occurs, is nothing short of scandalous. Not all of the matters come within the purview of this government. I have contacted Telecom repeatedly with the request that it relocate the gold phone, currently situated on the steps of the store, to a position where it would be more readily accessible to the community. As honourable members who represent rural electorates would know, the gold telephone is often the only phone available to people when there are problems elsewhere and they need to make contact with someone in the community. Of course, when the store is closed and no one is around, no contact can be made. The placement of that phone was determined without consulting with the community at Ti Tree Station. The people of Ti Tree Station are becoming incredibly frustrated with these problems. They are closely related to the people of Anningie who are also experiencing great difficulties.

Earlier, I heard the member for Koolpinyah interject regarding Soapy Bore. The problems with water at Anningie are much more severe than those which were faced by the people of Soapy Bore. At least the community at Soapy Bore had water. The problem was that it was incorrectly located and not available as a full service. I have been arguing the case of the people of Anningie since I was on the old Water Needs Committee in 1979. That community still does not have a decent supply of water. The only water available is from a spear pump in the creek. Such pumps are considered by everybody to be totally inadequate. They are a variation of the old petrol pump and will draw water only from about 5 to 6 feet. We have suggested a number of options. The existing pump could be upgraded and the area fenced so that at least some water might be obtained from that source. The community could be equipped with tanks and water carted in. Thirdly, consideration could be given to a pipeline into the community.

I have spoken about the matter, time and time again. For years, I tried to get the government to agree to the concept of a Mexican dam. Always, we end up in a blind alley. Just when we seem to be getting somewhere, there is a change of minister or a change of public servant and, suddenly, we are back to square 1. Once again, frustration with the whole process has meant that a large proportion of the people who were living in the Anningie community have moved to Ti Tree Station and are now waiting there until such time as they can get water at Anningie. That is resulting in complete frustration. It is also overloading services at Ti Tree Station, making it even more difficult for people there to get on with their lives.

As the Minister for Education knows, I have spoken on previous occasions about the problem of bus services in the Ti Tree area. The minister must have one of the longest-running interdepartmental committees ever to exist. Every time I raise the issue, he says that he is looking at

it in conjunction with the Minister for Transport and Works, that a committee is about to be formed, or that a committee is about to report. Still, there is no joy. I have now written to him asking him to look at the problems at Pine Hill, where another 9 children have no way of getting to school. The community has said that it may even be able to work on using its own vehicle if it receives mileage allowance at some rate.

People living in that entire area are trying to get their children to school but often there are not enough people living at the smaller communities to justify having their own schools. They realise that they need to bus children to the Ti Tree School but the problem with the buses is never ending. I hope that the Minister for Education will resolve this matter some time within the next month or so, or at least before he retires and we have to start again with a new minister.

Mr FLOREANI (Flynn): Mr Speaker, I rise tonight to express my disgust in relation to a press release issued by the Minister for Transport and Works. The press release concerns a matter which was raised with the minister by the President of the Alice Springs Branch of the Australian Small Business Association, Jim Thomas, in Alice Springs on 16 July. On behalf of Mr Thomas, I take exception to the wording of the press release. It appears to be almost a personal attack and its terms are most embarrassing. In fact, I believe that some of the wording of the press release is unbecoming of a minister of the Northern Territory. He said that Mr Thomas was muddle-headed and displayed a Luddite attitude and a caveman mentality. I cannot see any reason for a minister of the Northern Territory to issue a press release with words of that kind in it.

Mr Vale: You should get both sides of the story, Enzo.

Mr FLOREANI: I have heard both sides of the story. Various items of correspondence have been presented to me. Let us face it, the chap represents some 50 Alice Springs small businessmen. He put a proposal to the minister saying that he is quite concerned about the sealing of the Luritja Road which connects Yulara and Kings Canyon, suggesting that perhaps the Ernest Giles Road might be given higher priority. I will read from his submission to the minister:

> The long-term effects of the sealed access to Kings Canyon from Yulara and none from Alice Springs says the coach companies will base their tours to Kings Canyon from Yulara. Deluxe have coaches using the Ernest Giles Road for the tours based in Alice Springs, but say the wear and tear is far greater on this road than on the sealed roads. The hire-car companies will relocate their businesses to Yulara when the road is sealed and ban travelling on the Ernest Giles Road, due to the poor conditions of this road. There will be significant loss of business from Alice Springs - tours to Kings Canyon, accommodation, restaurant trade, servicing of vehicles etc. A large proportion of the tourist trade to Alice Springs will be lost, especially if the airlines are allowed to bypass Alice with longer runways being built at Yulara.

I think that those are reasonable concerns to be expressed by the president of a small business association. I have correspondence from the Alice Springs Regional Tourist Association as well. I believe that a person who represents a number of small businesses in Alice Springs has a right to put submissions to the minister. It is not a question of the content of the submission, but the wording of a press release from the minister in

response. I believe that it was uncalled for and not in keeping with the proper actions of a minister of the Northern Territory.

Mr FINCH (Transport and Works): Mr Speaker, talk about muddle-headed! The honourable member himself came into this parliament allegedly as a champion of small businesses.

Mr Floreani: Are you going to sack the press release writer or what?

Mr FINCH: I am amazed at the lack of insight that the member for Flynn has shown in this matter. If he had read the reports in the Centralian Advocate and realised how provocative and nonsensical the comments by the President of the Alice Springs Branch of the ASBA were, he would fully understand why I used terms like 'muddle-headed'. Anyone who stands up in the real business world and says that sealing or not sealing a couple of roads in the middle of central Australia will lead to the total downfall of small business in Alice Springs is reflecting on the state of his own business. If it is so fragile that it cannot survive the possible diversion of traffic, heaven help it.

I believe that the response which I gave and which my office gave was well controlled at the time. I had taken the trouble to explain to him that he was not helping his cause by making outrageously provocative statements in the media instead of talking to us about his concerns. Tourist industry representatives had talked to us. We explained to them that the department was quite happy to listen to their reappraisal of where the priorities in road construction should lie. It was a simple matter which has now been addressed. As it turns out, the Alice Springs Regional Tourist Association has now endorsed the original set of priorities put forward by the Department of Transport and Works. It has added a couple of additional priorities, and that is fine.

As far as development of the tourism industry is concerned, people in that industry ought to have the major say, not some businessman in Alice Springs whose business is supposedly so fragile that it will collapse as a result of relatively minor road programs in the middle of the desert. The basis on which he puts his suggestion forward is the supposed extension of the Yulara airstrip. That simply has not been the decision of this government to date. It is all nonsense. These matters ought to be dealt with civilly and not through provocative press statements in the Centralian Advocate.

Mr BELL (MacDonnell): Mr Speaker, since the Assembly last sat, a number of people, who were leaders in the Territory community in a variety of different ways, have passed away. In this evening's adjournment debate, I want to place on record my appreciation of their efforts. I was looking at the names of these people and I was thinking of the various conversations that I had had with them. I realise that, in conversations with all of them, there had been agreement and disagreement in different ways. However, I want to say that I have a fundamental respect for their efforts in their working lives and in their lives generally in the Territory.

The first person whose name I want to place on record was a person who was indeed a good friend. I refer to Dr Trevor Cutter who was a very able specialist physician and who would be well-known to many members here as a resilient and forceful advocate, not only on health issues affecting Aboriginal people in central Australia in his work with the Central Australian Aboriginal Congress, but also as a proponent of Aboriginal rights generally. I came to know Trevor in the mid-1970s in Alice Springs. I had

a great deal to do with him as a friend and in my capacity as a member of this Assembly when Trevor would - I think it is fair to say - forcefully put representations to me about a variety of issues concerning Aboriginal rights that were of great importance and about which he felt strongly. He was a candidate for the Legislative Assembly in 1977.

Mr Vale: In Stuart.

Mr BELL: In Stuart, as the honourable member who was then the member for Stuart recalls. I want to pass on to his family my appreciation and respect for his work and my affection for him as a person.

The second person I want to mention is Mr Jim Gallacher. Many honourable members here commented publicly about the recent passing of Mr Jim Gallacher, and I want to place on record my appreciation of his work. His Honour the Administrator, Mr Justice Muirhead, gave a very moving speech at his funeral and it would be very difficult to add to that.

When I first came to work in the Territory, Jim Gallacher was a respected figure as a director and assistant director of the Education Department. One did not always agree with what he had to say, but one always respected his point of view. At the end of the day, there was no doubt that he was fighter for human rights generally. I have a deep respect for the contribution Jim made to the Territory.

Jim and I have something in common. We both arrived in Areyonga at the age of 27. Jim did so in 1950 and I did so 25 years later. On a number of occasions, I discussed with Jim attitudes towards Aboriginal education, attitudes towards the Territory and the direction of social change, matters on which he contributed greatly to public debate throughout his working life in the Territory. I want to place on record my respect for Jim and to pass on my thoughts about Jim to his family.

The third person whose achievements I wish to refer to tonight is Damien Miller, who also passed away recently. Damien Miller was a constituent of mine. I would be kidding myself if I imagined that he ever voted for me, but I have a deep respect for Damien Miller's spirit and what I know of his life's work.

One of the wonderful stories that is still told about Damien Miller relates to the period when he was flying for Connellan Airways. He, the late Eddie Connellan and Sam Calder, a former member for the Northern Territory who is well known to most people here, were part of that generation of pilots who were pioneers of the airline industry in the Territory. Damien had a hairlip and that is part of the story. He was at Ayers Rock, in a 12-seater plane whose make I cannot recall at the moment. Instead of sitting in the pilot's seat, Damien sat in a passenger seat while the rest of the passengers filed in. He started to look at his watch and he lisped: 'What? The pilot is not here? We will have to do something about this'. They waited a few minutes and he said: 'Well, he is not here. I will have a go'. He sat down in the pilot's seat and said: 'Been a while since I have done this, but I think I can get into the air'. He duly started up and the plane took off with a load of terrified passengers. I understand that, when the incident came to the attention of the Department of Civil Aviation, it was not as disposed to see the humorous aspects as a number of other people were. I am not quite sure whether it is a true or an apocryphal story ...

Mr Vale: It is true.

Mr BELL: ... but it says a great deal about the spirit of the man, which is one of the reasons I feel it is important to place on the record of the Assembly the contribution that he made to the Territory as an aviator, a pastoralist and a family man.

The other person, whose contribution in the Centre has been more controversial in a way was Helmut Pararoultja. I hesitate to mention his name, but I think that the restrictions about the use of the names of people who have passed away, which Helmut himself would have felt very strongly about, need to be qualified for the sake of the record of in this Assembly.

I knew Helmut for 15 years. He died violently, and before his time, and his death was a tragedy for his family and for the community in which he lived. I believe that his death is a very sad loss for many people because Helmut had a clear vision of the possibilities of his family. I am not sure that there will be somebody who will step into his shoes. He leaves behind his mother, and his family who live at Kulpijarra. They have lived at Kulpijarra and Undaruna, and his name and his work will be known to many government ministers here. Helmut would not have been a supporter of mine in a political sense, but I certainly had a deep respect for his contribution in the Centre.

It is appropriate to mention in this context the treatment of his passing in the media. I received representations from his family about the use of pictures of him in the press after his passing. I found the use of those pictures a little shocking and that has certainly been the view of some Aboriginal people in the Centre. Outside the context of the passing of an individual, we need to consider what is an appropriate way of dealing with material of that kind in the press.

The death of Helmut Pararoultja and the other member of his family in such tragic circumstances made the funeral of the 2 men a particularly sad occasion. I hope that the communities at Kulpijarra and Undaruna, and at Hermannsburg itself, in the absence of Helmut, will be able to develop a direction and a purpose to control the rapid change that is happening in the lives of those people and to do so in the productive way that Helmut himself envisaged.

I believe it is important to place on record the achievements of the people I have spoken about tonight, people who came from very different backgrounds and who had very different experiences but who, each in his own way, contributed magnificently in the Territory context.

Mr HARRIS (Port Darwin): Mr Speaker, I had planned to speak in the adjournment debate during the course of the sittings to pay tribute to Jim Gallacher. As the member for MacDonnell spoke about him tonight, I would like to ensure that our tributes appear in the Hansard record of this debate. I would like to pay tribute to the work of Jim Gallacher, particularly as I am the minister responsible for education, the arts and cultural affairs. Jim Gallacher, of course, was involved in education for a very long time. I was deeply saddened at the passing of a man who had served the Territory in so many ways: as a public servant, as a prominent sportsman, as a dedicated member of Legacy, and as an educator for 40 years. In particular, Jim Gallacher will be remembered for his great service to the cause of Aboriginal education and to the Aboriginal community generally.

Mr Gallacher's teaching career in the Territory began when he and his new bride settled into a tin shed at Areyonga in 1950. In 1953, he became

head teacher at the bungalow at the old Telegraph Station at Alice Springs. From 1956 to 1966, whilst serving as District Education Officer in both Alice Springs and Darwin, he travelled widely throughout the Territory supporting and advising teachers, and supervising the building of new schools at Warrabri, now Ali Curung, Amoonguna and Papunya. Many of his former colleagues will especially remember the Watts/Gallacher Report which he played a key role in preparing during that time. The report provided the foundation for Aboriginal education policy in the Territory for a generation, and much of it is still relevant today.

Through Jim Gallacher's long and wide experience of Aboriginal culture, supported by study as a Churchill Fellow, he developed the insight and expertise that led him to become a highly-respected administrator and innovator in the field of Aboriginal education. Among his almost countless contributions, he encouraged significant Aboriginal participation in wider community activities, ranging from sporting events to eisteddfods, and he initiated the use of mobile and demountable school buildings to provide an accelerated response to community needs. His commitment to the principle of involving Aboriginal people in the development of their own education programs led at first to the initiation of short-term and then 1-year training courses for Aboriginal assistant teachers and, ultimately, to the establishment of Batchelor College which, as honourable members would appreciate, is now a national leader in the field of Aboriginal education.

In 1970, Jim Gallacher became Director of Aboriginal Education in the Commonwealth Welfare Division, which administered Aboriginal schools. The task of writing the first curriculum, specially designed to meet the needs of Aboriginal students in Northern Territory communities, was begun. When the separate Aboriginal and non-Aboriginal education systems were merged in the Territory, he was appointed Assistant Director of Special Projects and, immediately after Cyclone Tracy, Acting Director of Education. Many honourable members will recall his work during the turbulent period that followed the cyclone, when the quality of his leadership proved a crucial factor in getting a devastated education system back on its feet.

Following self-government, in 1979, Mr Gallacher joined the Chief Minister's Department as Director of the Aboriginal Liaison Unit. Although he officially retired in 1985, he remained active as Chairman of Batchelor Council until last year and was, at the time of his death, the Northern Territory member of the Grants Commission.

I was personally honoured to have been associated with someone like Jim Gallacher, who made such a great contribution to the Territory and to the lives and education of so many Territorians. He will indeed be missed.

I would like to take the opportunity also to pay tribute to a man who died in tragic circumstances just before the last sittings. I think all honourable members will recall the horrific train smash on the Hawkesbury River. The person I refer to is, of course, Professor John Ward of the University of Sydney. I first met Professor Ward after becoming the Minister for Education. At that time, we were looking at developing our own free-standing university in Darwin, and I met with Professor Ward at the University of Sydney. We were also in the process of finalising arrangements to establish the Menzies School of Health Research. You yourself, Mr Speaker, were involved in that exercise.

At the age of 70, John Ward was not a young man. However, he still had a lot to offer and he will be missed. John Ward's wife and daughter were also killed in the accident. A disaster of this nature is always difficult

for the community to cope with but, having known John Ward since 1984 and having had regular contact with him during that period, it has been even more difficult to accept.

I was fortunate in being able to attend the memorial service for John Ward at the University of Sydney. Many tributes were paid to this man, who had done so much in his life. I place on the record my respect for the man and also offer to the University of Sydney and Professor Ward's close friends my deepest sympathy for the tragic passing of a man who left his mark on higher education.

Before closing, I would like to refer to the proposed transfer of the therapists from the Department of Education to the Department of Health and Community Services. This matter was raised by the member for Stuart. The reason for the proposed transfer of therapists to the Department of Health and Community Services is that it would provide them with better career opportunities and better access for students. When I initially discussed the matter with the Minister for Health and Community Services, I was concerned that there were many people in communities outside Darwin who needed access to therapists on a regular basis and that this access was not possible under the existing system. We were looking at improving the service. As I had indicated to a number of groups and organisations and, indeed, to the therapists who were working within the Department of Education, the matter would have to be considered at a later time unless I could be assured that the services on offer would continue. As the honourable member has mentioned, the present situation is that the positions are to remain with the Department of Education. However, the matter will be considered from time to time. Any responsible government must look at the career structure of officers and the services which are delivered. We considered the matter in that context and decided that, for the time being, the positions will remain within the Department of Education.

Mr TUXWORTH (Barkly): Mr Speaker, I rise tonight to comment on 2 matters. The first relates to the Mulholland inquiry and an answer given by the Chief Minister this morning in question time. The Chief Minister stated that Mr Mulholland QC was engaged to oversight certain police investigations. Subsequently, Mr Speaker, you allowed me to ask a question on this matter. I asked the Chief Minister about the actual role which Mr Mulholland was playing in these inquiries. I asked whether Mr Mulholland was directing his own inquiries with his own investigators and reviewing earlier inquiries or whether he was, in fact, oversighting work which had already been done or was being done by the Northern Territory Police Force. I gathered from the Chief Minister's response that he thought that I was being obtuse and difficult. I really was not.

There is a very distinct difference between the 2 roles which I have described. When the Mulholland inquiry was set up, I believe that the community was given a very clear impression that Mr Mulholland would be investigating the content of the allegations made on the 7.30 Report and conducting a review of the investigations that had taken place in relation to those matters. Like many other people in the community, I felt quite at ease with Mr Mulholland undertaking this task and, like others, I have been waiting to see what his findings would be.

As a result of the Chief Minister's comments this morning, it would appear that Mr Mulholland is not in fact conducting any inquiry at all and that he is not independently reviewing the work that has previously been done. In fact, it would appear that we now have another police investigation or review of work that was done before, with Mr Mulholland

overseeing this process and reviewing it. Mr Speaker, you can paint it any shade of grey you like but, at the end of the day, the matter is still grey and Mr Mulholland is not carrying out the inquiry. He is, in fact, just supervising it in a titular sense.

I would ask whether, at some time tomorrow, the Chief Minister could clarify exactly how the inquiries are being conducted by Mr Mulholland and whether he is in fact supervising and managing, using his own staff to carry out the inquiries, or whether the inquiries are being conducted by Northern Territory police who send the results of their investigations to Mr Mulholland in his office in Brisbane. I think that it is fair to say that, if the latter is the case and Territory police are conducting a review of earlier investigations and seeking Mr Mulholland's imprimatur on such a review, Territory people would be alarmed at such a prospect. If, in fact, Mr Mulholland is conducting the review himself, using his staff and making his own decisions about whom he questions and what questions he asks, I believe that Territorians will be well satisfied. I can say to the Chief Minister with some conviction and some support from the community that any indication that Mr Mulholland was being used to give a stamp of approval to internal reviews of earlier investigations would be regarded very poorly by the Territory community. I would ask the Chief Minister to consider this matter and to make some comments on it tomorrow.

Mr Speaker, moving on to the second matter I wish to comment on tonight, I would like to refer to the contribution which Helmut Pararoultja made to the development of the oil and gas industry in the Northern Territory. I think it is fair to say that, without Mr Pararoultja's contribution, the oil and gas industry and the mining industry would be much less developed than it is today. I would like to record the fact that, for many years, the then member for Stuart had been urging me and others to ensure that oil and gas production started in central Australia at the Magellan and Mereenie fields. The introduction of the Lands Rights Act by the Fraser government held up any potential development. It was not until self-government that a real opportunity arose for the extraction and development of those resources.

As the responsible minister, I made many trips to Hermannsburg to speak with the traditional owners, particularly Helmut Pararoultja, who was a leader and spokesman for the group. Nothing ever seemed to happen. It was rather like talking to a wall. Eventually, we convened a big meeting at Hermannsburg. The traditional owners came into a room about a quarter the size of this Chamber. I was there with advisers. I recall that Creed Lovegrove was there and that Ross Howie from the Central Land Council was in attendance. We put to the traditional owners the desperate need to get on with developing the resources. When we finished pleading our case, there was a long silence followed by much discussion in the local Aboriginal dialect. Then there was further silence. Suddenly Mr Pararoultja stood up and came over to us. He said: 'We are sick of all of you white blokes coming down here holding meetings and telling us to do this and that. We want to see the oil and gas pumped out of the ground. Why aren't you doing it?' He really gave us the rounds of the kitchen.

That was the first occasion in a long time that I had been at close quarters with a very aggravated Aboriginal person. It appeared to me that Mr Pararoultja was looking to give somebody a good swipe in the process of getting the matter off his chest. Eventually, we said to him: 'Hang on. We have a ream of correspondence here that we would like to have answered by you people. We never get a response from Mr Howie at the land council'. With that, Helmut Pararoultja went for Ross Howie in a way which I would

never have believed possible. The matter was really resolved that afternoon. The Aboriginal owners gave instructions to the Central Land Council there and then. They said that they wanted the agreement signed and that they wanted things to proceed from that day. To be fair, the Central Land Council and the lawyers for the company and the government progressed their negotiations to a point at which, ultimately, gas was pumped into the Alice Springs power station and the first commercial use of that gas occurred.

I often look back on that day at Hermannsburg and I think about the role played by Helmut Pararoultja. If it had not been for his decisiveness, aggression and determination, I often wonder whether we would ever have got the oil and the gas out of the ground. Whatever contribution Mr Pararoultja made to the community that he lived in and the family that he looked after, and to the people of his area, he also made an enormous contribution to the economy of the Northern Territory in ensuring that, ultimately, gas and oil were pumped from the Mereenie and Palm Valley fields.

The results of that day will go down in the history of the Northern Territory. They may not be carved in stone or written up in great history books, but I believe that it is important that his role be recorded in the Hansard record of today, particularly at this time, because the people of central Australia to which he belonged have a man of whom they can be justly proud.

Mr Vale: Hear, hear!

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

COMMERCIAL ARBITRATION AMENDMENT BILL
(Serial 280)

Bill presented and read a first time.

Mr MANZIE: Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to assist in the achievement of uniform commercial arbitration legislation and to implement amendments to overcome specific problems with the existing model bill. Commercial arbitration has been seen as a way of providing efficient, effective and independent resolution of commercial problems without the need to resort to the courts. It forms part of the current trend towards alternative dispute resolution mechanisms and user-pay systems which reduce the burden on courts and states. In recognition of the importance of commercial dealing across states as well as within states, uniform commercial arbitration acts operate in all states except Queensland. The Northern Territory act came into force in 1985.

The Parliamentary Counsels' Committee of the Standing Committee of Attorneys-General has prepared a bill which gives effect to the decision of the Standing Committee of Attorneys-General to revise the model law on uniform commercial arbitration. Detailed consultations have taken place within the committee and between each jurisdiction concerning the substantive issues which should be covered by the bill and on the question of uniform expression of the legislation in each of the states and territories. At the September 1989 meeting of the Standing Committee of Attorneys-General, held in Queenstown New Zealand, ministers adopted the amended bill as drafted by the Parliamentary Counsels' Committee. The main features of the bill are as follows.

Under the bill, the court is given power to terminate international arbitration agreements where the arbitrator has been removed by the court. The existing legislation covers only domestic agreements. A new section 20 has been added which provides the arbitrator with criteria on which the decision to grant leave for legal representation is to be based.

The bill allows also for consolidation of proceedings where some common questions of law or fact arise in all of the proceedings. The rights to relief claimed in all of the proceedings are in respect of, or arise out of, the same transaction or series of transactions, or it is otherwise desirable to consolidate the proceedings. This saves the arbitrator and the parties money and time and dispenses with the need for individual decisions in a number of substantially similar cases.

Under the bill, alternative means of dispute resolution, such as mediation and conciliation are encouraged, as well as allowing the parties to determine their own settlement procedures. Offers of compromise will be taken into account in awarding costs. The bill makes a number of amendments to achieve a common form of words in the uniform legislation across Australia. I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Chief Minister): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Electoral Amendment Bill (Serial 293) passing through all stages at these sittings.

Motion agreed to.

ELECTORAL AMENDMENT BILL
(Serial 293)

Continued from 14 August 1990.

Mr EDE (Stuart): Mr Speaker, the need for this bill arose from an error made by the Distribution Committee during the course of its administrative, rather than its public, deliberations. The committee considered the various boundaries and decided on a method of redistribution which would provide, as closely as possible and within the quota, for equality of voting numbers within electorates. When it came to preparing the map which was based on the revised distribution, for some reason or other, the map did not correctly portray the boundary between the electorates of Karama and Sanderson, despite the fact that the written description of the boundary described it correctly. In fact, the map which went on public display combined the old boundaries between the 2 electorates.

As a result, the position is now contentious in terms of what constitutes the report. I believe that we must decide that the maps are part of the report and, certainly, that the maps are a significant part of the report in terms of the public's decision as to whether or not it will make further applications for amendment. We have a situation in which the written body of the report contains correct descriptions whilst the maps, on which most people would rely, are incorrect. In fact, on the boundaries shown in the map, about 655 voters would have been placed in the wrong electorate.

The purpose of this bill is to rectify the problem. Legal advice was sought, copies of which were provided to this side of the House. That advice indicated that there were 2 choices. We could accept the committee's recommendations, which would put us in a difficult situation in terms of whether we were accepting the written description of the boundaries or that depicted on the map. I believe that the written description would probably have sufficed, but that would have meant that persons living in the area who had looked only at the maps could have been left with the impression that they were in one electorate when, in fact, they were in another.

For that reason, it was decided that something had to be done. This was decided by the Chief Minister and the Leader of the Opposition after discussion with members on both sides of the House. The problem arose as to what should be done. Legal opinion was that, if the report were handed back to the Distribution Committee, the whole process would have to begin again. I do not agree that that process would have extended past the last allowable date for the holding of the election. I believe that the process would have been concluded by January or February rather than in April. However, given the nature of the error, it was clear that the material would have to go back on public display to allow an opportunity for comment from the people affected by the proposed boundary change.

That is the purpose of the bill and this side of the House agrees that that is the way to go about solving this problem. We will be proposing an

amendment because we do not believe that it is right and proper to provide in the statute book for errors of this nature in this way. The problem is a particular one and the bill relates to that problem, as any member who reads proposed new section 18A(3) and 18A(4) will note. Perhaps we should consider the possibility of having a safety net in this bill in case there are problems at some future date. However, I believe that that should not be treated under urgency but should be given full and thorough consideration as an issue in itself.

We would like this section to lapse. We are prepared for it to proceed in order to correct this immediate problem. However, we do not want something of this nature to remain on the statute books. I will give an example of a problem that could occur if this became part of the principal act. Some future Chairman of the Distribution Committee could disagree with the committee in relation to a particular proposal. Under section 18A, he could advise the minister that there was an error or inconsistency and thereby have the minister direct the Distribution Committee to prepare and forward a revised report. In fact, it might not have been an error or inconsistency but a disagreement.

That is an example of the reasoning behind our decision that there needs to be a sunset clause. However, the advice that we received is that sunset clauses are not easily provided for in respect of an amendment to a bill. The Parliamentary Counsel is excellent at getting round problems of this kind and he has helped us to draft a different amendment which will be circulated.

Mr Speaker, I have already provided to the Chief Minister a copy of the amendment, together with the Parliamentary Counsel's advice. It will have the effect of stating that we are referring only to the report and the advice of error and inconsistency which has been provided already to the minister. For that particular advice, the course of events, as prescribed in this bill, will take place. If further errors and inconsistencies arise in subsequent reports from the Distribution Committee, they will not be affected by this legislation. The amendment will become superfluous after it has been used for this purpose. Hopefully, it will be struck off the books in the next statute law revision process.

The bill is acceptable to both sides of the House. We believe that it gives a satisfactory middle ground and removes the need for draconian legislation which could, theoretically, have rammed through the changes as if the error on the map had not occurred. Both sides have agreed that that would be very wrong. However, this does not involve us in an unnecessarily lengthy and costly process of going back right to the start. The people involved will have some 30 days to view the maps and the process will proceed from there. Basically, it means that there will not be an early election in September. From all those who were tipping that date, I will be collecting later. The election date will now have to be deferred at least until after the next sittings of parliament which are scheduled for September/October.

Mr TUXWORTH (Barkly): Mr Speaker, the mistake that obviously has been made and identified by the Distribution Committee is unfortunate. When one looks at the definitions of the boundaries in the schedule in the document, one can appreciate that it would be easy to make a mistake because they do not refer to anything tangible. When dealing with such descriptions, it is very easy to make a genuine mistake, especially if they are not double-checked. What is most fortunate is that somebody did check it and

identified a problem. If it had been found after the election, we would have had the greatest balls-up one could ever imagine.

Mr Smith: Like Barkly in 1987.

Mr TUXWORTH: Barkly in 1987 would be a field day compared to what would have happened if this had gone through without being identified and people had decided to take it to the Court of Disputed Returns to try to have the election nullified. The mind boggles at the opportunities that would have existed for people after the election if the mistake had not been identified.

I think I would be pretty safe in saying that, of all the people who have ever sat in this House, no member has ever sat down and gone through the coordinates of his electorate's boundaries as they have been identified in the schedule to ensure that they were correct.

Mr Coulter: A few will now.

Mr TUXWORTH: To pick up the interjection, I think it is a fair bet that most members will spend a couple of quiet hours making sure that all is well.

The proposal by the Chief Minister is fair and reasonable, given the mistake that has occurred. Given the technical nature of the mistake, I would have been quite happy if the Chief Minister had moved an amendment to fix it today. In the report, the commissioners clearly state they are moving the boundary from A to B and give their reasons. It is not as though there would have been any sleight of hand if that technical amendment had been made today.

The Chief Minister's proposal seems to be reasonable. I am not going to become excited about the suggestion of the Deputy Leader of the Opposition in relation to a sunset clause. It would not hurt to have a provision to enable parliaments to correct innocent mistakes in the future. Certainly, I would regard this as an innocent mistake. On that basis, I am quite happy to support the Chief Minister's proposal.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr EDE: Mr Speaker, I move amendment 118.1.

This amendment will replace proposed new section 18A(1). It will clarify that we are referring specifically to a report of the Distribution Committee which has been forwarded to the minister in respect of which the minister has received advice concerning an error or inconsistency. As I said in the second reading, the effect will be to relate the bill specifically to this type of situation. We may decide, at some future date, to put forward an amendment which will broadly cover problems relating to errors and inconsistencies in the report. Such legislation would be debated at a future date. Being specific to this particular incident, this amendment would lapse at that time. I have been advised that the government has no problems with this amendment.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4:

Mr EDE: Mr Speaker, I move amendment 118.2.

The amendment invites defeat of clause 4. Amendment 118.1 covers the situation which would have been covered by clause 4. Since that amendment has been accepted, the clause is no longer required.

Clause 4 negatived.

Bill passed remaining stages without debate.

MINISTERIAL STATEMENT
Northern Territory Public Sector Debt

Mr PERRON (Chief Minister): Mr Speaker, the Northern Territory public sector borrows, as do all state public sectors, because the total resources available through taxes and charges, other than domestic revenue sources, cash balances on hand and grants from the Commonwealth fall well short of total expenditure requirements. Whether that borrowing is a good or bad thing is not a matter for moral judgement. Nor is it a question of whether a particular level of debt is reasonable or excessive. These questions must be decided on a wide range of considerations addressed in the Treasury paper on Northern Territory public sector debt, which I table for the information of honourable members.

Broadly defined, public sector borrowing is a vital source of funding for those publicly-provided capital assets and infrastructure needed not only for social well-being but also for growth in the productive capacity and income of any state or territory economy. Economic development, growth and the interests of the next generation are generally furthered by policies which increase public and private capital formation, notwithstanding that this can and usually does involve increases in the level of public debt. The benefits of such policies, and the costs that must be borne as a consequence, will flow through to present and future generations of Territorians. The essential feature of sound budget management, which includes borrowing policy and debt management, is that the flow of benefits exceeds such costs.

There has been a high requirement for social infrastructure investment in the Northern Territory as a result of faster population growth rates than those experienced in the rest of Australia throughout most of the 1980s. Expenditure on housing and associated facilities has comprised a greater part of the Northern Territory government's capital expenditure than has been the case in the states, particularly in the years to 1986 when population growth was most pronounced. Expenditure undertaken since self-government to meet such needs, sometimes described as 'capital-widening' expenditure, has included the infrastructure for significant towns such as Jabiru and Palmerston; the construction of several new high schools in Darwin, Palmerston, Alice Springs and Tennant Creek; and the development of the Northern Territory University.

Economic infrastructure, such as power stations and transmission lines, communications networks, roads and port facilities, provides a base for private sector investment and further growth and diversification of the

economy. Consequently, in the early stages of the development of the Northern Territory, with its comparatively small and narrowly-based private sector, public borrowing and investment have been, and will remain, of considerable importance to the condition and development prospects of the Northern Territory economy.

In the early years after self-government, expenditure on transport and communications in the Territory represented a higher proportion of capital expenditure than in the states. In large part, this reflected the upgrading of the major road links in the Northern Territory, particularly the Stuart, Barkly and Arnhem Highways. An additional feature was the construction of the Darwin port facilities, including a container crane and roll-on roll-off pontoon.

Expenditure on capital assets in the fuel and energy sector has remained fairly constant for the states since the surge during the late 1970s associated with the construction of additional power stations for the expected resources boom. In contrast, Northern Territory expenditure on fuel and energy assets increased markedly from the mid-1980s. The Northern Territory government has moved also further to broaden the Territory's infant manufacturing base by the construction of the Trade Development Zone. The tourism sector has become a major income earner for the Territory, with substantial capital expenditures required of the Northern Territory government for infrastructure in the Yulara Resort, the Territory Wildlife Park and for the development of a number of parks, including Litchfield Park.

These projects have contributed significantly to the 'capital deepening', or higher capital per head of population, needed to increase productive capacity and hence move towards realisation of the economic potential of the Northern Territory. Much of this expenditure has been financed by Commonwealth loans and semi-government borrowings on the capital market. The Treasury paper notes that, according to 1989-90 budget estimates, the proportion of debt finance to capital outlays in the Territory was 28.7%, which places it in the middle of a wide range from 6.2% in Queensland to 55.4% in Victoria.

Since most public works expenditure in the Northern Territory is funded by appropriation to the Department of Transport and Works from the Consolidated Fund, in recent years, budgetary practice has been to place the proceeds of semi-government borrowings in that fund. This is sometimes misinterpreted as funding of current services from borrowings when, in fact, as the Treasury paper shows, total capital outlays in any year far outweigh the debt finance raised. A substantial portion of current revenues continues to be put deliberately into capital formation in the Territory, a situation that is likely to persist indefinitely.

Debt incurred under the financial agreement by the Commonwealth government on behalf of the states, known as general capital-purpose advances, has been used primarily to fund social infrastructure such as housing, schools and hospitals. Substantial cumulative cuts to these Commonwealth advances since 1985-86, and the transfer of a relatively large component of the program to a specific capital purpose grant for housing in 1989-90, mean that only a capital grant component will remain from 1989-90. Consequently, no further debt will accrue under the general capital-purpose assistance arrangements. The Commonwealth has also advanced funds to the Northern Territory for a range of specific capital purposes. The largest of these was for housing assistance. Other loans have been made for the national BTEC program and for rural adjustment schemes.

In addition to general capital-purpose assistance, Loan Council procedures apply also to borrowings by Territory semi-government and local authorities under the so-called global limit borrowing arrangements. These are arranged by the Northern Territory Treasury on the capital market and are on-lent to the authorities. A further category of indebtedness peculiar to the Northern Territory arose from the transfer of assets from the Commonwealth to Territory ownership, which occurred at the time of self-government in 1978.

In total, as at 30 June 1990, the gross outstanding debt of the Northern Territory public sector was $1462m. To put this gross debt figure into perspective, it should be borne in mind that the Northern Territory public sector has built up fixed assets with an estimated value in 1989-90 dollars of some $5000m. The Treasury paper provides 6 basic facts, which are all based on official statistics, relating to Northern Territory debt and its effect on the Northern Territory budget.

Firstly, as at 30 June 1987, the latest date for which we have Australian Bureau of Statistics data, the Northern Territory public sector's net debt per capita at $4891 was higher than the average of the 6 states, but lower than Victoria's at $4966 and Tasmania's at $5816. Secondly, in the 1989-90 budget, gross interest payments by the Northern Territory were $156m or 10.8% of the $1457m budget revenues generated from Territory sources or received in grants from the Commonwealth. Thirdly, after taking into account interest receipts of $48m, the proportion of net interest payments to total revenues in 1989-90 was 7.5%. Fourthly, as a proportion of total revenues and grants, net interest payments by the states in 1989-90 ranged from 15.8% in Tasmania down to 3.2% in Queensland. In that year, only Queensland paid a lower proportion than the Northern Territory public sector at 7.5%. Fifthly, over the last 7 years, the cost of debt servicing relative to total revenues and grants received by the combined states has remained stable in the range of 9% to 10%. As is to be expected, as the Territory accumulates a state-like level of debt in providing a state-like infrastructure, the trend has been generally towards that level in the Northern Territory, although some slowing is evident of recent years. Sixthly, the average interest rate paid by the Northern Territory on total debt to the Commonwealth during 1986-87 was 10.4% compared with the average for the states of 9.3%. This gap in average interest rate paid has probably widened since because of the preponderance of relatively recent loans in the total of Northern Territory debt outstanding to the Commonwealth.

Two principal factors explain why the Northern Territory has, and should be expected to have, a higher net debt per capita than the 6-state average although not so high, according to official estimates, as in Victoria or Tasmania. As already indicated, the first is the relatively high level of population growth in the Northern Territory throughout most of the 1980s, and the Northern Territory's relatively early stage of economic development. Both create a need for capital expenditure and, in turn, an appropriate borrowing requirement. The second is the higher per capita expenditure which the Northern Territory government necessarily incurs in providing government services because of factors such as the dispersion of its small population across one-sixth of Australia, isolation from main centres of supply, tropical climate, topography, composition of the population, and its inability, at this stage of its development, to take advantage of economies of scale in the provision of goods and services.

The Commonwealth Grants Commission has assessed that, because of such factors in providing recurrent services, the Northern Territory government would need to spend 2.6 times the average spending of the states,

per capita, if it were to provide a state-like level and standard of services. Although there is no comparable, independent assessment of cost disabilities for capital expenditure purposes, it may be safely presumed that the Northern Territory's requirement for capital funds is enlarged by similar factors. This implies a high and, in all probability, a rising per capita level of debt in the Northern Territory public sector.

A further important factor, which has affected the level of capital costs and hence Territory financing needs per capita, is that most of the Territory's assets have been constructed in recent years. Consequently, the bulk of the associated financing is relatively new. By way of contrast, in the states the bulk of capital infrastructure was constructed and financed decades ago at what would be, in today's prices, a relatively low cost with a commensurately lower requirement for borrowings.

The analysis in the Treasury paper indicates that the Northern Territory public sector debt level is responsible and sustainable when measured either in terms of the debt-servicing expenditure borne by the Territory budget, or in relative terms compared to the states. Moreover, given the restraints likely to continue on the Northern Territory public sector's new borrowings, imposed through the global borrowing arrangements, it should maintain this position for the foreseeable future. In other words, we are limited as to how much we can borrow even if we should want to increase that rate substantially.

The manner of allocation of limited borrowing allocations among the states and territories will remain an important issue in the years ahead. The Treasury paper concludes that the main issue confronting the Northern Territory government and its authorities in the years ahead is likely to be the maintenance of adequate growth in infrastructure assets in the face of a continuing relative decline in Commonwealth grants and global borrowing limits. In other words, the aggregate level of Northern Territory public sector financing is more likely to be too low in relation to the need for funds to finance essential public investment, than too high in relation to debt servicing capacity.

As part of continuing sound budget management, the Northern Territory public sector will incur no more debt than it requires in order to provide state-like services, including the establishment of infrastructure essential for future economic and social development. My government's budgetary policy will ensure that that continues to be the case and that future generations of Territorians bear their fair share, but no more than their fair share, of the cost of lasting public assets.

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

Mr SMITH (Opposition Leader): Mr Speaker, I guess that, in one sense, this is an important day for the Assembly because this is really the first time that the Northern Territory government has seriously addressed, in comprehensive measure, the question of public sector debt. It has been an issue that the Labor Party has pursued vigorously over the last 3 or 4 years. Until now, we have had very much a piecemeal approach by the Northern Territory government in response to the concerns that we have raised. My colleagues will point out that the report is as much a political document as it is a strict Treasury document.

A member: It is honest.

Mr SMITH: In some parts it is very honest, and I will come to that.

In the report, we have an approach which at least sets out a considerable proportion of the Northern Territory's indebtedness and the Northern Territory's liabilities. In simple terms, we see that our gross public sector debt now stands at almost $1500m - $10 000 for each man, woman and child in the Northern Territory. That is neither a new nor a surprising figure. It is a figure that the Labor Party predicted last year. In fact, the precise figure that we predicted last year for our state of indebtedness at this time was $1462m, therefore we were not very far out. Put in simple terms again, the level of our debt is equivalent to 1 year's budget. As I have said, it is equivalent to a per capita debt figure of almost $10 000 - in fact, $9323. The repayments on that gross debt are $1000 for every man, woman and child in the Northern Territory each year. To put it in household terms, the Territory government is paying the equivalent of $20 a week to service the debt that we have incurred already.

On top of that comes the question of liabilities. A new accounting standard has been established in Australia. I am happy to acknowledge that this has been done as a result of the Greiner government's inquiry into the state of the government's debt and assets. This present document contains 2 parts of the 3 parts that the New South Wales report identified as being important. One is public sector debt, the second is assets, and the third is liabilities. In this Treasury document, no report is included on the liabilities that the Northern Territory government has. In fact, I am aware of only one work that has been done on our liabilities. I refer to the work done by ourselves in 1988 and presented to this parliament. In fact, it formed a major part of a debate.

Mr Perron: What about the PAC report?

Mr SMITH: Mr Speaker, the Public Accounts Committee has done bits and pieces. Ours is the only group that has pulled it all together.

Future liabilities for payments occur in areas such as public service superannuation, long service, annual and sick leave, leasing obligations to the take-or-pay gas commitment that we have and, of course, our continuing exposure through the Yulara and Sheraton deals. In fact, on top of the $1500m public sector debt, on the best figures available to us, we have a $1000m commitment to those liabilities as at today's date. Unless something very unexpected happens, we will not have to fork out $1000m in the next few months or even years or perhaps ever at any one particular time. However, if the government were completely honest in the way it presents its government accounting, this document would have contained a very important section about our liabilities and what will happen in respect of them.

We all know that, particularly in relation to public service superannuation liabilities, we have a problem that is growing day by day. Quite frankly, I do not pretend to have the answer to that but, as it is only a partially-funded scheme, I think that we ought to be aware that there is a growing liability there and that it may be something with which our ancestors in this parliament will have to come to grips.

Mr Hatton: I think you mean our successors.

Mr SMITH: I am sorry. Our successors in this parliament, not our ancestors.

That is an important comment that I need to make. One day, we may obtain from government a comprehensive statement on its assets, its liabilities and its debt. I am happy to acknowledge that this document,

flawed though it is, represents an important step in the right direction because it does provide us with some basic information. I am not sure that it will be of much use to the average Territorian who may try to plough through it because it is quite difficult to read. Reading the tables demands considerable concentration if one is to find out what the real situation is. However, there is no doubt that the document does reveal the actual situation with public sector debt in the Northern Territory.

I believe that members on this side of the House should take some pride and pleasure in having moved the government to a stage where it is taking public sector debt seriously, as is indicated by the preparation of this paper. It is long overdue and it is good that it has finally arrived. I stress though that this should be seen simply as the start and not the finish of proper consideration of public sector debt by the government. I will come back to that later.

The report echoes broader concerns expressed by the Labor Party on a continuing basis over the past 3 or 4 years. The report indicates that the debt level in the Northern Territory is increasing. It admits that disposable resources will diminish in the future. It admits that, on the last available ABS figures, the Northern Territory's net debt level is higher than the average of the 6 states and that the figure is likely to worsen on the basis of figures for the years which have elapsed since the collection of information for the last official ABS reports. However, it does not address those concerns.

I will repeat those concerns. We have a debt level that is increasing and disposable resources that are diminishing. The paper does not address those concerns in a meaningful way. In other words, it does not look to the future. It states simply that the level of Northern Territory public sector debt is responsible and sustainable. That is political a statement, not an economic statement. No economic rationale is given for that statement. The only rationale given is that we do not have a problem because our public sector debt is $1500m whilst our assets are $5000m.

Mr Perron: No, those are built assets. There are also non-built assets.

Mr SMITH: Okay, built assets.

However, there is an important question to be asked. Can these assets be sold readily? Are they truly available to offset debt should the need arise?

Mr Perron: Some of them are.

Mr SMITH: I would like the Chief Minister to name them, because most of the public assets of which I am aware - schools, hospitals and research stations - are not readily saleable. In a very real sense, our assets are not liquid. We cannot decide suddenly one day that this school or that hospital has to go. The public sector simply does not work like that. Although it may be convenient and comforting for the government to say that our assets are 4 times our liabilities, it is not that simple. It is an accepted principle in government that you cannot sell things like schools, hospitals, roads and public infrastructure - or even State Square.

I wanted to make that point because the argument about assets underpins much of what the Chief Minister has said and it was the argument put forward in his press release. In putting it forward, I believe that the

Chief Minister is misleading the people of the Northern Territory to a considerable extent.

Certainly, the Treasury paper indicates a great change in the attitude of this government from that of CLP governments in the early 1980s, when it did not seem to matter what level of debt we incurred. We know now that it is necessary to change our attitudes to debt. We know that the dead money which we use to repay debt has to be considered very closely. The paper gives us information on the extent of the government's borrowings from the past and it gives us some indication of where we stand today. As I said, it substantiates all of the opposition's projections during the past 2 years. The fact remains that the Northern Territory must be particularly vigilant in controlling its debt.

My basic criticism of the Chief Minister's statement is that it gives no indication that the government has made any effort to identify a reasonable level of debt for the Territory. In his opening remarks, the Chief Minister said that whether that borrowing 'is a good or bad thing is not a matter for moral judgment'. I am surprised that a Treasury document would even countenance the thought that it is a matter for moral judgment. He went on to say that it was not a question of 'whether a particular level of debt is reasonable or excessive'. In the end, Mr Speaker, it is exactly that question. What we are looking for is some sign from the government of what is a reasonable level of debt, in the light of all the prevailing circumstances, which the people of the Northern Territory should now be expected to develop. That is a very crucial factor indeed.

Not only is it necessary to identify a sustainable level of debt for present-day Territorians, also we must not forget that the debt we incur today is the debt which future generations of Territorians will have to pay off. It is simply not good enough to talk in general terms without being much more specific about the levels of debt that are sustainable, and the levels of debt that this government is willing to incur now and impose the burden of repayment on future generations. That key question has not been addressed in this document. All we have is a simple accounting of where we are at present in terms of the debt which we have incurred in the 12 years since self-government. We have no analysis of that debt. We have no analysis of the levels to which we are heading. We have no analysis of what constitutes a proper level of debt for the Northern Territory. As I have said, that is one of the major areas in which the document falls down. We must address the future in terms of debt because of the indisputable fact that funding from the Commonwealth will continue to decrease. That is on the public record.

We know that, at this stage, we are losing working-age people interstate at a rate greater than we are replacing them. That will put pressure on our income-raising capacity. We know that interest rates are high and that additional debt will attract a higher proportion of our limited income. We know that this government, in last year's budget, virtually emptied every piggy bank in the Northern Territory in order to continue to create the myth of a balanced budget. We know that the only way that the Northern Territory government can balance its budget this year is to raid the trust fund accounts. We have nothing left. Taken together, all those factors make it very important that we treat debt as a serious issue. We must do more than has been done in this document which simply outlines where we are at present. We have less and less available to draw on if we run into any trouble.

We need to continue funding services to Territorians. There is no doubt about that. We need to continue to spend in a productive manner. We need to continue to borrow to improve our infrastructure and to ensure that we deliver services to a standard which is applicable in other places in Australia. However, we must do that in a careful and sensible manner. All we have in this document are meaningless statements like the following: 'As part of continuing sound budget management, the Northern Territory public sector should be expected to incur no more debt than it requires in order to provide state-like services, including the establishment of infrastructure essential for future economical development'. That is a Sir Humphrey-type statement. What does it mean? What is it committing us to? It means that nothing will be done by this government to address its financial mismanagement so long as it can find enough to borrow to make up for the financial shortfall resulting from previous bad management.

Mr Speaker, would you like examples of previous bad management? There is State Square, and the enormous sums that we have poured into the Trade Development Zone with very little return so far. There is the failure to put in place proper management agreements for the Sheraton Hotels. We have a government that has a record of bad management, a record of costing us money and a record of increasing our level of debt. $10 000 for each man, woman and child is not a record to be proud of, particularly when you have arrived there by accident. The government has no comprehensive debt policy because it does not have a comprehensive economic approach anyway. That is a basic problem. There is no basic approach to the economy in the Northern Territory. It is done on an ad hoc, year-by-year basis. The government will borrow to make up for the shortfall created by bad decisions taken in the past.

The problem is that there is no long-term thinking. This document is a perfect indication of that. Where are the future projections of our level of debt so that Territorians can have some comfort that this government knows what it is doing in this regard? Will the debt increase at the rate that it has increased at over the past few years? Will it fall or remain steady? We gain no ideas about that from this document. People want to know what their current debt level is. They know now that it is costing them $20 a week in repayments, but also they want to know what it means for the future. What will it cost them in 5, 10, 15 and 20 years time for the debt incurred on their behalf by governments of the Northern Territory? That question should have been addressed and would have been addressed by responsible economic managers. It has not been addressed in this document. There is not a single clue in this document about the level of debt that we are likely to have in the next 5 to 10 years. All that is offered are meaningless motherhood statements like the one that I read out.

The basic failure with this document is that it tells us where we are at present but does not give us any indication where we will be in 5, 10 or 15 years time, on the government's own projections. That is a problem that this opposition has recognised for some time in terms of the way government accounting is done in the Northern Territory. In our 'Transition to Government' document, we have indicated that one of our priorities as a government will be to determine the desirable level of debt that we should be incurring in the Northern Territory and the long-term debt projection that would be acceptable to a Labor government in the Northern Territory.

Mr Finch: Piggy bank economics. That is your problem.

Mr SMITH: It is better than the bankcard economics that you blokes use at the moment. You think you have this extensive line of credit that you

can borrow on each year for as long as you like. The real world is not that simple. The real world demands that you be responsible and accountable. It demands that you have some idea about where you are heading. It demands that, if you are to be open, honest and accountable to the people in the Northern Territory, you tell them where you are going.

Mr Hatton: You won't even tell your own party what you are doing!

Mr Finch: In what schoolroom did you learn all this stuff?

Mr Hatton: Why don't you wait until your annual conference and tell your party what you propose to do?

Mr Finch: Did you learn it from primary school students or from the TLC?

Mr SPEAKER: Order!

Mr SMITH: I think I knew what a fixed-price contract was before I was 10 years old. You do not seem to know that even today.

Members interjecting.

Mr SMITH: Mr Speaker, may I have some protection?

Mr SPEAKER: Order! The Leader of the Opposition will be heard in silence.

Mr SMITH: Mr Speaker, as I have said, it is a commitment of the Labor Party, as part of its responsible approach to the future economic development of the Territory, and as part of its commitment to being open and honest with the people of the Northern Territory, to develop in government a public sector debt profile and public sector debt projections over a 5, 10, 15 and 20-year period so that the people of the Northern Territory know what the government is planning for them and can have some confidence that, as part of the overall economic management of the Northern Territory, the public sector debt is a recognised part of the government's deliberations. As I have said, all we have received from this government is a position statement on where we are now. I accept that that is a valuable contribution to the debate and certainly this will be an important document which will be considered by the Labor government after the next election.

I will take up the interjection of the Minister for Health and Community Services in response to my comment that the Labor Party will put forward a preferred debt profile over a 5 to 10-year period. He asked: 'How can you do that when you have to go to the Loan Council every year?'

Mr Hatton: No, I did not. I did not say that at all. Quote me accurately, if you are going to quote me.

Mr SMITH: The answer to this is simple. How on earth can you go to the Loan Council with any sense of what you want to do and where your priorities are if you do not know what amount of money you want to borrow? That is the problem with this Northern Territory government. It does things on a day-by-day, week-by-week, month-by-month, year-by-year basis and, on important issues such as public sector debt, there is no long-term planning whatsoever. No effort at all is made by this government to work out the sort of debt level it wants to have. No effort whatsoever is made to explain to the people of the Northern Territory what our public sector debt

may be in 5 or 10 years time. Frankly, Mr Speaker, that is an indictment on the way this government operates its economic services in the Northern Territory. As I have said ...

Mr Hatton: Show us Paul Keating.

Mr SMITH: Actually, whether or not you like Paul Keating and whether or not you like what the Labor government is doing in relation to the Australian economy, we know very well what Paul Keating's attitude to public sector debt is and we know very well that quite detailed projections are published by the federal government about where it is going with respect to public sector debt. We all know very well that one of the great achievements of the federal Labor government has been to pull back public sector debt and, in fact, to run surpluses. It has been able to do that because its members sat down and did the very thing that I have referred to: forward thinking. They looked to the future and developed a forward program. We see none of that from this crowd opposite. That is too hard.

I have made the commitment on behalf of the Labor Party that, as part of our economic management program, we will put in place a public sector debt profile for the future. That is one of our major commitments. It is unfortunate that the government did not seize the opportunity to do the same thing today instead of simply giving us an historical view of borrowings. That is of some use, but it is of no use in planning for the future.

Mr HATTON (Health and Community Services): Mr Speaker, I rise to support the statement by the Chief Minister. In doing so, I must say that the Leader of the Opposition's performance has more than ever demonstrated why he and his colleagues are sitting opposite and why they will remain opposite. We have heard in the media over the last couple of months a beat-up story by the opposition about the level of public sector debt and what a horrible drain this has placed on the community. It has really pushed this point and has used the most distasteful tactic that any political party can use. Fundamentally, it is a campaign of seeking to scare a basically ill-informed community and, more importantly, a community that has great difficulty understanding economic concepts. In doing so, it has acted with fundamental irresponsibility in trying to instil in the community a fear that is absolutely and totally unjustified, as this public debt report clearly and unequivocally demonstrates.

Again, we heard the Leader of the Opposition talking about the $1462m debt that exists in the Northern Territory and pooh-poohing the whole concept that, in a new and emerging territory or state, there is a need to put capital infrastructure on the ground. When we talk about capital infrastructure, we are talking about schools, health services and hospitals, roads and bridges and the development of power and water systems, which are all facilities that opposition members stand in this House and complain about the lack of to a nauseatingly boring degree. They complain now about the amount of debt that has been accumulated in working to provide basic services of that kind to the community.

Members of the opposition do not look at the asset base. They do not look at the nature of the expenditure or the justification for the expenditure. They concentrate on the size of the debt and ask how we will work out what repayments will amount to in the future, responsibility for which will become our legacy to future generations. This is a great effort to push a scare campaign in the northern suburbs of Darwin and down the track. It is pure political propaganda. Anybody who has an ounce of responsibility and knowledge will recognise that the fundamentally important

issue is not the size of the debt but the cost of the repayments of the debt. It is that that determines the type of relative burden we are placing on our community. I would like to exemplify that point by way of a little story.

Mr Bailey: Once upon a time.

Mr HATTON: I could call it 'once upon a time' if the honourable member for Wanguri wants me to speak at his level of understanding, but I will not bother to do that. I will talk to the general community. The story goes as follows.

Charles Darwin has a mortgage of $50 000 and an annual repayment of $8000. Simon States has a mortgage of $40 000 and annual repayment of $6400. Charles Darwin has a higher per capita debt, but Charles Darwin has an income of $100 000 a year which means his repayment is 8% of his income. Simon States earns $20 000 and his repayment is 32% of his income. Clearly, Simon States has the bigger debt problem. The situation in terms of the Territory and the states is exactly the same.

We have heard from the Chief Minister, and the situation is measured in the Treasury document. For the benefit of honourable members, I repeat that our net repayment on debt in the Northern Territory is 7.5%, compared to the average in the states of between 9% and 10%. Our rate of repayment, as a percentage of our income, is less than the average rate of repayment in the states. The rate is quite high in a number of states, although the average is between 9% and 10%. What we can say is that, at this stage, our debt repayment rate, our level of indebtedness and our ability to meet it, is far better than that of the rest of Australia. That is a source of pride for the Territory, not a source of concern and worry. That deals with the first fallacy put forward by the opposition.

My second point relates to the Leader of the Opposition's claim that we need to project forward to work out what our future level of debt will be. He says that a Labor government will set out a forward projection on future indebtedness. He is really venturing into fairyland. What he says has absolutely no relationship to reality. The first thing you need to do is work out what your future revenue base will be. That will be determined by the rate at which you intend to adjust the level. Secondly, it will be determined by the rate of increase in the development of the tax base through establishing new industries and attracting more population who will pay tax. That will give an idea of what your locally-raised revenue base will be. Secondly, you have to project what the future revenue will be from the Commonwealth state tax-sharing arrangements and what funds from that source are untied funds that are available to be used for capital accumulation. Thirdly, you need to assess what capital programs you will develop. That is done through forward works programs, design lists and capital works program. We are looking 3 and 5 years ahead, in some cases further, as to where we want to go in terms of capital development in the Northern Territory.

Thus, you would need to work out what you need to do and what your revenue base is. That would mean making decisions on the rate of taxation from 1 to 5 years ahead, and you cannot do that. Also, you would need to know what the state of the economy will be over the next 1 to 5 years. You would then have to work out what the Commonwealth government will do to you in the next 1 to 5 years. We have not been able to work out what it will do 6 months ahead because it is so irrational in its decision-making. To top it all off, you would have to project forward 3 or 5 years what the

Commonwealth government's public sector borrowing program and objectives will be. Will Paul Keating maintain a high interest and public debt reduction policy for Australia or will he reverse that next year and have a low interest, high debt portfolio mix? That is a Commonwealth government decision on total global limits.

In addition, there is the Loan Council in Canberra at the time of the Premiers Conference. The Chief Minister is certainly aware of the circumstances there. It is a giant bunfight - a party to which we are not even invited. The Loan Council is where the global limit on public sector borrowing is set and the cake is divvied up among the states, the Commonwealth and the territories. We are not even a member of the Loan Council because we are not a state. Our representative in the Loan Council is the federal Treasurer. After the Loan Council meeting, he tells us how much money we are permitted to borrow. He decides that, and then we can decide whether or not to take up that borrowing limit. We cannot say that we need more. That is a year-by-year decision. There is no continuity in that process. It is debated and bargained for each year at the Premiers Conference.

The thought of developing some rational projection of what our debt profile will be in 5 years time is absolute fantasy. It indicates the level of incompetence and the lack of knowledge of the opposition on some of the fundamental dynamics of fiscal and financial management in this country. If all those factors were in place, perhaps such a prediction could be made. Of course, you would have to predict also that you would not have a Gulf area war or an oil crisis, or international trade embargoes. You would need to have all the facts in front of you. Or, on the other hand, you could do what the opposition would do: draw up and publish a fancy document and tell the people what a wonderful, forward-thinking government you are.

Mr Smith: It is all too hard for you fellows.

Mr HATTON: It would be nothing more than an indicative line of where it might like to go.

Mr Smith: Like your job promises. You are an expert at it.

Mr HATTON: The Leader of the Opposition likes to claim protection in this House. I do not bother to claim protection from his inane comments. Yesterday, I answered quite successfully the nonsensical arguments and challenges to our promises. We made promises and we have delivered on those promises. We delivered on the job promises. We delivered far more than we anticipated we would be able to deliver, despite the worst that the opposition's mates in Canberra did to us.

The ALP would make a pretty forward projection, which it would know meant nothing, and it would claim to be a clever forward projector. It would be a nonsensical document. It would have to be refined every few months. Certainly, every year, it would have to refine it totally as new policies, new directions and new national objectives emerged. I refer the Leader of the Opposition to the editorial in today's NT News. Clearly, what matters is the percentage of your income that you are spending on debt. That is what counts. Each of us who has a home mortgage works out how much we can afford to pay off our debt when managing our debt profiles. Similarly, the Territory government needs to work out how much it can afford to spend in meeting the repayments on its debt profile.

On that fundamentally important measure, the Northern Territory is doing excellently by Australian standards: 7.5% as compared to a national average of 10%. That is the bottom line. From page 19 of this document, it will be seen that the figure has declined since 1987-88 when it was 8%. It has declined only half a percentage point, but it has declined as a percentage of our income over the last 3 years. That does not indicate a mounting debt burden. It indicates a declining debt burden, and that infrastructure is in place. This is good news. It indicates an organised fiscally-responsible government, contrary to what the Leader of the Opposition would have us believe. He simply does not understand. He is desperate to paint a picture of financial crisis in the Northern Territory and to that end he invents figures and problems.

There is another issue which has not been addressed really to any great extent, and it becomes apparent when one looks at the debt profile set out in the Treasury paper. There is a total of $1457m in debt and that includes some large components which could be regarded legitimately as business investments. Just as Australian Airlines or Qantas can be regarded legitimately as commercial enterprises which borrow and generate revenue to meet debt repayments, an organisation such as the Power and Water Authority takes on a debt burden in order to develop water systems and electrical generation systems, and imposes service charges to repay that debt. That is a business investment. Such investments happen to add up to $319m. That is shown at page 10 of the Treasury paper in the items referring to capital infrastructure for power stations and water. I am not taking into account what we purchased in 1978. Excluding those numbers, the total is $319m.

Another major business investment is in housing. The Housing Commission builds houses all over the Northern Territory. The Commonwealth State Housing Agreement requires that to be done on a full repayment rental basis, which makes it a business investment. That is $552m-worth of capital investment which is being met by Housing Commission rents. That gives a total of $864m in the nature of business investments, and I have not yet mentioned the $40m invested in projects such as the land-backed wharf, in respect of which the Port Authority imposes usage charges. Charges are imposed for the use of the Frances Bay Mooring Basin. The Trade Development Zone infrastructure, when we get past the incentive and development phase which is acting as a catalyst to get manufacturing going, will eventually be providing a business return on that investment. All of those are business investments. That is not counting the road networks or the tourism developments, like the Yulara Resort or the Territory Wildlife Park. That is not counting the infrastructural investments in hospitals, schools, courts etc. Those basics of power, water and housing alone account for $864m out of $1462m - well over half. And that provides a direct return in income attached to it. The members opposite made no mention of that.

In Canberra, in 1988, I asked if it was appropriate to consider the Australian Airlines and Qantas investment as public sector debt borrowing because, in fact, it was a business investment as it would be if Ansett became involved in capital investment. I would ask the same question of the business investments such as housing stocks, for which there is a rental return, or electricity generation where there is a charge return on the investment. Those are legitimate questions to ask. They are not a straight drain on the taxpayer's pocket. They are being paid for by the users of those services, and that needs to be taken into account when looking at any debt profile.

That is good news for Territorians. It shows the essential capital accumulation that every member of this House argues for when looking at the interests of his or her own electorate. Members demand capital accumulation in housing, in roads, in bridges, in schools, in hospitals and in health centres. This demonstrates that we are working towards that, and in a fiscally responsible way because our debt profile is far easier and our debt burden is far less than that in Australia generally. We have much to be thankful for. Rather than carping criticism from the opposition and scare campaigns for the northern suburbs, let us get down to reality. The reality is that, every time members of the opposition open their mouths, whether it is on this or contingent liabilities, they are kicked in the teeth. Every analysis has said that what we have done has been responsible.

Mr Speaker, do you remember the Public Accounts Committee report on contingent liabilities? It was a good report which indicated that these were well managed and within our capabilities. This document shows liabilities of the same structure, well within our capabilities. If members of the opposition want to say that they are prepared to have a capital investment in the community to the extent that we will have 15% of our income as a debt repayment and that that is a target, let them say that. If they want to say 10%, as the states do, let them say that. We want to keep the debt profile as low as possible, and we are doing a good job of achieving that.

Mr EDE (Stuart): Mr Speaker, the major point of this debate is to bring out some facts. It is something that members on this side of the House have been attempting to become involved in for a long time. We are not trying, as the last speaker attempted to put it, to score some points with the uninformed. We are seeking to inform the uninformed. I do not think that members on either side of the House would disagree that the level of public consciousness about debt and the associated factors has risen considerably over the last 5 years. Only 5 years ago, if you talked in the public arena about the level of foreign borrowings, gross debt, imports, exports, current account deficits and so on, about 1 person in 100 would have known broadly what you were talking about. As debt has moved into the forefront of public consciousness throughout Australia, people are starting to understand what debt means, how it is incurred and what its implications are for the country as a whole. Gradually, the debate is coming to a point at which people can start to develop a general idea as to what is an appropriate level of debt and what is an acceptable level of repayment, as well as the point at which major concerns arise because of inability to repay, leading to such phenomena as interest on interest and the tailspin which afflicts nations which have travelled the Argentinian road.

Last year, the Treasurer issued a figure on gross domestic product and that was excellent. I would like to refer him to some reports which are included in federal Budget Paper No 1 which relates to external debt, levels of debt, the percentage of GDP of net external liabilities, gross foreign debt etc. These areas are quite interesting in terms of the ability to draw comparisons and determine whether those comparisons are valid. Also, they allow determination as to whether that level is of concern and, indeed, the level at which we should start to become concerned. If the level of debt is increasing gradually, but this is hidden, the community starts to become very concerned. People hear about debt levels in the states, national debt, gross debt etc. They want to know where the money is to come from. I think that that is a legitimate matter of concern for every Territorian. People want to know where the money is coming from to finance State Square, the Yularas and the Sheratons and so on.

In this sort of debate, various figures can be used. The federal government uses a figure which expresses debt as a percentage of GDP. Commonwealth Budget Paper No 1 for 1989-90 shows that the March 1989 figure is just under 40%. That is gross debt as a percentage of GDP. Last year, Northern Territory Budget Paper No 6 indicated that the GDP for the Northern Territory was $3500m. Therefore, Northern Territory debt is very close to 40% of GDP in the Northern Territory. The uninformed might say that, since that is roughly the same as the Commonwealth figure, there is no problem. However, gross debt as a percentage of the GDP, the figure in the Commonwealth Budget Paper No 1, does not only include government debt. It includes the non-official debt from financial enterprises, state and territory debt and public non-official debt.

The level of government debt in the Northern Territory averages out at about $10 000 per person. The member for Nightcliff stated that, in talking about this type of debt on a national basis, we should not make comparisons with the figure in this document, which is referred to as 'Commonwealth Government and Reserve Bank'. Perhaps, for the sake of argument, we should include another figure, which is public non-official debt. Again, the comparative figure is the funding of trading enterprises etc.

Commonwealth government and Reserve Bank debt averages out at $1000 per person Australia-wide. As I said, the Northern Territory figure is $10 000 per person. Even if one were to ascribe the whole of the public non-official debt to Commonwealth debt, one would end up with a figure of $2800 per person, Australia-wide, representing the level of debt that has been taken on by all of the trading enterprises and financial enterprises around Australia, plus the Commonwealth. If one went further and added in all the the states' and territories' debt, as well as the Reserve Bank and Commonwealth government debt and the public non-official debt, the average debt level for each Australian would be $3930. That figure is based on ABS statistics for September 1989-90. That debt level, covering a wide range of areas, compares with a Northern Territory figure of $10 000 for public sector debt alone. That is something like 2.5 times the per capita level of debt on the broadest definition of the national figure. On the face of it, that must be a matter of concern. The Northern Territory, with a small population and a limited ability to raise funds, has a level of debt in its public sector which is some 2.5 times the level of debt in the rest of Australia on the broadest definition. That is a problem.

Mr Perron: What about repayment capacity?

Mr EDE: Certainly, the capacity to repay has to be taken into account, as anyone who has ever sought a bank loan will know. Certainly, my bank always asks for a statement of assets and liabilities and a statement of cashflow. Assets and liabilities come first. The government talks about $5000m-worth of assets here in the Northern Territory. I wonder to what extent those assets are liquid, because my bank manager always wants to know which are my current assets, which are fixed assets and so on. Obviously, the vast majority of items included in that $5000m are not in any way liquid or liquefiable by any definition.

Certainly, the cash flow, the ability to repay debt, is a fundamental issue. Whether people in the Northern Territory are happy with 5%, 10% or 20% of the money of the Northern Territory going into the repayment of debt is something which will be established in the fullness of time. What is the level of debt? How does one generation of taxpayers feel about the level of debt which previous taxpayers have passed on to them? That is something which there has been very little debate on in the Northern

Territory because the government has not been providing the figures which would allow people to make judgments on that.

As I said, around Australia, the level of debate in relation to this subject is rising. I recall when the first arguments started to arise regarding gross debt, Australia's debt. People were horrified. They spoke of our owing over $100 000m.

Mr Coulter: Who does?

Mr EDE: Australia. I am talking about 1986-87, when the debate started to unfold, and that caused a degree of consternation. People said that it was terrible that the federal government had run up all these debts and had placed Australia in a situation where it owed $105 000m. People were talking about how much that amounted to for each individual. At that time, I certainly did not hear members opposite in this House say that we should not worry about that situation and that it was not a problem. I recall that I pointed out in a debate at the time that $56 000 of that $100 000m at that stage was private debt, not government debt. Gradually, that message has started to sink in. Over that period, government debt around Australia has increased by a factor of a few per cent each year. It is private debt that has been blowing right out: from the September quarter of 1989 to the March quarter of 1990, private sector financial enterprises went from $296 000m up to $378 000m and private sector trading enterprises went from $47 000m to $51 000m.

These are matters that people need information on so that they can judge matters of debt. We have to realise that all Territorians are in the position of shareholders in relation to the government of the Northern Territory, in relation to the finances of the Northern Territory and in relation to its debt. They deserve to know, even as shareholders in any company have the right to know where they stand in relation to the financial position of their corporation.

I believe that, as it is presented, this paper for the first time starts us along the road to knowledge and along the road to educating people as to where we stand and, for that reason, I commend it. I have said already that there are other figures that should have been included, as they are included in the federal Budget Paper No 1. They would have made the position clearer. I am quite sure that, in the course of time, we can develop a method of presentation and a body of information which are relevant to people's judgments on these figures. Then, we will be able to educate the people as to where we stand in terms of the various debt areas.

Taking on board the comments of the previous speaker, that the debt of $1460m includes things which are in the nature of public enterprises, I believe that probably it would be a good idea if the Chief Minister incorporated something of this nature into his budget papers. Those 2 should actually be differentiated. If we look at the earning capacity of non-enterprise-type functions, obviously, the mix is quite significant in terms of the ability to judge where we stand overall. It would allow us to look at things such as the rates of return we are obtaining on various investments in respect of PAWA etc.

I have been unable to consider the paper to the same depth as has the Leader of the Opposition. However, it is of concern to me also that it does not refer clearly to what one might call the third government sector. I define the first sector as being the departments and the second sector as the statutory corporations. However, there is a third level of government

instrumentalities. These are bodies in which the government owns a shareholding. These are bodies, incorporated under the Companies Act, whose shareholding is held either substantially or in total by government instrumentalities. Darwin Joinery is a good example. What is our level of debt in that regard? Is that included in the statement? I have been unable to identify those. In his reply, I hope the Chief Minister will be able to point out exactly where they are. People should know where we stand in respect of those 3 levels of debt. Each of them performs a different function. In the federal figures that are produced by the ABS, there is that differentiation and one can make judgments on the level of debt in those. As yet, we do not have that in the Northern Territory.

I look forward to a continuation of this trend. This side of the House will certainly continue its push for information for Territorians in the hope that, gradually, people will become confident that there is some openness in government in the Northern Territory and that they can have easy access to the information which they need to judge the competence of the government and the people who operate it.

Mr FLOREANI (Flynn): Mr Speaker, when I listened to the Chief Minister's statement and read the documents associated with the statement, I found it a most enjoyable and stimulating exercise. What I was looking for was what is a reasonable level of public sector debt and what is an affordable level of public sector debt. I thought I would begin by trying to determine what is reasonable and affordable.

I nearly flipped out of my chair when I read the opening paragraph of the minister's statement: 'The Northern Territory public sector borrows, as do all state public sectors, because the total resources available through taxes and charges, other domestic revenue resources, cash balances on hand and grants from the Commonwealth government, fall well short of total expenditure requirements'. That is an unbelievable statement. Quite simply, it means that, if the government does not get enough in, it borrows. I dismissed that rationale altogether and thought that I had better go back to basics and consider why we borrow at all. From the Chief Minister's statement, it became clear and obvious that we need to borrow for our infrastructure. There was mention of the towns of Jabiru and Palmerston, power stations, schools, roads and port facilities. The question that I then had was whether we borrow for the right reasons. I immediately thought of the Trade Development Zone, the Yularas etc. Those questions have been debated in this House, and we will come back to them at some later date.

I decided then to see what the states were doing. I found a document from the Institute of Public Affairs which talked about what the federal government and the states were doing. I will read parts of it:

> However, the public sector increased its debts slightly faster than the private sector. As a proportion of the total gross debt, public sector debt rose from 40% in 1982-83 to 45% in 1988-89 ... The share of Australia's gross external debt owed by the state sector also increased from around 15% to about 20%. Again, this mainly reflected the rapid growth in overseas borrowings of state financial enterprises.

That was from Facts, Institute of Public Affairs, November-January 1989-90.

What that indicated to me was that the states have been borrowing more over the last 6 years. That set the equation for me. I thought that I was

not getting anywhere with all this. I thought that I would ask my colleague, the member for Barkly, who was a former Treasurer of the Northern Territory. I asked him what a reasonable level of public sector debt is. His answer was very interesting. He said that the Treasury officials will tell you that it is whatever you can get away with. He explained to me that you go to Canberra cap in hand and see how you fare at the Premiers Conference. That is how you judge the level of debt because it is a question of what they will let you borrow.

I was still confused so I thought that I would see what the document reveals. At page 2, it states: 'At 30 June 1990, the gross outstanding debt of the NT public sector was $1462m. At that date, the Northern Territory owned fixed assets with an estimated value in 1989-90 dollars of some $5000m'. So, on the one hand, we owe $1500m and, on the other hand, we own $5000m. I tossed that rationale out the window because, even though those assets are valued at $5000m, who would buy a road? How is that figure of $5000m arrived at? Schools cannot be sold on the market. At the same page, it states: 'In its 1989-90 budget, gross interest repayments by the Northern Territory were $157m or 10.8% of the $1457m budget revenues generated from the Territory'. That is fine. We also have interest payments coming in which reduce that to 7.5% of our total budget. I asked myself then about the principal repayments on all these things. It is really meaningless until you know what principal you are repaying as well. Thus, I tossed that one out the window.

Eventually, I thought that I would apply some lateral thinking to the total debt question. Our gross debt is $1500m which is about the size of our total budget. Looking at it in layman's terms, that is rather like a chap who is on $40 000 a year having to pay off a mortgage of $40 000. I thought that that was not too bad; I could live with that. It sounded reasonable. I thought that the more accurate way to do it is the way the banks do it. When you go for a loan, the banks look at your total earnings and what your total loan repayments are - principal and interest.

I have some other figures issued by the Real Estate Institute in relation to the affordability of Australian homes. It relates to the September quarter, and 'December 1989' is its title. It covers the affordability of homes to the people of Australia. The Northern Territory comes out extremely well with 17.9% of family earnings being paid out against the loans, principal and interest. The highest is New South Wales at 38%. That indicated to me that maybe, in line with the states, we should be falling within those figures. What we are talking about really is principal and interest to be repaid each year as against total income.

I searched these documents - and I must confess that I spent only an hour or so on it - trying to find repayments of principal and interest. I could not find them. Perhaps I missed them and, if so, I would appreciate it if the Chief Minister could enlighten me when he replies to this debate. However, there is one point, at page 3 of the Chief Minister's statement, that really baffles me. I have read it about 5 times and still cannot make any sense of it. It says: 'The Treasury paper notes that, according to 1989-90 budget estimates, the proportion of debt finance to capital outlays in the Northern Territory was 28.7% ...'. It goes on to compare this with the states. The more I read it, the more I come to the conclusion that all it says is that we borrowed a quarter of what we spent. I do not really know that that has any meaning whatsoever other than ...

Mr Perron: It has heaps of meaning.

Mr FLOREANI: ... maybe comparing it to the states. I hope I will be enlightened on that point by the Chief Minister when he replies to the debate.

At page 5 of the statement, item 4 states: 'As a proportion of total revenues and grants, net interest payments by the states in 1989-90 ranged from 15.8% in Tasmania to 3.2% in Queensland. In that year, only Queensland paid a lower proportion than the Northern Territory public sector (7.5%)'. That was impressive but, again, I believe that the missing element is the principal.

Mr Palmer: Sit down, and I will tell you about it.

Mr FLOREANI: Good. I will be enlightened.

The next point that I found disturbing was mentioned by the Leader of the Opposition. He said that Territorians owe $10 000 per head. The only information that comes anywhere near that in this document is in the June 1987 figures where it is indicated that $4891 per head was owed in the Northern Territory. The only higher figure was for Tasmania at $5816. When I thought that through, obviously we have a smaller population and, therefore, our cost per head would be larger. However, I still believe that, if the figure mentioned by the Leader of the Opposition is correct, and I have no way of knowing whether or not it is, that is disturbing.

I would like to talk about the overall Australian scene at the moment. Most people in this House would agree that the federal government has allowed the national debt to slip away and that that is an absolute disgrace to this nation. It has put a debt burden on our children and grandchildren that the current Hawke and Keating government will hear about for a long time to come. Most certainly, I would hope that the Northern Territory government will take note of that and watch its debt.

What should we be doing? That is the bottom line. In today's economic climate, almost all corporations in Australia are looking to eliminate their loans. Certainly, they are bringing all loans down to a level that they can afford. The Northern Territory should be ever conscious of that. It is my understanding that, at the moment, in the corporate sector, cash is king and borrowings are out. I hope that is the direction in which the Territory is heading.

I believe that these documents are inadequate and incomplete. From them, we really do not see the big picture of what is happening in the Territory. The government has told us what the gross outstanding debt of the NT public sector is - $1462m. However, I do not think that is really meaningful unless we find out what our total repayments of interest and principal are. The other point is that, whilst it is interesting to compare our statistics with those in the states, I do not believe it is particularly meaningful because we have such a small population and have different needs to the states. Thus, even though the comparison with and between the states is interesting, I do not put much store by it.

I would be interested to hear the Chief Minister comment in regard to the cost of our debt servicing, which is the main thrust of my comments - payments of interest and principal in relation to total revenues. In future documents of this kind, I hope to find information recorded in a simple manner so that most people can understand it.

My final point is in regard to corporations that this government is involved in. I would have expected these documents to have included in our total budget figures any interest we have and especially any liabilities the corporations have. Let us hope that, one day, we may see them as well.

Mr PALMER (Karama): Mr Speaker, I welcome the Chief Minister's statement and the accompanying document entitled 'Northern Territory Public Sector Debt'. I believe it is an honest and wide-ranging summary of what the Northern Territory public sector debt is, and I really believe that it is a very useful document. That can be evidenced by the lack of excitement shown by that past master of fallacious argument and obfuscation, the member for Stuart, who seemingly accepted that the figures presented here are factual and that this gave a clear indication of the level of Northern Territory debt, unlike the member for Flynn who plainly did not understand what it meant or what he was talking about.

There is a principle of government borrowing that taxpayers of 1 year should not be expected to pay for the capital infrastructure which is used and enjoyed by the taxpayers for many years to come. On the other hand, the taxpayers for many years to come should not be expected to pay for a better quality of lifestyle for the taxpayers of one particular year. Thus, governments that are moral borrow only for capital expenditure and not for recurrent expenditure. It is apparent from these documents that the borrowings for capital expenditure average about 28% of gross capital expenditure and it is shown clearly that the Northern Territory government is using its borrowings for the purpose for which they should be used, which is capital works.

We need to address the nature of debt or exactly what debt is. Plainly, debt is those moneys owed that have been raised and expended in previous years. Those moneys are raised in a number of ways, direct from financial institutions, by way of government bonds and various other instruments. The total debt can be set against capital assets. Clearly, we do have capital assets valued in the order of $5000m and I dare say that there is many a corporation in Australia that would be proud to announce to its shareholders that its debt to asset ratio was 1.1:5. Many a corporation would be pleased to announce that and would be overjoyed to find that its repayments come in at something like 7.5% of turnover. Many a corporation would be overjoyed to announce that its capital expansion was 70%-funded from internal funds. And those are the facts of the Northern Territory.

One of the problems in proper accounting in government is identifying the assets and the nature of those assets. Obviously, a number of assets acquired by government are by way of social infrastructure, be they schools, hospitals, police stations, roads, bridges or open unlined drains. The opposition would have us believe, and it is something I certainly support, that one of the great assets of the Northern Territory is its kids and the proper education of those kids. We cannot say that we want to educate our children properly as one of our greatest assets if we do not invest in them. Such investment is shown by way of schools and educational facilities. How to value such assets is one of the great problems facing government.

The New South Wales Commission of Audit could not address the problem of the valuation of its heritage assets. It is a major problem. The New South Wales government had to come up with 2 sets of consolidated accounts for the precise reason that government departments could not provide properly valued estimates of their assets to place against their total debt or expenditure. The lending institutions recognise the problems governments

have with valuing those assets. Such recognition is clearly evidenced by the fact that, when governments borrow money from those institutions, they are not required to mortgage those individual assets. We are not required to mortgage the schools or hospitals. Those institutions recognise that it is difficult to place a value on them, much less a current market value. We have 2 figures given to us. One is gross public sector debt of $1462m and the other is net public sector debt of $1014m. Clearly, the difference between those 2 figures is those assets which are readily marketable. Housing Commission mortgages can be sold. They do have a market value and, quite clearly, that is the difference there.

I will turn to the member for Flynn's question in relation to principal repayment. When he could find no mention anywhere of principal repayment, perhaps the honourable member should have taken the hint and realised that there might have been a reason for its not being mentioned. The simple fact is that government assets are not short-term assets like the family car. As a result of that and various other factors, governments generally are able to raise money at attractive rates. Governments ensure that they are able to meet their interest repayments every year. Over the average life of an asset - say, 50 years - and given inflation, the outstanding principal becomes almost negligible after 25 years and totally irrelevant after 50 years. Governments merely let the principal erode. There is no need ever to pay it back.

Participants in this debate often set out to confuse debt with liability, and I believe it is done deliberately. Clearly, each of us has liabilities, some greater than others. I am sure that the liability that I face in feeding myself for the rest of my life is somewhat greater than that of my friend the member for Jingili. Governments face an ongoing liability to fund the education of our children, and the health services. It is not suggested anywhere that, in their published annual accounts, governments should estimate what those undefined, indefinable and interminable liabilities may be.

The member for Stuart alluded to borrowing money from a bank. When you seek to borrow money, most certainly your banker asks you what your liabilities are. However, the liabilities that he wants to know about are those that accrue from one budget period to the next. He wants to know what you receive in your pay packet every fortnight and what your outgoings are every fortnight. He does not want to know how much it will cost you to feed yourself, clothe yourself and send your children to school for the next 20 years. He wants to know your ability to repay, and that is precisely what governments look at.

Mr Ede: If the loan is over 20 years, he wants to know what your projections are.

Mr PALMER: That is precisely what governments look at when they are raising money. They look at their ability to pay from year to year.

Mr Ede: Ask your grandfather how he will go if he applies for a loan.

Mr PALMER: It is not generally accepted that governments die whereas your grandfather will. He is finite but governments are here forever, in one form or another.

Mr Ede: That was not a very good example.

Mr PALMER: Have another go.

Governments do recognise some liabilities. Governments need to recognise the accruing liability of superannuation, but that has to be seen in perspective. It could be said that the Northern Territory has an accrued superannuation liability of $350m. However, that is the accrued benefit of all public servants working for the Northern Territory at a particular point in time. What we need to look at is what the annual payout is. I believe the annual payout this year would be in the order of about $10m. Certainly, that payout figure is growing and it has to be recognised in future budgets. Nevertheless, if it were introduced into a report such as this on public sector debt, it would distort the level of debt.

Also, we have liabilities such as long service leave. The total accrued long service leave owing to public servants in the Northern Territory could be any amount. However, the actuals relate only to what is paid out in that particular year. It is only a real cost to government if it employs someone or puts someone on higher duties to replace the person on long service leave. If neither of those events happen, the only loss to government is in terms of productivity. We have a liability also for annual leave. That total liability is limited by award agreements which limit the accrual of annual leave to 12 weeks. It is known and it is easily estimated. If all our public servants refused to take their leave for 2 years and all went on leave at the same time, we could predict the amount of the liability. It becomes a real cost to government only if we decide to replace any of them.

There is a fair amount of confusion as to what public sector debt is and what the liabilities of the public sector are. Better-educated men than we have grappled for many years with the problem of how best to present government accounts, and there is no consensus. As I said, the valuing of government assets is extremely difficult. To illustrate that again, how would the Northern Territory value its potential taxation revenue on undiscovered mineral wealth? It simply cannot be done and it is nonsensical to try. The best any government in the world can do is to set out clearly the level of debt, the level of annual repayments and the level of annual income. Having done that, it is possible to draw a fair comparison in terms of debt, income and repayment levels. I commend the Chief Minister's statement.

Mr SETTER (Jingili): Mr Speaker, the document which the Chief Minister tabled represents a very fair and honest attempt to advise the community of the Northern Territory of the current debt situation in the Territory. It is a very comprehensive document and, if members of the opposition and the crossbenches take the time to go through it section by section, they will find that it answers in considerable detail the concerns which they have raised today, concerns which they do not really have but are putting forward because an election is due in the near future.

Mr Leo interjecting.

Mr SETTER: It is very nice of the member for Nhulunbuy to participate in this debate. He will have his chance to speak in a few minutes time.

Mr Leo: I certainly shall.

Mr SETTER: I am very pleased about that because I will be most interested to hear what you have to say.

Mr Leo: Frankly, I am not the slightest bit interested in what you have to say.

Mr SETTER: I have listened to the comments from members of the opposition and, of course, the member for Flynn. He is an accountant. He really should understand these things but, quite obviously, his knowledge of matters such as public debt is very limited indeed.

I believe that most of the rhetoric which has come from the opposition benches is simply political propaganda. With the election phase starting to bear down on us, it is all designed to build up some sort of a case because it is quite obvious that the opposition will target its campaign at the Northern Territory government's alleged mismanagement of funds.

I was interested to read today's editorial in the NT News. It is headed: 'No cause for Debt Alarm'. It goes on to say: 'There are lies, damned lies and statistics and never more so than when they relate to politics'. That particular comment has proved very true today because that is exactly what we have heard from the opposition benches in response to the Chief Minister's statement. Members opposite understand full well what is detailed in the Treasury paper. They have taken advice and they know that the paper is factual, truthful and honest. However, did they portray it that way? No, Mr Speaker.

I refer again to today's editorial in the NT News because it sums up the opposition's position very well indeed. The editorial states that 'what matters is not the size of the debt but the capacity of the borrower to service the debt and the use to which the money is put'. Of course, we heard the member for Stuart expressing his concerns relating to the size of the debt. He argued that that was what mattered. The member for Karama put the lie to that very quickly when he referred to the borrower's ability to pay. The size of the debt is irrelevant. It is the borrower's capacity to repay which is the relevant issue. Figures which indicate that the per capita debt is so many thousand dollars are nonsensical. The ability to repay the debt is what counts.

Members on this side of the House understand, although I cannot speak for members opposite, that borrowed funds have been invested in assets that were absolutely essential to the Northern Territory because, after 60 or 70 years of neglect by the Commonwealth, we were very limited in terms of the basic, essential infrastructure required to service our citizens at the same level as citizens living elsewhere in Australia are serviced. That is where the money has been spent and, over the years, it has proved to be a very good investment.

The NT News editorial goes on to say: 'In the Northern Territory's case, there should be no fears about the government's ability to service the debt'. It says also that the 'proportion of net interest payments to total revenue is 7.5%'. As the member for Karama pointed out, the average figure in the states is around the 10% mark.

I would like to refer members to an article which appears in today's NT News and which confirms the comments I have already made. It says: 'As a proportion of total revenues and grants, net interest payments by the states in 1989-90 ranged from 15.8% in Tasmania to 3.2% in Queensland'. With a figure of 7.5%, we are right in the middle of the range. Tasmania, with a Labor government in power, has a figure of 15.8%. Of course, that government, is right across the barrel these days. Half a dozen greenies are holding that minority Labor government to ransom. I hear that Tasmania is staggering from disaster to disaster because the whole place has been paralysed by the greenies. Regrettably for Tasmania, it has the Hare-Clarke system. Rather than having 1 member elected to represent each electorate,

members are elected across the whole of Tasmania. In other words, it is 1 seat represented by many members.

In Queensland, the figure is 3.2%. Why does that state have such a favourable debt ratio? I will tell you, Mr Speaker, and I will tell the member for Nhulunbuy. The level is so low because Queensland has had a conservative government for more than 25 years. Without any doubt, except for the Northern Territory, Queensland has the strongest economy in Australia. Premier Goss, who is riding on the crest of a wave at present, has inherited a treasury whose coffers are absolutely bursting at the seams. Of course, he can sit back and take advantage of this. As I pointed out yesterday, things in Queensland are fine now. However, if the Goss government stays in power for another 3 to 5 years, it will degenerate into the same fiscal mess in which the other Labor states now find themselves.

The article in today's NT News goes on to say: 'The average interest rate paid by the Territory on total debt to the Commonwealth during 1986-87 was 10.4%'. Today, we heard that it is 7.5%. We are doing very well indeed. Page 4 of the Treasury paper entitled 'Northern Territory Public Sector Debt' points out: 'The level of Northern Territory public sector debt is responsible and sustainable measured either in terms of the debt servicing expenses borne by the Territory budget or in relative terms compared with the states'. That sets it out very concisely. I do not believe I have heard any argument today to the contrary, and certainly none that would hold water.

Mr Leo: You will hear one, Rick. Be patient.

Mr SETTER: The Leader of the Opposition went on about there being no indication of projected debt. He said that the Chief Minister's statement and the document indicated the present situation but did not provide projections of anticipated future debt. If he looks at pages 27 and 28 of the document, he will see a section that refers to future debt servicing obligations. It includes comments on future financing requirements and future interest rates payable. Whilst it may not go into great detail with regard to the dollars and cents involved in that exercise, it provides a scenario of the anticipated situation in the next few years.

However, the reality is that it would be impossible for the government to set out in dollar-and-cent terms what the situation is likely to be. We all know that, in relation to Commonwealth funding arrangements for the Northern Territory, we do not know from one year to the next what we will receive. Over the last 6 years, we have seen the Northern Territory's allocation reduced in real dollar terms until this 1990-91 fiscal year, from between 28% and 30% compared to what it was 5 or 6 years ago. That is like saying to the member for Nhulunbuy: 'Dan, things are a bit tough. I am afraid that we will have to reduce your salary over the next 5 to 6 years. We will cut it by 6% to 8% per annum. You will have to tighten your belt an extra notch every year and do the best you can'. That is exactly what the Commonwealth has done to us. The honourable member knows it and I know it, but he will not admit it.

Mr Leo: I will admit it.

Mr SETTER: When the Leader of the Opposition criticises this document and the public sector debt of the Northern Territory government, he does not acknowledge the reduction in the funding to this government that we have had to suffer all these years.

Mr Leo: He does. We have acknowledged that it has happened.

Mr SETTER: He does not. It is common knowledge that the Commonwealth funds this government to the extent of about 80% of its total budget figure. It is also common knowledge that all of the states are funded to between 55% and 70% of their budgets. The difference is that they are states and they have constitutional rights as states. They can use their constitutional rights to fight to maintain their level of funding. We are treated like a little kid.

Mr Leo: And you behave like one too, Rick.

Mr SETTER: I would like to see your performance. I will be waiting for your contribution to this debate.

Mr Leo: You will hear it.

Mr SETTER: I will make my assessment of how your performance is rated in relation to what you said to me a moment ago.

We have heard about the so-called intentions of the opposition. It is running a transition to government program at the moment on television. The Leader of the Opposition, who tells us that charisma is a spent force in this country, does not say a word on those various commercials telling us what a great Chief Minister he would make, and what a great government the Labor Party would provide in the Northern Territory. I wonder if he told his federal leader, Bob Hawke, about this charisma problem that he seems to have.

This so-called opposition and would-be government of this Northern Territory is trying to tell the electorate about the responsible fiscal management that it would apply in the Northern Territory. It seems to forget that its Labor colleagues in the states and the Commonwealth have created an absolute fiscal shambles. How can they stand there and try to mislead the Northern Territory electorate into thinking that they could responsibly manage the economy of this Territory? It is an absolute joke. Look at Victoria in the last month or so. The chickens have come home to roost. It has been going on for years and, finally, it has caught up with ex-Premier Cain and his government. What has happened in Victoria is what happened in Western Australia a few months ago: the Premier was sacked. He was made a scapegoat. Victoria is in such an horrendous financial mess that it will take the next conservative government 3 terms to extricate it. Premier Nick Greiner has had the same problem in New South Wales, and he has done very well. He has had to take hard decisions, impose higher taxes and reduce services in an effort to get the state out of the mess that it was left in by the previous Labor government, dating back 12 years or so.

Let me quote from The Australian of 5 July 1990. There is an article on the front page: 'Pyramid: Cain Can't Answer the $350m Question. The Victorian government will have to come up with as much as $350m by the end of this month to meet its promise to pay the depositors in the Farrow group of building societies 20¢ to 25¢ in the dollar on their savings'. He knew he could not fulfil that promise at the time that he made it and, as a result, he has gone. The new Premier, Ms Kirner, will be able to say that Mr Cain made that promise, but her government does not have to fulfil it.

Look what has happened in Queensland as a result of the policies of the Goss government, albeit that they have full coffers and they have not stuffed up the economy as yet. Look at this: 'Giant Japanese developer,

Daikyo, yesterday scrubbed part of its investment program in far north Queensland, blaming a local entrepreneur and the Goss government for torpedoing the initiative'. Hundreds of millions of dollars in the Cairns region are at stake. Let us look at Western Australia and I quote from the same paper: 'Western Australian state-owned Rural and Industries Bank last night revealed a $97.9m after-tax loss. The Managing Director, Mr Warwick Kent, blamed the loss on the bank's own poor lending policies and the federal government's handling of the economy'. We can go on and on. What about WA Inc and the disaster that occurred there? Remember Premier Burke, now the ambassador in Ireland? Remember Premier Dowding, the scapegoat for their fiscal mismanagement? He is now followed by Dr Carman Lawrence, who is left holding the baby.

These are the people who would have us believe that, on attaining government in the Northern Territory, they could responsibly manage the fiscal arrangements here. It is absolute nonsense. I do not know how the Leader of the Opposition and his colleagues can stand there and attempt to mislead the people of the Territory. I refer you again, Mr Speaker, to the editorial in today's Northern Territory News: 'There are lies, damned lies and statistics, and never more so than when they relate to politics'.

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

Mr LEO (Nhulunbuy): Mr Speaker, there are a few issues on which I want to take the Chief Minister to task in relation to this matter. This is something that I have argued in this House for a considerable time. Some members in this House will recall the debates leading up to the establishment of what is now the Public Accounts Committee. For some time, I and my colleagues - and, I assume, members on the government side - have been aware of the need to reflect on the fiscal responsibilities that governments take on. There is nothing new in that. It took some government members a longer time than it took opposition members to recognise that need to reflect on government expenditure and how the government manages public moneys.

However, having said all that, the government has come a long way from the early days. I think this House is entering into a degree of maturity in respect of the way in which we spend money. I accept, as I have in every forum of which I have been a member, the right and obligation of government to set policy and expend money where it believes its obligations lie. However, as I said at the last sittings, it is becoming alarming that it is expending money not in areas in which it believes the public interest lies. It is expending money and incurring debt for people who are not the voting public. To my mind, that is undemocratic.

I do not care who the author of this particular piece of pulp is. I appreciate the figures. I accept that those figures are worth while but, when some bureaucrat tells me in this House or anywhere that 'whether that borrowing is a good or bad thing is not a matter for moral judgment', it is appalling. As far as the Northern Territory is concerned, moral judgments on endeavours in life are made by members of this House. I accept that the government members have the majority and enjoy the majority vote within the Northern Territory, but it is not only their right, it is their obligation to reflect the moral judgments of our society. When some damned bureaucrat tells me in this House that we cannot reflect on what is good or bad, that stinks.

There are many things I will disagree about with government members, and I will probably do so for as long as I am in this House. No doubt, the

Chief Minister will say that, thankfully, that will not be for too long. I really do not mind that. But, as long as I am in this House, I will reflect what I believe is the moral attitude of my constituents. For some damned bureaucrat to tell me that borrowing is not a matter for moral judgment is not only inane, stupid and arrogant, it is tantamount almost to a reflection on this House. Mr Speaker, I do not know who is responsible for this, but obviously ...

Mr Perron: I tabled it.

Mr LEO: Marshall, I would not stick this on you. Frankly, I suspect that it was your Under Treasurer.

Mr Perron: And a fine fellow he is too, don't you worry.

Mr LEO: It is arrogance to the point of being absolutely intolerable. I cannot tolerate it.

Mr Perron: That is a word that has never been used to describe my Under Treasurer, except by you.

Mr LEO: Then we go on to the next wonderful paragraph in this beautiful document: 'Nor is the question of whether a particular level of debt is reasonable or excessive'. If the expenditure of public money and the questioning of that, and reflection on how that is done, cannot be considered reasonable or unreasonable, I want to know what the hell we are doing here. It is perfectly reasonable that we question how we spend public money. It would be entirely unreasonable for us not to question how public moneys are expended.

Mr Perron: I agree. Just read the next sentence.

Mr LEO: I have read the paragraph. Are you telling me that it says something to you that it does not say to me?

Mr Perron: Which paragraph are we on?

Mr LEO: The third paragraph on page 1.

Mr Perron: A moral judgment.

Mr LEO: No, that was the second paragraph.

Mr Perron: The word 'nor' ties the 2 together.

Mr LEO: Whether or not it is 'reasonable' or 'excessive', that is what it says to me. Surely it does not require a gigantic leap in logic for any member of this House to understand that, if the government has a debt, it has to service it and, if it has to service it, that has to be done from public funds. I do not need to make a gigantic leap in logic to understand that, but that renders that third paragraph inane. It is stupid: 'Nor is the question whether a particular level of debt is reasonable or excessive'.

Mr Reed: It is not a matter for moral judgment.

Mr LEO: No, that is the second paragraph.

Mr Palmer: Read it all again.

Mr LEO: I will read it all again. You read it all again.

I do not claim to be the moral pinnacle of anything ...

Mr Vale: Or the intellectual one?

Mr LEO: I accept that perhaps the member for Braitling thinks he is the intellectual pinnacle of running railway lines. I would not even claim that.

Mr LEO: I do not claim to know too much about the world. What I do know is that, when Dhupuma College was closed by this government, an entire generation of people was committed to intellectual servitude. In fact, it has been going on for 2 generations now. Two generations of young people in my constituency have been obliged to continue to accept what was imposed on them simply because they did not have the educational means to help themselves in any way in a changing society. That is a sin. I will tell you why it was done, Mr Speaker, and nobody - and I do not give a damn whether they are on the government benches or the opposition benches or whether they are independents or Nationals - will stop me saying it. Dhupuma College was closed for money. That is why it was done. That is what money means in terms of morality, and let nobody in the House deny it.

The government is incurring debt and it will have to continue to service debt. While it is servicing that debt, the government will deny services. That is the bottom line. I can accept that. We all do it. We all draw up our budgets for our own homes, and we deny our children some things in order to pay off a debt. We all do that. What I cannot accept is that no percentage of the budget has been allocated or indeed ever recognised as a percentage to service debt. I will reiterate what was said by the Leader of the Opposition. We still do not know how much this government intends to commit from our annual budget to debt servicing. Is it 5% of our annual income? Is it 10%? Is it 20%? What is the level of commitment to debt servicing? We do not know.

Mr Perron: Page 19.

Mr Coulter: Have you read it.

Mr LEO: Page 19 tells us what we are doing now. It does not tell us what you are prepared to take us to. It does not tell us what we will do in the future. Will we incur more and more debt, and how many services are to be sacrificed to service the debt?

Mr Perron: Services are not being sacrificed; they are being added to.

Mr LEO: I dearly hope so, because it is important for the Northern Territory. As political parties, we can argue about whether or not we think it is too high or too low or whatever, but we must decide how much money we intend to spend on servicing debt. We can say that it should be 5% or 10%. That is what political parties are about. They make decisions about how much will be spent on services and capital development. That is fine. I can live with that. However, I have not heard from this government what it accepts as a fair level of expenditure in relation to debt servicing. What percentage is it to be? Where does the government stop borrowing? This document says that it does not stop. It does not even have to think about it in moral terms. That is what it says. It does not have to think about it in intellectual terms; it simply keeps on doing it. Like a child, it simply keeps on spending. That is all it ever does. Sooner or later, this

government will have to tell this House and the people of the Northern Territory how much it is prepared to spend on debt servicing out of its annual budget on debt. That is the only subject which I want to hear the Chief Minister address in his reply.

Mr COLLINS (Sadadeen): Mr Speaker, I have not had a chance to read the report in full, but I think it is a very worthwhile document that will put us in the picture, provided it is accurate on where we are at this stage.

On the question that the member for Nhulunbuy raised about how far the government intends to go in the future, I note that the percentage of income devoted to interest payments, which is indicated at page 19 of the document, rose from 4.6% to 8% in 1987-88. I take heart from the fact that, over the last 2 years, that has started to come down. That is encouraging because, people all over Australia have been shocked as large corporations, such as that of Alan Bond, have been in trouble over the last year. Governments have been getting into trouble as well, examples being WA Inc and some of the financial institutes in Victoria. That sort of trend makes people wonder whether their money will be safe. Obviously, these people over-reached themselves in their borrowing and their management of debt. It is of vital interest to Territorians, and it should be to every member of this House, that we know that our debt level is manageable in this climate of high interest rates that, unfortunately, this country is in. These are fair questions. At least we are given some encouragement. From page 19, we learn that, as a proportion of total income, interest payments rose to 8%, but are now dropping back slightly. One hopes that that trend will continue.

The question of the morality of borrowing is an interesting one. I also took some offence at that comment which appears on the first page of the minister's statement. I disagree strongly with it. I believe that, if one borrows money to finance disposable items, which are used up and leave nothing of value, that is bad borrowing. I am sure, Mr Speaker, that your bank manager would not give you a loan if you said that the items you intended to purchase would all be gone within 12 months. On the other hand, if you said that the money would produce something of value which would provide the bank with some equity in the event of default, you would be more likely to receive a loan. When government borrows for capital items, that has some value.

I do not think that, in his entire lifetime, my father borrowed any money from a bank. He believed that you earned money and saved it and that, when you had enough, you paid cash for whatever you wanted. Not too many people do that these days. It was certainly a reasonably safe philosophy. However, in times of inflation - and we have had plenty of that over the last few years - it may be wise to borrow, even fairly heavily, and to use the money for enterprises which will earn money to repay the debt and increase the equity position and wealth of the borrower. I certainly wish that, when I left teachers college and started earning money, I had had some advice relating to the wisdom of borrowing for good and sensible investment. If I had had such advice, I could have been in a stronger financial position. I could have gone without some things and saved to build up my capital. Borrowing could well have enabled me to secure my financial position more rapidly, particularly if I had been able to foresee how much inflation would erode the value of savings.

During the last sittings, I referred to the large savings which can be achieved when people make fortnightly instead of monthly mortgage repayments. I will be able to present some examples to the House, examples which are easily obtained from banks. These indicate how people can reduce

the period of repayment from, say, 25 years to 15 years. That means that they will own the property much sooner and save thousands of dollars. That is the type of advice that we need to give to the community. It would not cost us much to advise all of our constituents to check with the banks and see how much they would save by making fortnightly payments or adding another $50 to their repayments. For people with young families, the savings made by paying off mortgages quickly can be very substantial. Those savings can put one in to a much better purpose when extra money is needed for the tertiary education of their children, for example.

Such information should be readily available and the same principle must apply to governments. Whilst governments continue for years and, as the member for Karama pointed out, do not grow old in the same way as individuals, there is a need to consider priorities.

Mr Manzie interjecting.

Mr COLLINS: I understand what the minister is saying. If we provide a facility now which will last for 50 years, why should we pay for all of it now? Why not spread the cost over the 50 years? The problem is that, with the interest payments, you pay for the facility many times over. That is my concern. It is a matter of balance. What should apply to us as individuals should apply, in essence, to governments. I appreciate that people may benefit in the future from facilities provided today, but we need to be very careful about the level of repayments.

We heard about the State Square project this morning, but I did not hear anybody ask about the level of interest rates which might apply and how much the facility will have cost by the time it is finally paid off. If the member for Karama is correct, with the effects of inflation and the passage of 50 years, the $100m will be a drop in the ocean. In the meantime, we might have paid an enormous amount in interest.

When we look at page 19 and see the figure of 7.5%, representing interest payments as a proportion of revenue, it looks pretty reasonable. However, we should also consider the fact that a large percentage of our outlays are committed to recurrent items such as wages and salaries. For example, if 80% of our budget is committed for such items, 7.5% is close to 40% of what is left. Of course, what is left is the amount available to spend on infrastructure which, one hopes, enables the private sector to generate wealth-creating activity. In turn, that activity generates tax revenue for the Commonwealth, some of which is hopefully returned to us. Therefore, the question that should be vital to every Territorian and every member of this House is whether we are in a position to manage our debt. To use the analogy I used earlier, are we in a position to put a little extra pressure on ourselves to find the extra $50 we need to add to each regular repayment in order to pay off our debt a little sooner than might otherwise be the case?

I know that we are in an election phase. It is common knowledge around the country that, after being elected, governments try to make the hard decisions in the first couple of years of their terms. When an election is due, governments try to put forward a few sweeteners in an effort to be re-elected. All parties do that. From a long-term viewpoint, however, it is one of the weaknesses of democracy. Governments have to appeal to the electors. I have a feeling, however, that there are plenty of people in the community who have experienced the bite of higher interest rates on their mortgage repayments during the last couple of years. I am sure that people would support any sane and sensible program put forward by the government in

the interest of managing our debt. No sane person would be overjoyed if, in tough times, the government made ridiculous promises which would cost pots and pots of dough.

With those few words, I welcome the Chief Minister's statement and the the Treasury paper. I believe that they have given us a pretty clear picture of where we are now. I take on board the fact that it is the future which is important and I exhort the government to keep a firm rein on our borrowings so that we do not have to waste considerable sums on excessive interest payments. We must keep them in check so that our children and our children's children will not be swamped by debts which we have created.

Mr BELL (MacDonnell): Mr Speaker, I want to make a couple of comments in relation to the Chief Minister's statement. The Chief Minister is attempting desperately to explain in what way his fiscal strategy is responsible and that of Labor states is not. It is about time that it was pointed out, both to him and to his colleagues, that the electorate has already made its judgment about the irresponsible fiscal attitude taken by the Northern Territory government. That is the bottom line in this debate. A number of opposition speakers have stressed that today and I do not believe that it is necessary for me to add to repeat what they have said.

Electors in the Northern Territory distrust this CLP government for precisely the reasons which result in the wrath of the electorate being visited on any government which incurs uncontrolled and uncontrollable debt. It is not good enough for the Chief Minister to rise in this Legislative Assembly and say that Victoria and Western Australia are in all sorts of strife because of their fiscal arrangements whilst the Territory is squeaky clean. As I have said, that is the bottom line in this debate.

In my contribution, I intend to identify 2 examples which indicate just how badly this government has done. The Leader of the Opposition and other opposition speakers have given detailed descriptions of why this government is on the nose in the electorate. My 2 examples come from the areas with which I am familiar. One relates to one of my portfolio responsibilities, that of housing, and the other relates to the Yulara Resort which is in my electorate.

With no explanation of how the figure has been arrived at, we are told that the social infrastructure investment between 1978 and 1990 on housing in all centres is $552m. I am very curious about this and let me place this question on notice with the Minister for Lands and Housing, who presumably will have the figures at his fingertips. How was that figure of $552m arrived at? That information is not available in the minister's statement nor is it available in the Treasury document. I am very much looking forward to that explanation from the Minister for Lands and Housing. Before he rises to tell us why that little aspect of public sector debt has been incurred responsibly, I would like to point him in the direction of the large number of home owners who have suffered real loss as far as their equity in their homes in the Northern Territory is concerned. I will give him an example.

Recently, I received representations from Alderman Maggie Hickey of Tennant Creek with respect to a Tennant Creek family who have a Housing Commission mortgage. The family now has 3 children and its composition has changed. However, in 1985, when the story starts, the family purchased a town house in Tennant Creek for $36 000. That town house is now worth $32 000. I see that the Deputy Chief Minister, a former Treasurer, is able to confront that fact with equanimity. I point out to him that this couple

contracted a mortgage for a house that was worth $36 000 and is now worth $32 000.

A member: The value was probably $36 000. Replacement would be something like $75 000.

Mr BELL: I will pick up the interjection. If you take actual construction costs instead of market costs in Tennant Creek, you are in real strife. If houses cost $75 000 but are now worth $32 000, how good does the figure of $550m look?

Let us look at the plight of this family in Tennant Creek whose family composition has now changed. They are now unable to live in a town house. They have 3 kids and they need to move into a 3-bedroom detached house because of a change in their family composition. However, they cannot do it because of the creation of an artificial housing market in Tennant Creek. There was a great deal of money flowing in the early 1980s and this crowd threw it around with gay abandon, without considering the consequences. This couple was caught in the trap, and they have lost considerably. In this case, we are talking about an actual loss in dollar terms.

What I am concerned about is the Housing Commission mortgagees and private mortgagees who have suffered a real loss. Agents in town here will tell anyone about the problems they have had with people simply walking away. That has to be sheeted home to this government. That particular aspect of life for would-be home owners in the Territory, who have been thrown around by this government, does not make newspaper stories. It does not make headlines in the NT News, but it bites ...

Mr Coulter: It does in New South Wales, Victoria and Western Australia.

Mr BELL: I dare say it does make headlines in New South Wales, but I suggest that the figures in relation to housing costs here do not present a rosy picture and, more importantly, they do not present a responsible picture. That is what I bitterly resent about this statement. It is an attempt by this government to present a picture of itself as being a responsible, fiscal manager. That simply does not stack up with the figures or the facts.

Let me turn to the other example, that of Yulara. What little we can find on it does not stack up with the facts either. I refer the minister to page 10 of the report that he tabled, and I would like him to tell me how he arrives at a figure of $30m over the last 7 years for Yulara Resort infrastructure. I am quite sure he will not because the efforts of the opposition to find out how public money is being spent at Yulara have been met consistently with refusals to answer.

The Chief Minister is saying that there has been $30m-worth of infrastructural investment at Yulara ...

Mr Perron: Are you saying that it is more, or less?

Mr BELL: What I am saying is that, first, we cannot find out what it is and, secondly, at least we know from 7 years of budget debates that this government has spent a hell of a lot more than $30m in interest payments on Yulara, and none of it has ever been accounted for.

Mr Coulter: That is infrastructure.

Mr BELL: And members opposite wonder why I get up in this Assembly and say that my constituents at Yulara would like to know how secure their future is there. It would help a great deal if the Chief Minister and the Deputy Chief Minister would be a little more honest and open about their decisions in that regard.

Members interjecting.

Mr BELL: Let us have a little history lesson. It was before you were a member of this Assembly, but it was when the Chief Minister was Treasurer. I refer to a debate in May 1982, those halcyon days when the then Chief Minister made a statement on the Yulara Tourist Village project. In May 1982, he tabled the details of the future arrangement that included heads of agreement, the development agreement, the project management agreement, the construction management agreement, the financial advisers agreement, the shareholders agreement, a letter of guarantee for the NTDC, the memorandum of association and the articles of association and statement in lieu of prospectus. It contained also a letter of comfort from the Treasurer of the day, Marshall Bruce Perron. When he tabled those details, the Chief Minister of the day had this to say:

> Not every document connected with the arrangements has been tabled, but almost all documents have. I have made a couple of deletions in relation to specific costs of individual items. I have not put in the specific cost of hotels. I have also deleted the cost of camp sites because, on the advice available to me, this would give an unfair initial advantage to persons tendering for these particular projects. Obviously, we want the tendering to be as competitive as possible. In this regard, contrary to the normal government practice, we must accede to the wishes of the commercial operators who are handling the project for us.

And get this, Mr Speaker

> Where these details have been deleted, I am prepared to provide them, on a strictly confidential basis, to any honourable member. I will provide them orally on application to myself. I am not prepared to provide them in writing.

What a contrast that is with the approach of these blokes, who have sat around like Nero fiddling while Rome burned, while the Territory's finances unravel at a dramatic rate. They have been in dispute for years with White Industries, the constructors. No comment about that has ever been made to this Assembly and no explanation has been given to the people of the Territory. The way these people have spent public money is a scandal, and yet they have the gall to stand up in this Assembly to present reports like this, and to say that their approach to public sector debt is a responsible one.

I do not have responsibility for economic matters on this side of the Assembly. The Leader of the Opposition does. However, in the areas where I do have some responsibility for considering government finances, which is with respect to housing finance in the Territory and with respect to the Yulara Tourist Village, I am appalled by what I see and so is every other Territorian, apart from those people opposite who hide in their tower over there and believe that nobody cares.

Mr Speaker, in the areas for which I am responsible in respect of this statement, the housing costs and Yulara, I think I have established that

these people do not deserve a reputation as adequate financial managers. I believe that they will suffer the same demise that every government in the western world has suffered when it has been on the nose with the electorate because it has spent money unwisely.

Mr MANZIE (Lands and Housing): Mr Speaker, I did not intend to speak in this debate but I think the contribution from the member for MacDonnell this afternoon has been so appalling that some comment is called for. The honourable member suffers from a bit of a problem in that he is not interested at all in truth. He is not interested in facts, but thinks that, if he makes a loud enough noise for long enough, some people may listen. Territorians have far more common sense than that. They look at issues, and they look beyond the noise and the froth that come from people like the member for MacDonnell. They know the circumstances.

The way for a government to measure whether it has a problem with a public debt is by how much its taxes and charges on the community are and the sorts of facilities to which the community has access. Because they have access to the best health and education facilities and have the cheapest charges and taxes anywhere in Australia, Territorians know that something sensible has been happening with the management of the economy in the Territory. They recognise that when they see the facilities available, the access to housing and the cheapest cost of housing anywhere in the country.

Territorians know that matters are being managed properly but, when they look at the economic record of Labor around the country, state and federal, they do not see the same thing. In the lead-up to the last Territory election, honourable members opposite were voicing their intention to follow the lead of the government in Western Australia. They said that that government did things much better than did our own and that it knew how to handle the economy. They do not sing that tune now because Western Australia has disappeared down the plug hole. Victoria was something of a star in their eyes for a while and they thought they would follow the Victorian government's lead, but they have forgotten about Victoria now. They are on the Queensland kick at the moment, but all the commentators have pointed out that the Queensland economy is rapidly taking a nosedive because it is starting to follow the policies that these people espouse.

The facts are very plain to all Territorians. The quality of life here is good. The cost of the facilities here is cheaper than anywhere else. Access to facilities has no comparison anywhere else ...

Mr Bell: Are you going to speak about housing, Daryl, or can I go?

Mr MANZIE: Mr Speaker, I will speak about housing in some detail. The member for MacDonnell referred to a situation in Tennant Creek and said that it was the fault of the government. I will give the honourable member a little lesson in history.

If he looked around, he would realise that the Australian economy is experiencing big problems. The ability to afford housing has been put beyond the reach of ordinary Australians as a result of the economic policies pursued by Labor. Labor has destroyed the ability of the Australian wage earner to afford to pay for a house. It has destroyed the economic structure of Victoria to such an extent that even the people who lend money are going down the tube. Nevertheless, the member for MacDonnell has the effrontery to stand up here and say that it is this government's fault. He points to Tennant Creek. Mr Speaker, do you recall the

Prime Minister saying that he was the only one who could be trusted to build the railway line? That might have helped Tennant Creek go a little longer because the mines might have been more viable. We do not hear about that any more, do we? However, Territorians remember.

In relation to the price of housing and the ability of the Housing Commission to sell and buy, I urge the honourable member to look at the Commonwealth State Housing Agreement some time. That agreement restricts the ability of the commission even to sell houses at market value. They have to be sold at cost value. Those are not our rules. They are the rules imposed on us by the federal ALP government which, in all aspects of its dealings with the states, is attempting to engineer a socialist structure and impose it on Australians. The Commonwealth State Housing Agreement is a perfect example of the federal Labor government looking at an area in which we have been successful and doing everything it can to penalise us in an effort to structure its programs so that places like Tasmania are looked after.

The contribution of the member for MacDonnell was appalling. I think that Territorians are well aware that a Labor government would mean the end of the Territory and its lifestyle. It would mean the end of the cheapest water in Australia. It would mean the end of the cheapest and most effective schooling in the country and the end of access for the ordinary person to housing. It would mean the end of access to the quality health care we receive and the end of our magnificent road systems. It would be a disaster. Members opposite have shown today that they have no idea about economic management. Thankfully, we live the Territory lifestyle to the full, and our lives involve the sound management of the Territory economy.

Mr PERRON (Chief Minister): Mr Speaker, I want to touch on a number of points which have been raised by honourable members during the course of this debate. I will begin with the member for MacDonnell, who referred to the situation in the Northern Territory as being one of 'uncontrollable debt'. Of course, the Treasury paper indicates very clearly that we are not in a situation of uncontrollable debt. We are very much in a situation of controlled debt and, in terms of our ability to service that debt, our position is improving.

During the first part of his contribution, the Leader of the Opposition acknowledged that, from his viewpoint, the Treasury paper was fine and seemed to indicate that we were in quite a satisfactory situation. His concern was that the paper did not indicate to what degree we can continue to head down this road and that it did not identify any warning signs which would indicate that there was trouble ahead. The member for MacDonnell's leader certainly does not agree with him in respect of his rather irrational statement about 'uncontrollable debt'.

The member for MacDonnell referred to the plight of Tennant Creek. Of course, Tennant Creek has been in the doldrums for a considerable time and the honourable member gave us an example of how a fall in the value of a town house had placed a family in difficulty. I wonder if Tennant Creek's plight might not have a little to do with the closure of mines which had become uneconomic for whatever reason, rather than because of the Northern Territory government's allegedly profligate spending in previous years, which is what the member for MacDonnell attempted to argue. He said that, because we had spent a great deal in earlier years, Tennant Creek was now in a terrible condition. I am not quite sure that I understand his logic, but I think that the plight of Tennant Creek has much to do with the closure of some mines in the region.

The member for MacDonnell said that he could not comprehend the figure of $30m which appears beside Yulara in a schedule at page 10 of the paper which I tabled, indicating the level of infrastructure that the government has injected into Yulara. I am very surprised that he chose to say that. He is familiar with Yulara and with the fact that it is a very expensive place in which to establish infrastructure. It is in the desert and a substantial amount of the infrastructure is underground, including water, power and sewerage lines. It is a very expensive place in which to install power houses and pumping systems. As we all know, it has a dual water system. We are very proud of that system, which was installed in order to conserve the good water for human consumption. The secondary water system is piped to all premises for washing and other purposes, being of poorer quality. The general infrastructure at Yulara, including housing, police stations and so on, was very expensive. It was all provided by this government in order that Yulara might exist and function.

To return to the Leader of the Opposition, he did not seem to have many problems with anything in the Treasury paper except that he felt that it did not identify a reasonable level of debt so that we would know when we were approaching that point and could avoid passing it. He has really missed the point. Page 1 of the Treasury paper contains the sentence to which the member for Nhulunbuy took such great exception. That sentence asserts that the question of whether a level of debt is good or bad, or reasonable or excessive, is not a matter for moral judgment but is a matter to be weighed up in the light of 5 considerations. Those considerations are the social and economic needs of the community, the size and rate of growth of outstanding debt, the sustainability of debt servicing obligations which have been incurred, the extent to which expenditure fosters the development of future revenue streams - and that is a most important factor - and the equity of imposing a portion or all of the debt servicing burden on future generations of Territory taxpayers. There is no answer to the question of what our level of debt should be in 5 years time. Decisions have to be taken by the government of the day in the light of the types of consideration that I have outlined.

In deciding whether you should borrow more money or not, you need to consider the ramifications of not doing so. Do you want the growth that might come from such borrowing? A proposition may be put to government that, if it is prepared to put in a $20m road, power station, water supply or whatever in a particular area of the Northern Territory, private industry will develop a mine, build a processing plant or do something with its own funds which will employ possibly hundreds of Territorians. At that time, a decision needs to be taken as to whether it is worth borrowing $20m to get $100m-worth of private investment. Such an enterprise might employ 300 Territorians directly on site and another 50 or 100 away from the site. Ramifications would flow right through our economy and all the way to the per capita grants we receive from the federal government, which would increase if we had 300 additional Territorians. The government would have to consider all the opportunities which would flow from that business, including downstream processing and servicing by other Territory businesses. Who knows what might grow from such an event?

In such circumstances, are we supposed to decide that, because we have a certain level of debt on our books, we will not increase it by another cent? Such an attitude would mean that, irrespective of the attractiveness of the proposal, the needs of our community or the potential for growth in revenue, we could not entertain it. That would not be a very sensible attitude. One can imagine how stagnant business in this country would be - and it is stagnant enough already, as we all know - if the business

community was totally unprepared to borrow any money under any circumstances because it was concerned about its ability to service loans. Business works on the basis of taking opportunities where they exist, and developing new products and processes. Businesses are constantly borrowing money to expand and to develop new products on the basis that, in the long term, those activities will create profits and growth which will do much more than simply service debt. That is what loans are all about.

The line taken by the member for Flynn was very disappointing. I understand that he is an accountant.

Mr Coulter: Not a particularly good one.

Mr PERRON: That is probably why he is in the Assembly rather than working as an accountant. Basically, he said that he likes the principle that, if you do not have the money, you do not spend. I wonder how many families in this country would own a house if they had adopted that principle. Not many. Very few businesses would ever start if that were the prevailing attitude.

For the benefit of the member for Flynn, I will give a very legitimate and simple example of why governments should borrow, in certain circumstances, to create infrastructure. The Sydney Harbour Bridge was built about 50 years ago. It was constructed for a few million pounds of borrowed money. If the people involved had adopted the principle that you cannot borrow because you will be burdening future citizens with a terrible debt, they would have had to attempt to save up the entire sum involved in financing what was, in those days, an enormous project.

Mr Coulter: It could not be built today.

Mr PERRON: Yes. The EIS would probably stop it. It would throw a shadow across the water and the fish would die.

In the interests of developing Sydney and providing a harbour crossing which would make the city function more efficiently, the government of the day, and quite rightly, built the bridge on the basis that the users of the facility would pay for it, and so they should. Who could possibly object, other than the member for Flynn who says that, if they do not have the money, even governments should not spend? He says they should cut their cloth and trim it back.

An example of irresponsible borrowing and spending would probably be the news the other day that Tasmania has a special addition to its global borrowing limits. I think the figure was $50m. It obtained that special capacity to borrow from the federal Treasurer not more than a month ago in order to pay redundancy packages for the 10% of its public servants that it proposes to cut out of its public service. I wonder what the Leader of the Opposition thinks of that use of borrowed funds.

Mrs Padgham-Purich: $50m?

Mr PERRON: $50m to pay for redundancy packages. It is not destined to buy some asset for the future, but merely to remove people from the public payroll. I am not saying there is not a benefit to that state in reducing its public service because indeed it must. I think the state is nearly bankrupt. However, to have to borrow money to pay out redundancies rather than to build roads, bridges and power stations etc is horrendous.

The question of the value of our assets as compared to the level of debt is worth recording. I acknowledge that all government assets are not instantly realisable as cash assets. It is unlikely that you could sell them overnight and wipe out debt. You would not do that. We need schools, police stations, hospitals, power stations and roads. There is no reason why we should try to liquidate all those assets in order to be debt free. The question does not arise. It is put in this document so that people can gain a concept of relative values. What we are saying to Territory citizens is that about 25% or 30% of each of the government's $5000m-worth of assets has been funded by loans borrowings. The rest has been funded by what you might call equity - Territory taxpayers' funds and funds we receive from the Commonwealth. 25% of every road, police station, hospital and power station has been funded by debt. To look at it another way, you could say that 25% of those assets has been 100% funded by debt and the other 75% has been funded directly by appropriations from the Territory budget. What we are trying to demonstrate is relative responsibility. We are not building all of our assets with loan funds, and I do not advocate that we should. Maybe some people would say that we should.

The member for Nhulunbuy asked me to advise the House how many government services have been sacrificed in order to service debt. The answer is none because debt allows the provision of more services. If you take away the services, you take away the debt and you take away half the Northern Territory. There would not be many services for the citizens of the Northern Territory then. If you follow the member for Flynn's advice and do not build if you do not have the money, you can certainly scrap Yulara and you can scrap $1400m-worth of assets that have been built with loan funds. The Territory would be a mere shadow of what it is today if we had not borrowed that $1400m and had not incurred the servicing responsibilities that go with it.

In conclusion, Mr Speaker, I am saying that there is no answer to the question of what our debt should be in 5 years. There is no answer in terms of 10% of our income or 5% of our GDP or whatever. Each government must evaluate the circumstances of the day and the projects that it is funding. If the ALP believes that that is not a reasonable proposition - and I am absolutely sure it is one that would be accepted by other governments in Australia - perhaps it could tell us what an ALP government would do. At what point would it say that there would be no more borrowing? I would like to know the answer to that question.

Motion agreed to.

MINISTERIAL STATEMENT
Government Energy Management Program

Mr COULTER (Mines and Energy): Mr Speaker, I rise to make a statement relating to the Government Energy Management Program. Energy management involves the efficient use of energy and, as such, is of prime importance to all sectors of the community. Furthermore, energy conservation has been identified at recent high-level international environmental conferences as being one of the key short-term options in reducing greenhouse gas emissions. The Northern Territory Government Energy Management Program, abbreviated as GEMP, was established in late 1984 with the primary purpose of reducing electricity costs associated with government buildings. The government owns or leases over 400 establishments throughout the Northern Territory, including schools, major hospitals and health clinics, libraries, police stations, TAFE colleges, the university, office buildings and law courts. This infrastructure is essential to the functioning of government.

However, the cost of electricity to provide air-conditioning, lighting, hot water and other services for all of these buildings is the second highest government overhead after salaries. Total electricity costs for all government departments and authorities is almost $25m annually. By comparison, South Australia, with a much larger public sector, has an electricity bill of about $40m per year.

The main factor contributing to the high government energy consumption in the Territory is air-conditioning. For an average office building or school in Darwin, air-conditioning accounts for approximately 70% of the total electricity cost for a year. Actual cost can be placed in perspective if it is realised that, for some of the larger Darwin high schools, electricity costs during the hot, humid period prior to the wet season can peak at around $600 a day whilst, for the Royal Darwin Hospital, air-conditioning running costs average over $6000 a day. This high energy consumption provides ample scope for implementing energy saving measures and remedial work, particularly in relation to air-conditioning, but also in lighting, domestic hot water supply, diesel fuel usage associated with steam generation at hospitals, and electric or liquid fuel-based room heating in Alice Springs.

Cabinet support for GEMP was given in early 1986 along with approval for the allocation of $60 000 in the 1985-86 capital works program for energy saving modifications to existing buildings. In each year since 1986-87, $250 000 has been approved for allocation towards GEMP under the capital works program. The program is administered by my Department of Mines and Energy and is coordinated by an interdepartmental working group with representation from Treasury, the Department of Labour, Administrative Services and Local Government, the Department of Transport and Works, the Department of Education, the Department of Health and Community Services and the Department of Mines and Energy. Specialist advice is sought when required by the working group from electricity metering experts in PAWA. Other bodies, including the university and the Museum of Arts and Sciences, are also involved directly when specific energy saving projects are proposed for such institutions. Two project officers from my department manage the program. Their role involves initial project identification, pre- and post-completion energy use assessment, liaison with client departments and development of policy initiatives which meet the functions and aims of the program.

The Department of Transport and Works carries out project design, documentation and oversees implementation. Consultants are employed to undertake energy audit assessment of some large buildings under review by GEMP. This has included the Northern Territory Museum of Arts and Sciences, the Royal Darwin, Katherine, Tennant Creek and Gove Hospitals, the NT University and the 7 Darwin regional high schools. The primary criterion used by the GEMP working group ...

Mr Bell: Congratulations on the use of the singular, minister.

Mr COULTER: I am practising my debating skills for a debate that is coming up. I have spent a great deal of time on my vocabulary. I hope the member for MacDonnell has done likewise because he will be partnering myself and the Minister for Transport and Works in that debating group.

The primary criterion used by the GEMP working group for funding energy saving projects is the requirement for a return on capital within 3 years through accrued energy cost savings. It is also considered important that a

GEMP initiative should not adversely affect services provided by the government to the community.

Since its inception, GEMP has funded 41 energy projects in approximately 114 government occupied buildings and complexes, including office accommodation in the main Territory centres, most hospitals, the university and a number of schools. Other buildings have been investigated for potential energy-saving measures without proceeding to expenditure of GEMP funds. Once all projects committed up to June 1990 are finalised, cumulative annual savings resulting from the program will be $2.35m per year. This will have been achieved for a once-off capital cost of $1.05m. Implementation delays associated with the design, documentation and tendering for some of the larger projects mean the actual savings being accrued at this point are less than this figure.

A good indication of GEMP results to date is obtained if cumulative savings since the inception of GEMP until June 1989 are examined. Total savings of $2.48m are estimated to have been generated in this interval for a total expenditure, including capital, operation and salary costs, of $1.31m. This is a net saving of $1.17m, equivalent to a net return on investment of 89%. I am sure you would agree, Mr Speaker, that this is an attractive return on an investment. Whilst these savings accrue to government departments and authorities, they represent also a loss of revenue to the Power and Water Authority which I am sure you will agree is of concern. Despite this, I fully support the continuation of GEMP as a means of helping the government achieve the best value for its money.

Importance is placed on the verification of a project's expected energy savings. Access to the Power and Water Authority's electricity metering database provides one avenue for assessment. Historical monthly electricity consumption trends for each building under investigation can dramatically highlight and quantify actual savings being achieved, particularly if these savings are a significant proportion of the overall electricity use.

For some GEMP projects, however, it has not been possible to verify resultant energy savings utilising Power and Water Authority billing records. This is because the reduction in energy utilisation is small compared to the total energy consumption of the building in question and any reduction is masked by natural fluctuations in total energy consumption patterns associated with such factors as weather changes, differing building usage and the use of extra appliances. For such projects, completion reports are prepared by the Department of Transport and Works in which the original energy-saving engineering calculations are checked and, where possible, design parameters verified on site.

As mentioned previously, the majority of GEMP projects have involved modifications and remedial action aimed at reducing air-conditioning costs. Action taken under GEMP to reduce air-conditioning costs has been the retro-fitting of programmable calendar time switches, the installation of supplementary room air-conditioners, reduction of outside air quantities to comply with the relevant Australian ventilation standards, rectifying control faults and upgrading controls, window film lamination and the installation of variable speed control on air-handling fan motors. Other air-conditioning energy managing strategies have been investigated, including rectifying vapour barrier deficiencies, reflecting roof paints and using economiser cycles. In general, the installation of calendar time switches has provided the greatest return on investment of GEMP funds. In buildings where air-conditioning plant was operated continuously or under control of a 7-day time switch prior to calendar time switch installation,

the energy savings have been considerable. Savings are enhanced through the programming of public holidays a year in advance.

Small, split system air-conditioning units have been installed in some buildings where constant air-conditioning is justified, such as computer facilities, PABX rooms, libraries and laboratories. Each split system is electrically interlocked with the main air-conditioning plant to disable operation when the plant is activated. Separate air-conditioning units have been installed also in administration offices of a number of schools to provide air-conditioning for administrative staff working during school holidays. This alleviates the need to operate the main air-conditioning plant during the holidays. It is expected that more schools will have separate air-conditioning units installed for this purpose under GEMP.

Improvements in the energy efficiency of lighting is another area which has been given some attention under GEMP. There is significant wastage of energy in government offices and schools through lights being left on in unoccupied areas. Inappropriate or low efficiency lamps and overlit areas can also exacerbate this energy wastage. Encouraging results have been obtained under GEMP with the use of movement detectors limiting lighting to periods of occupancy in a number of classrooms, in a conference room and lecture theatre, and a staff kitchen facility. With the experience gained using this cost-efficient device, it is the GEMP working group's intention to extend the use of such devices to schools and offices throughout the Northern Territory.

Several initiatives have been undertaken under GEMP directed towards conservation of liquid fuel resources. Solar collectors have been installed at Tennant Creek Hospital and at the Myilly Campus of the Northern Territory University to replace high-cost, diesel-fired domestic hot water systems. It is intended that, in 1990-91, a solar hot water system be installed at Gove District Hospital to replace a system heated via a steam heat exchanger, the steam being generated by diesel-fired boilers. In addition, the cost effectiveness of solar hot water systems in other hospitals will be examined by the GEMP working group over the next 12 months. Specific details of all GEMP projects are outlined in annual GEMP activity reports which can be obtained by any interested member from the Department of Mines and Energy.

It is reasonable to ask what the future of this program is. A common generalisation is that a well-implemented energy management program applied to a commercial enterprise can be expected to reduce energy use by between 15% and 35%. Given that the harsh Territory climatic conditions impact greatly on government energy costs, perhaps a more realistic expectation for GEMP is a target of 15% to 20% reduction in total government energy consumption, primarily in the form of electricity. At this stage, the program is about halfway to attaining this target.

A large number of buildings remain to be investigated with possible follow-up remedial action, in particular Alice Springs Hospital and most schools in the Alice Springs region. Also, very few government public facilities in remote Aboriginal communities have been considered under GEMP. A recent survey, undertaken in 10 Northern Territory communities, has indicated that the potential exists for large savings primarily because it has become common practice in these communities to leave air-conditioning units and lights on continuously which, of course, adds an unnecessary load to the high-cost diesel power stations connected to each community. A new 1990-91 initiative will be to commence the installation of time delay switches on appliances identified in this initial survey so that the

operation of air-conditioning automatically turns off outside of office hours. Depending on the success of this initiative, the work will be extended, where feasible, to government facilities at large, remote communities.

Computer-based building energy management systems, or BEMS as they are called, are under active consideration by the GEMP working group. BEMS have been shown to reduce significantly the energy consumption of large commercial buildings via precise climatic control of the internal environment. Such commercially available systems can be adapted to control lighting, building security and even lifts. I understand that a state of the art BEMS has been specified for stage 2 of the Supreme Court and Parliament House development.

Cogeneration is another technology which, in certain applications, may be an attractive energy management option in the Northern Territory. Currently, the Victorian government is funding a number of cogeneration units for its public hospitals. Each unit consists of a gas engine or turbine satisfying the hospital's electricity load as well as generating steam from the engine's exhaust waste heat. Any excess electricity is bought by the power utility at an agreed buy-back rate.

In the area of policy development, the GEMP working group has considered from time to time the various options open to introducing incentives for departments, authorities and even individuals to reduce energy use. One option to be addressed by the working group is whether all departments should be made accountable for electricity costs, these costs having to be met from departmental operational budgets.

At the individual level, consideration will be given to the establishment of a network of officers throughout the departments and authorities with energy manager duties added to their normal job. It is anticipated that these officers would oversee the correct operation of energy-saving measures within their respective sections as well as keeping a watch for additional opportunities for energy savings, and would report to the GEMP working party on a regular basis. This greater employee involvement would necessitate general energy management training seminars, possibly held in conjunction with the Commonwealth and local governments.

The GEMP working group intends to establish an all-encompassing database consisting of all government electricity, gas and diesel accounts. The database would have sufficient flexibility to incorporate transportation fuel usage which, to date, has not been considered by the working group. The group envisages that the database could have the capability also automatically to flag, at regular quarterly intervals, large variations in energy use for a particular account. Several state governments' energy management programs have this mechanism in place already, enabling a close watch to be maintained on the efficacy of energy-saving initiatives.

I would like to see the GEMP working group provide guidance at the design stage of new government buildings.

Mrs Padgham-Purich: So would I.

Mr COULTER: The database and experience built up in improving the efficiency of existing buildings should be applied at the design stage. In many cases, energy efficiency modification can be achieved in the design at little or no cost. Already the South Australian Government Energy

Management Program has this mechanism in place, and we are exploring ways in which this can be achieved here.

In summary, the Government Energy Management Program demonstrates that this government is serious about putting its own house in order in relation to keeping its energy costs in check. This is simply sound business practice. The program is promoting energy conservation and the efficient use of energy to the community in general and is contributing to the responsible utilisation of our non-renewable energy resources.

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

Mr BELL (MacDonnell): Mr Speaker, what a wonderful sight to behold: the greening of the Minister for Mines and Energy! It is only a very pale shade of green, but I think he is moving down the path and becoming a little greener than he was. I think we can look forward happily to the day when he and the Minister for Conservation will walk hand-in-hand down Mitchell Street into the sunset of the new environmentally-conscious dawn.

Mr Hatton: Holding hands?

Mr BELL: Yes.

Mr Hatton: I present very influential arguments.

Mr BELL: Mr Speaker, in fact, I am very impressed with much of what is in the minister's statement. I am not particularly impressed by the fact that he has omitted a couple of things, but I will come to that in a moment.

The Minister for Mines and Energy has decided that he had better do something to soften things up and therefore he has hunted through the department for something that looks vaguely environmentally responsible. This subject looked about right. He said to his staff: 'Write 15 pages on this for me to read out during the next sittings. We will get a few paragraphs in the NT News, and I will look a bit greener than I used to'. Unfortunately, I think I would rather hear him reading C.J. Dennis than something like this. Be that as it may, the specific initiatives that he has referred to have some obvious merit. My only concern is that it seems to be a restricted program, and it does not seem really to bear across the whole range of government departments. It seems to be a relatively restricted program within the Department of Mines and Energy. It is my view that activities such as this require a much more thoroughgoing approach across the various activities of government and even beyond. That is why I believe that the Labor Party's approach to these issues, which is holistic rather than specific, is more appropriate and has potential for greater achievements.

The honourable minister referred particularly to air-conditioning costs and I am interested in his statement that, for 'an average office building or school in Darwin, air-conditioning accounts for approximately 70% of the total electricity costs for a year'. I would make another impassioned plea about northern Australian architecture. I have made this point in this Assembly on a number of previous occasions. I think it is a serious lacuna in the minister's statement. It would appear that he is assuming that architecture will not reflect our environment. There has been an unfortunate attitude towards architecture since self-government that manifests itself as a kind of Northern Territory cultural cringe. We must have big office blocks and houses similar to those in southern cities and then plonk great air-conditioners on the end to make them comfortable to

live or work in. It is no accident that 70% of our power costs are related to air-conditioning.

I refer the minister to an example of hospital design. I ask the minister to contrast the Alice Springs Hospital with the Tennant Creek Hospital. Obviously, the Alice Springs hospital is bigger, but it is much more alien to the environment than is the Tennant Creek Hospital. I do not know how many honourable members have visited the hospital in Tennant Creek, but it is a low building and the rooms open out on to verandahs. It is very similar to the old Alice Springs Hospital. I believe that public buildings generally were built in a much more sensible way in those days.

Mr Hatton: What about the Royal Darwin Hospital? It is a Swiss design or something.

Mr BELL: I think that the interjection from the Minister for Health and Community Services proves my point in the context of this debate. The Royal Darwin Hospital is not the sort of building one would expect to see in this part of the world. Its design is hostile to a tropical environment and that is very unfortunate.

When one looks at residential housing built by governments, it is clear that the old C19s, which stood on stilts, were an excellent design. Certainly, they were more expensive than houses in the northern suburbs which were built after Cyclone Tracy but the higher initial construction costs need to be considered in the light of ongoing air-conditioning costs. In an age of scarce energy resources, it is not good enough for governments to say that they do not have to worry about such matters because it is up to individuals to meet those costs.

That brings me to another concern in relation to the statement. The minister is not taking a holistic attitude towards both government and non-government energy use. He is looking simply at the government's balance sheet when, in fact, he should be looking across the board at the overall costs to society of using fuels, the potential scarcity problems for future generations and so on. We need to take a broader accounting view of energy costs. I believe that that is another serious problem with the minister's statement. He referred to it being a common practice in remote Aboriginal communities to leave air-conditioning units and lights on continuously. I am not sure if that can be substantiated. It certainly does not accord with my experience in Aboriginal communities in central Australia, nor with my time living in remote communities.

I am surprised that the honourable minister has not referred to hybrid electricity generation systems and I would like the minister to explain why he made no reference to the hybrid power systems which have been developed around the Territory. I draw the minister's attention to some very interesting projects which have been developed in central Australia. I refer him specifically to the Top Power energy management system which has been developed at Alcoota Station in my electorate. Alcoota Station is owned by the Webb family. Recently, Mr Tom Webb and a principal of Top Power, Mr Peter Webb, who is no relation, provided me with a detailed briefing and figures on the value of the hybrid power generation system at Alcoota.

For the benefit of honourable members who may not be aware of hybrid power systems, let me give a layman's explanation. The hybrid power system involves 3 sources of power. It involves the usual diesel-generated power as well as direct current power from batteries. The direct current source

is reconverted to alternating current and the system involves some solar power usage as well. The results of this system at Alcoota have been particularly impressive. I believe that it is appropriate to table an article about Top Power's system and I will be seeking leave to do so in due course. The article spells out some of the details of the system and the dramatic savings in power generation which can be achieved. Using a conventional system of continuous diesel-powered generation, the amount of fuel required to satisfy Alcoota Station's daily electricity demand of 240 kW was 216 L. However, under exactly the same load conditions, the Top Power hybrid system used only 72 L of diesel for the same period. This means that fuel usage at Alcoota is being reduced by 144 L per day, and that about a third of the former amount of diesel is used.

Mr Deputy Speaker, I seek leave to table an article entitled, 'The Alcoota Story', together with some information about the Top Power hybrid electricity system.

Leave granted.

Mr BELL: The Alcoota example contrasts with the experience of the Department of Mines and Energy and the Power and Water Authority with these hybrid systems, and I would like some explanation from the minister in that regard. The privately-funded research and development of the system in operation at Alcoota Station is a great breakthrough and every Territorian ought to be proud of it. I believe that it is a very significant innovation.

The power generation story at Engawala, the Aboriginal community on Alcoota Station, is not so fortunate because the system does not work - at least, it was not working at the time of my most recent visit. I understand that, during the last couple of months, possibly since June, the system has started to operate. I point out that I wrote to the minister in March 1989 asking what had happened to his undertaking to establish a power supply at Engawala during the 1987-88 financial year. He wrote back in April last year saying that he expected it to be operating by the end of July 1989, which would have been 12 months after the government's undertaking was given. I have to tell him that it took another 12 months. It did not happen until June 1990. An undertaking that should have been accomplished by June 1988 was not accomplished until June 1990.

I suggest that the minister should explain why that power generation system, which I understand is another hybrid system, took so long to accomplish. I do not expect him necessarily to have the facts and figures at his fingertips, but I believe that, if he is genuinely interested in efficient energy management in the Territory, that little case study is worth closer examination. Whilst the Top Power system at Alcoota Station has been a great success, the government's record with respect to what I believe is a hybrid system that is at least similar in concept has been far less than successful.

In conclusion, I want to encourage the honourable minister to keep turning green. I believe that he shows a progressive approach when he has the courage to stand up in this Assembly and talk about his greenish tinge. It is only a tinge and I think that some time will pass before he starts walking hand-in-hand down Mitchell Street or anywhere else with the Minister for Conservation. However, this statement represents a substantial step towards the greening of the minister. Whilst he has a long way to go and some questions to answer in respect of issues which I have raised, he is to be encouraged in making statements of this kind.

Debate adjourned.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 281)

Continued from 2 May 1990.

Mr BELL (MacDonnell): Mr Deputy Speaker, this bill is a relatively minor amendment that I understand is acceptable to the legal fraternity. It will enable recent graduates of law schools elsewhere in the country, who have not had their degrees conferred, to commence their articles of clerkship before those degrees are conferred. I note the amendments to the various sections of the Legal Practitioners Act and I indicate that the opposition supports the proposal.

Motion agreed to; bill read a second time.

See Minutes for amendment agreed to in committee without debate.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I move that the Assembly do now adjourn.

I would like briefly to add my words to those of 1 or 2 members last evening with regard to the untimely death of Jim Gallacher. I first met Jim in excess of 25 years ago, probably 27 years ago, when I first came to the Territory. I have known him right throughout that time and known of his works. I have witnessed the changes that he has brought about through his wisdom and understanding of the people for whom he worked. I have always had the very deepest respect for him. Jim Gallacher was a man of very great wisdom. He was a man of great caring and a person whom people from all walks of life regarded as a friend.

When I was on Bathurst Island in the early 1960s, Jim Gallacher was a regular visitor as the Director of Aboriginal Education at the time. I think that was his title in the then Welfare Branch. He was a person on whom we all relied for advice and support. I have continued that relationship over the years, meeting Jim at various times and always feeling immediately at ease in his presence. He was a person who could make one feel at ease and one could always relate to his ideas.

Jim's work for Aboriginal people over the years is second to none. He worked with Betty Watts on the Watts/Gallacher Report. When they were preparing that report, I met Betty Watts and travelled with her to attend a conference in Darwin in the 1960s. There is no doubt that the work that he did in those days set the direction of Aboriginal education in the Northern Territory.

More recently, as the Minister for Education mentioned last night, Jim was on the Batchelor College Council. He was also a member of the Northern Territory Local Government Grants Commission. He had been a member since its inception and his work with the commission was invaluable because of his wide knowledge of Aboriginal communities in particular and also all communities in the Northern Territory which receive grants through the commission. That expertise and knowledge was invaluable to the other members of the commission. Jim continued in that work until the time of his

death. He will be a very difficult person to replace on the commission because people of his calibre and understanding are becoming few and far between. There are not that many people around who can provide the type of expertise that he had. Undoubtedly, we will find a replacement, but we will miss that valuable advice that he has been able to provide to the other members of the commission over the years.

I add my condolences to the family of Jim Gallacher. I did not know Jim's family as well as I knew him. I had met his wife and son but I did not have the close friendship with them that I had with Jim. Nevertheless, I understand their feeling of great loss, particularly in the circumstances of Jim's death which was sudden and quite unexpected.

I would like also to say a few words on the very untimely death of Wing Commander Ross Fox. I did not know Wing Commander Fox particularly well. I had met him on a number of occasions over the last couple of years. I recall the first time that I met him standing outside an F/A-18 on the tarmac at Tindal. I wondered who the young fellow was. He looked like a kid of 19 in his flying suit and helmet. He had a broad smile and the look of a very young character. His whole demeanour was one of fun and a love of life. Over the last couple of years, I have met Ross on a number of occasions. He has been at functions in Katherine which I have attended. He has taken part in the life of Katherine. He would be at ICPA functions and other functions in the town. He was very much a part of the Katherine community.

Ross was the sort of person who would go out of his way to say hello. He always had a happy and vibrant personality. I met his wife on one occasion very briefly. I offer my condolences to her and her children. The loss of Ross Fox, particularly to his family, but also to the 75 Squadron, to the RAAF generally and to the wider community has been a great one. I wish the family the very best. Whilst I know that it will be a long time before they can get over the loss of a husband and father, they will accept that he died doing what he enjoyed doing most and that is flying an aircraft.

Mr FIRMIN (Ludmilla): Mr Speaker, I would also like to speak on precisely the same 2 subjects this evening. I met Jim Gallacher very soon after I arrived in Darwin 25 years ago. In fact, I think it was the day after I arrived in Darwin from Perth. The then manager of the company I was joining, a close friend and associate, Don Tozer, introduced me to some of the senior business people and well-known public servants at a club of which I became a member and have continued to be a member continuously for the last 25 years. I refer to the Darwin Club. I remember that we visited the club on the second day after I arrived in Darwin and we met Jim in company with other members of the Territory community who are probably as well known to members of the Assembly as Jim was. I refer to people like Martin Ford, Harry Giese, Ted Evans and others who were in the public service at that time. They were close associates in the field of providing education, health and other facilities to Aboriginal people in remote areas.

I remember meeting Jim on that day because I was always a keen snooker and billiard player. I met these chaps at one of the many snooker tables at the Darwin Club. I remember that Jim was a spritely young man who had a great sense of humour and a lovely smile on his face. A keen sense of fun seemed to exude from him. He was always willing to tell a good yarn and was very perceptive. He displayed a keen insight in the many conversations that occurred around the snooker table and in other parts of the Darwin Club over those years.

I used to meet him on occasion out bush. In those next few years, I became involved with the YMCA and provided workers for Aboriginal communities far and wide around the Northern Territory. I met up with Jim, Martin Ford and Ted Evans on various occasions. In fact, I went to them on numerous occasions for advice in relation to putting certain people out into a community. I asked them for assistance in tackling some of the problems that we found in those days with the services that we were trying to provide through the recreational and educational facilities of the YMCA.

I had a great deal of time for Jim Gallacher even when I became involved in local politics. Jim never made any secret of his political views. He supported the Labor Party most ferociously throughout his life. However, he did it well and he had a clear understanding of where he was at. He was a fair man in the way that he discussed the Labor Party's options and ideals. He had a good sense of where he was going and where he wanted the party to go, and we had many discussions about the political aspirations of our respective parties during our arguments about the way in which the Territory should develop. He was fiercely loyal to the Aboriginal people, particularly in the way in which he serviced them, and he had a long-term goal for them which has been demonstrated over the years by the way in which he has supported them.

I did not see a great deal of Jim in the last few years following his retirement. He tended to move away from his snooker and billiard activities, as I did, and instead played bowls rather more often. Bowling is not my sport and, as a result, we did not see each other a great deal. Consequently, I lost track of him for a while until a year or so ago when I had occasion to ask for his opinion on some subjects that I was a little worried about in relation to my service in the Assembly. I was really pleased that he helped me clarify certain matters, and I thanked him very much for that.

It is sad to see people of Jim Gallacher's ilk pass away from the fabric of the Territory scene as has happened with some others of his age group in recent years. The Territory will be the poorer for his not being available to provide a balance in the Territory lifestyle. I sympathise with his family and commiserate with them on their loss.

Another death recently also touched my life to some extent, perhaps not to the same degree but it brought the same sense of sadness. I refer to the death of Wing Commander Ross Fox, the leader of 75 Squadron. Like my colleague, who has just spoken so eloquently, I did not know Ross particularly well. I met him at mess functions. Occasionally, he came to Darwin with the squadron and I am an honorary member of the mess. I used to meet him there and talk to him at the bar. I found him to be a man of high ideals. In fact, to be quite honest, I found him to be an incredible man. As the honourable member mentioned, for all his maturity, age and ability, he exuded a most unusual and buoyant youthfulness and a zest for life seemed to ooze from him. He always had a presence. No matter where he was within the mess or outside of it, one felt that he was bubbling over with life and wanted to get on with the interesting things that he could do.

I had not met his wife until the recent memorial service was held in Katherine the other day, and I am sorry that I had not had an opportunity to meet her prior to those very trying circumstances. That must have been a very difficult day for her in Katherine last week, and certainly I only met his children at that time.

As I said to Marty Susans, the Wing Commander in Katherine, one of the things that stood out for me was not simply the support and the anguish clearly apparent in his squadron on his passing, nor that the tributes that came from within the service in such a fine manner but, as my colleague said a moment ago, the enormous sense of loss and the expressions of regret at his passing evidenced by the fact that people had travelled from such remote localities within the Northern Territory to pay tribute to Ross. Several members of the ICPA drove from the extreme borders of the Northern Territory for the morning service in Katherine to demonstrate their support for the family and to pay tribute to Ross and the things he did for the community in the short time he was here.

I wish his family well. I offer them my sympathies. Certainly, I offer my sympathy also to the remainder of the squadron. They will have a difficult period while they regroup and get on with the job again. It is always a very difficult period in a small squadron like 75 Squadron when the leader is lost, especially in such exceptional circumstances, and it will take some time before the squadron starts really to function at top peak again and to get over the untimely death of Ross Fox.

Mr LANHUPUY (Arnhem): Mr Speaker, like the members for Victoria River and Ludmilla, I would like to place on record my sympathies for the family of the late Mr Jim Gallacher who died on 23 July. It is with great pride that I stand in this Assembly and indicate the time that I have spent personally with Mr Jim Gallacher and his family. He was a man who always had a great willingness to assist people from all walks of life.

Other speakers, including the Minister for Education yesterday, have detailed the history of Mr Gallacher's life and therefore I will not repeat that. However, I would like to place on the record my appreciation for a man whom I came to know and love. As we have heard from previous speakers, on his first appointment, Jim Gallacher arrived in the Northern Territory to take up a post in an outback community at Areyonga with which the member for MacDonnell would be very familiar. I believe Jim Gallacher spent his first year in a shanty, teaching children from that community and I believe that one of his first sons, Jamie Gallacher, was born at Areyonga.

I think it was the training that he received and the outback atmosphere which made Jim the man he was - dedicated and able to tackle the climate as harsh as it was in Alice Springs. I believe that that was what made him the man that he was. This all happened before my time. Later, however, I heard of Jim Gallacher when I was at Galiwinku. He and Professor Watts, I think it was, came through Arnhem Land looking at the educational programs, and the school curriculum for the Aboriginal communities in my area. Certainly, I appreciated the man's efforts. He found the time to sit down with people to speak about their ways and their aspirations, and the direction in which they wanted to go in so far as education was concerned. That impression stayed with me. When I grew up, I went to Kormilda College to find that the man who had been involved in the preparation of such a report was still taking part to ensure that the recommendations that he had put forward in that report were carried through by the department and through the education system.

I will always remember the late Jim Gallacher because he was of great assistance to me in gaining my first employment during the early 1970s. Honourable members who have spent some years in Darwin would remember that the then manager of the National Bank was Mr Jack Bright, a very good friend of Jim's. They played bowls together and I think it was then that Jim Gallacher mentioned to him that he had an Aboriginal fellow who was due

to leave Darwin High School and was looking for a job. He had a yarn with Jack Bright about the possibility of my getting a job with the National Bank in Darwin.

Mr Speaker, had it not been for Jim, I would not be where I am. He assisted me a lot personally. He assisted me in getting my first job for me and was always available whenever I needed help. Coming from a bush community to a life in Darwin was rather difficult socially. For a person from a remote community, it was a bit difficult to establish a stable life pattern and I found the assistance given to me by Jim and June very valuable during that time.

On behalf of myself and many people in the Northern Territory to whom Jim became known as a friend, I would like to express my sympathy. I would like to express my appreciation of the assistance that he offered to people like Gatjil Djerrkura, Harry Nelson and others whom he came to know very well. At his funeral on 26 July, it was evident from the number of people who were present that we had lost a great Territorian, a very good friend and a battler. I would like to express my condolences to June, Jamie, Helen and Robin on the loss of Jim Gallacher.

Mr Speaker, I would like to close by quoting the speech made by His Honour the Administrator at the funeral of the late Jim Gallacher:

> So it is that we will always remember this man who shouldered so many responsibilities and who gained satisfaction from giving to others, never taking. We will all miss him and we, who feel part of this Territory, will not forget the contribution that he has made. He stood tall, spoke up for what he thought was right, and he understood the importance of honesty and effort in his services to others and to his country.

Mr VALE (Tourism): Mr Speaker, this afternoon, I would like to pay tribute to 3 former residents of central Australia who have died in recent times. The first is the late Reverend Tom James Fleming who was buried in Alice Springs several weeks ago. I was fortunate to meet Tom Fleming in the early days of Yuendumu, when I was first campaigning out there. The thing that impressed me about Tom and his wife Pat was that both of them had such incredible energy. They were both very much involved in all aspects of the community, both in Yuendumu and Alice Springs, where they retired. They threw themselves wholeheartedly into community activities.

Some of those activities focused on the church and the district surrounding Yuendumu, and later they included the National Trust in Alice Springs. Politicians who locked horns with Tom Fleming on any issues related to the National Trust in central Australia would know that he was a pretty determined and fierce fighter when it came to pursuing the interests of the trust. As I said when I performed the opening ceremony at the restored Hartley Street Grammar School, Tom Fleming had one decided advantage over politicians. Inasmuch as he was deaf and used a hearing aid, he was able to make his point. If he did not want to listen to you, quite often he switched the hearing aid off so that he could not hear your response.

Tom was one of the most remarkable men I have ever met in central Australia. As I intend to do in respect of each of the 3 gentlemen about whom I will speak this evening, I will read into Hansard some of his life history. In the event that a historian comes across this information in

Hansard, it will provide an accurate description of the backgrounds of these 3 men.

Tom Fleming was born in 1909, at Footscray, Victoria. In 1914, his family moved to the then new suburb of Altona, which is near Footscray to the west of Melbourne, and he was educated there until he reached the age of 14. When he left school, he took up an apprenticeship and eventually became a qualified fitter and turner. If my memory is correct, he worked for the Victorian railways. From his early 20s, his ambition was to work with Aboriginal people. He realised that this was best done through the church. In 1932, he joined the Victorian Baptist Home Mission and, after 2 years of ministry work, he was accepted at the Baptist Theological College in Melbourne. He graduated and was duly ordained into the ministry in 1937. Tom had found his life's calling.

During the next 3 years, he ministered at various Victorian churches until, in June 1940, like many of his fellow countryman, he enlisted to fight in the World War II. During the Australia Day weekend in 1941, Tom married Miss Daisy Wallace, or Pat as she preferred to be known, a local schoolteacher from Altona. Pat farewelled her soldier husband when he left a short time later for Malaysia as a welfare officer for the YMCA in the AIF. Tom was there when the Japanese invaded. He was taken prisoner of war and sent to the notorious Changi prison camp. For the next 3½ years, his wife had absolutely no communication from him and did not know that he was alive.

In the meantime, Tom was transferred from Changi to a prison camp in Borneo. Of the 2000-odd prisoners who were captured at the same time, only a handful returned. The prisoners became very resourceful. In Tom's camp, 179 men were penned on an acre of ground. They attempted to grow vegetables to stave off the inevitable scurvy and malnutrition.

That brings to mind a story which was told at the funeral service for Tom Fleming in Alice Springs several weeks ago. Honourable members who knew Tom would recognise that he was a fairly short man. One of the most moving remarks made at the funeral ceremony concerned Tom's return to Victoria after the war. His family went to meet him. His older brother who, I gather, was a little taller than Tom, ran along the railway station platform shouting out for Tom. A hand went up in the crowd. It belonged to a very thin and underfed man who said: 'I am Tom'. His brother put his arms around him and lifted him up. After his treatment in Japanese prisoner of war camps, he weighed less than 6 stone.

In the camps, rough lean-tos were constructed out of any material the prisoners could lay their hands on. They even stole barbed wire from the camp's perimeter fence, removing the barbs and using them as crude nails. They fashioned wire mattresses to get them off the ground and away from the insidious insects which contributed to their misery. They played bridge, organised study groups and did anything they could to keep their minds active. The Japanese regularly held death marches, long treks designed to weed out the weaker prisoners. Tom was scheduled to participate in one such dreaded march in August 1945 but, luckily for him, the war ended the week before he was due to go, and so he survived.

Tom returned to his wife almost totally deafened by his years of deprivation and with gastric problems that were to bedevil him throughout the remainder of his life. He weighed a mere 6 stone, but he had survived. The Flemings travelled to the Territory in 1950 and spent the next quarter

of the century in Yuendumu where both their children, Adrian and Joel, were born.

It is interesting to note that, on Pat and Tom's retirement, they went on a tour around the world. Their next door neighbours at Yuendumu had been Bill Waudby and Audrey Attwood, who lived on Central Mount Wedge Station, some 100 km away. During their overseas trip, Tom and Pat Fleming were outside Buckingham Palace for the changing of the guard. Tom looked sideways and there, standing right beside him in a huge crowd in London, was Bill Waudby from Central Mount Wedge Station. Tom was not one to swear but Bill Waudby said that he really let fly with a few well-known centralian adjectives on that occasion. It really is a small world.

Over the years, Tom gave religious instruction twice a week to the Aboriginal children. He built a church, visited the neighbouring stations and became involved in all the activities in the community and its surrounds. Schooling was primitive. The bush children had to be bathed, dressed and have their hair cut to get rid of head lice before they could start school. Pat decided to educate her boys at home with the aid of correspondence lessons from Victoria. There was no School of the Air in those days. When the boys were old enough, they were sent to boarding college in Adelaide.

In 1971, in the New Year honours, Tom was awarded an MBE for his services to the Aboriginal community. He also became a Justice of the Peace and, later, honorary padre of the RSL in Alice Springs. Some members would know that for many years he read prayers at the annual Anzac Day ceremonies at the top of Anzac Hill.

The Flemings travelled abroad for a while, getting Yuendumu out of their systems before returning to the Territory late in 1976. Early in 1977, one of their station neighbours, Mrs Braitling, was struggling to interest the National Trust and Alice Springs residents in preserving places of historical interest like the old jail and the Hartley Street School. The late Mrs Doreen Braitling was another terror of politicians when she decided to dig in on National Trust issues. Tom tackled the challenge with all of his usual enthusiasm and I must say that he was backed by a tremendous amount of support from Pat. It was largely through his efforts that those 2 important buildings were restored and saved for future generations to enjoy. He served 4 terms as President of the National Trust in Alice Springs and his name has become synonymous with that of the trust. He became a life member of the trust in 1984.

Over the years, Tom and his fellow survivors from Borneo had regular reunions. The next was to have been held in Sydney next month, and Tom was looking forward to seeing his old mates again. Sadly, it was not to be. On 2 July 1990, the Reverend Tom Fleming died suddenly at his home in Alice Springs. There was no warning. He had not been ill. It is certainly the way that Tom would have chosen for himself. He had a dread of lingering illness. Tom Fleming was 80 years of age, a pioneer of a different kind, and a tremendously important and significant Territorian. I am certain that I speak on behalf of all Territorians when I extend to Tom's wife and 2 children the sympathy of all members of this Legislative Assembly.

Mr Deputy Speaker, I wish to pay tribute to 2 other deceased Territorians but I will not have time to do so tonight. I will resume my remarks tomorrow night.

Mr BAILEY (Wanguri): Mr Deputy Speaker, I rise tonight to speak briefly on an issue which is causing a great deal of concern to people in the northern suburbs. Perhaps I might begin by paraphrasing an old joke and giving it a slightly different opening line. What has 2 wheels and flies? The response, of course, is a wheelie bin. When doorknocking and chatting with people in the northern suburbs, one finds that people have 2 common complaints about wheelie bins: the smell and the flies.

Mrs Padgham-Purich: People complain about anything.

Mr BAILEY: Yes, people do complain about anything. It is interesting that a system of garbage collection was introduced against the wishes of many people in Darwin and against health advice which was available at the time. The Darwin City Council's own trial study indicated that maggots would be a problem with this type of garbage collection. Recently, I heard an entomologist say that there appears to be an unseasonably large number of flies in Darwin which he cannot explain by reference to changes in the weather or anything like that. If people look inside their wheelie bins, it is fairly obvious that the bins are the cause of the increased fly problem in Darwin.

Today, a copy paper was tabled. Its title is 'Regulations 1990 No 22, By-laws Under Local Government Act'. It refers to the obligation placed on an occupier, but perhaps it should actually be an obligation placed on the Darwin City Council. In respect of a garbage receptacle, the occupier's first obligation is to maintain it in good condition. That is fine. The second is not to permit it to 'attract or harbour flies, insects or vermin, or offensive odour'. The occupier is not to permit it to be a 'danger to public health' and must 'ensure that the lid is kept closed and tight fitting'. The council tries to tell us that the bins are fly-tight. They are not. Something needs to be done.

The council stated that, by letting a contract which involved wheelie bins, there would be savings through reduced labour costs, with only a single truck-driver being required to empty the bins. I feel, however, that there will be an increase in costs when it is realised that, for health reasons alone, a second weekly collection is required. We are in the dry season, a time when we would expect to experience fewer problems in terms of garbage going off than at any other time. I hate to imagine what it will be like in another couple of months when the build-up starts. People are saying that they cannot have barbecues or sit outside to eat. It is even difficult to cook inside. If a door is left open for 2 seconds, blowflies enter the house. This is something which the Darwin area has not experienced for many years. Some people have told me that there was a blowfly problem after Cyclone Tracy, but that the situation has never been as bad as it has been during the last 3 or 4 months.

The Labor candidate for Leanyer, Jim Davidson, wrote recently to the Darwin City Council asking what it intended to do. In conversations with him, he likened the number of blowflies in the electorate to the number of mosquitoes. He says that both issues need to be dealt with. I acknowledge that the problem is not a responsibility of the government. However, I believe that the government may have to take some action, purely on health grounds, to help to eliminate the scourge of the northern suburbs.

Mr PERRON (Chief Minister): Mr Deputy Speaker, I rise to pay tribute to the late Jim Gallacher MBE, a Territorian of high standing. Jim Gallacher made a remarkable contribution to the Territory over 4 decades, and his sudden death is a great loss, not only to his family and

many friends but to the countless other Territorians who benefited from his efforts on their behalf. His contribution enriched many areas of Territory life but none more deeply than the education and advancement of Aboriginal people.

Jim Gallacher was one of the driving forces behind such ground-breaking initiatives as the Kormilda College programs for training Aboriginal teachers, the Aboriginal teacher education college and, later, Batchelor College, a career structure for Aboriginal teachers and the bilingual education program which operates in many different Aboriginal languages and community schools. His impact on Aboriginal education was profound. He worked tirelessly at gaining community support for Aboriginal education programs, at getting Aboriginal people involved in the development of their education programs and at putting those programs into effect.

Jim made a lasting contribution to Aboriginal advancement also through his work as head of the Aboriginal Liaison Unit in the Chief Minister's Department and by encouraging Aboriginal people to become involved in the wider community through sports and other activities. It is true to say that he had a significant impact on the way in which many Aboriginal people feel about themselves in relation to the wider community and on the wider community's understanding and appreciation of the contribution of Aboriginal people. That is a magnificent achievement by any estimation and something for which we can all be thankful.

As most members of the Assembly realise, Jim Gallacher's community involvement and interests extended into many other areas such as Rotary, cricket, football, the Darwin Turf Club, the Road Safety Council, the Probus Club, the RSL, Legacy and bowls. Although he retired in 1985, he never stopped working for others. He was one of those totally committed and caring individuals who made people feel better for having known him. As His Honour the Administrator said so eloquently at Jim Gallacher's funeral service, 'few men so widely respected will ever rest in Territory soil'.

Mr PALMER (Karama): Mr Deputy Speaker, tonight I wish to touch on the problems facing a small nation, remote from Darwin, yet which remains dear to many Territorians and many people in Darwin. I refer to the island of Cyprus. Cyprus is one of the oldest recorded civilisations in the world, with recorded human history dating back some 9000 years. In brief, the modern history of Cyprus began with the Ottoman Turk invasion of 1571. 300 years of subsequent Turkish rule left Cyprus with a fairly substantial Turkish Cypriot population but one which at no time ever exceeded 18% of the total population of that island. For many years, the ethnic Turkish and ethnic Greek populations lived in peace and harmony, sharing towns, villages, occupations and workplaces.

Following the ceding of Cyprus to Britain in 1878, Cyprus battled for independence for a number of years and was finally successful in 1960. That independence was marred by disputes between the ethnic Greek and ethnic Turkish populations and there was some violent conflict. However, it was not a situation which was unresolvable and it was moving towards resolution. Both those communities recognised the problems inherent in the constitution of Cyprus inherited from Great Britain and they were working jointly to resolve those problems.

A military adventure, appropriately code-named Operation Attila, was mounted by Turkey in 1974 and that resulted in the armed invasion of Cyprus and the subsequent partition of that nation. Today, the consequences of that invasion are very much in evidence. 40% of Cyprus is still occupied by

the Turkish military. Turkey maintains 35 000 well-armed and well-trained troops on Cyprus. One-third of the ethnic Greek Cypriots are refugees in their own land, having been forcibly evicted from their ancestral homes. 65 000 Turkish settlers have been translocated from Turkey and have been granted occupancy and ownership of homes and property, the rightful property of the evicted Greek owners. 1619 Greek Cypriots have not been accounted for since the invasion and many of those have been positively identified as being alive following the invasion.

The cultural heritage of Turkish-occupied Cyprus has been systematically vandalised. Many of their heritage items have been stolen or destroyed. Many of the place names have been changed in an attempt to distort the demographic and historical character of Cyprus. As justification for its invasion, Turkey used that ongoing dispute between the Greek Cypriots and Turkish Cypriots about which I spoke earlier. As I said, those disputes were being resolved and, by this time, would have been of mere historic interest.

The Turkish invasion forced over 200 000 Greek Cypriots from their homes. More than that, it effectively usurped much of the pre-existing economic infrastructure as well as 70% of the agricultural and mineral potential of the nation. The occupied area contains 65% of the tourist accommodation then available and 87% of the new capacity under construction. The Port of Famagusta, which handled 83% of the general cargo, was lost. On top of all of that, the invasion forced the closure of Nicosia International Airport.

Despite those severe losses, free Cyprus knuckled down to the task at hand. As we well know in this community, the propensity of the Greek Cypriots to knuckle down and work hard was amply displayed in their homeland of Cyprus. Since the invasion, annual economic growth has averaged in excess of 8%. Exports of goods and services have grown at an astonishing rate, sometimes in the order of 24% per annum. Since that time, the government has striven to replace the lost social and economic infrastructure and has re-established quite a substantial number of displaced Cypriot citizens in new housing.

There is a problem facing Cyprus today and that is the continued occupation of the country by foreign forces. I do not pretend to have the answers to the problems in Cyprus. However, in the growing spirit of cooperation and goodwill that is being displayed between nations of late, I hope that, in due course, Turkey will recognise the rights of the people of Cyprus and allow the people of Cyprus to make decisions about the future of Cyprus - uninfluenced by outside military forces. I wish the people of Cyprus well. I hope that, in the near future, they can truly once again call themselves a united and free nation.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, over the years since self-government, the Northern Territory government has enacted legislation in many fields which has been in the forefront all over Australia. There are many pieces of legislation that have made the Northern Territory government the forerunner in particular fields in Australia. I refer not only to legislation affecting our legal framework but also legislation affecting our social, economic and community framework. We have been first in respect of many things and I do not believe that we receive credit for that in the rest of Australia. When a state enacts new legislation, usually it grabs the headlines yet the Northern Territory government's essay into that field is ignored or forgotten.

I would like to urge the Northern Territory government to do something that the federal government and the states have not done. I believe that it would be in the interests of all of us in the Northern Territory. I suggest that the Northern Territory government set up a register of some kind of all land owned by foreign interests. Whilst the Northern Territory government, the Australian government and state governments welcome investment from overseas, I believe it has to be asked why this investment is flowing to Australia. Why can't Australians invest their money in their own country and buy the station properties, the blocks of flats and the large tracts of Crown land for development? Putting it simplistically, the main reason is that we are being taxed out of existence. We do not have the money to buy our country and it is being bought by foreign interests.

If Australia or the Northern Territory is to belong to Territorians, it is very important that Australian governments, and tonight I am talking particularly about the Northern Territory government, should have a policy or law which defines and limits the amount of land which can be owned by foreign interests. I know one crosses over the field from territory, to state, to federal interests and therefore it would probably be a grey area. Perhaps the Northern Territory government could not introduce such legislation if the federal government did not. However, I believe that some sort of a register could be established.

The question then has to be asked: what is an acceptable percentage of land that can be owned by foreign interests - 1%, 10%, 25% or 100%? Are we going to lease all of our land back from foreigners? We seem to be going down that path. In the Northern Territory as well as the rest of Australia, there are registers for motor vehicles, dogs, motor dealers, dentists, radiographers and companies etc. However, for the most important thing of all, the Australian land itself, there is no register of foreign interests owning land.

At the moment, warships and young sailors have departed from Australia to fight for the interests of countries in the Middle East and, in a sense, for the interests of Australia itself. Their aim is to prevent countries from being taken over by a dominant country. At the same time, the federal government is allowing Australia to be taken over by stealth. Nobody knows how much land has been sold to foreign interests, and I am not saying that this has been done illegally. It has been done legally.

Land tenure encroaches on every facet of life, especially in the Territory. When Aboriginal land rights were introduced in the Northern Territory, they were not called Aboriginal social rights or Aboriginal community rights. They were called Aboriginal land rights because land is one of the most important considerations to any community. I refer not only to land rights in the Aboriginal context but land rights in an Australian context. Land is what national pride and patriotism are all about. A nation cannot exist without land; land is the nation. Patriotism is devotion to one's country and concern for its defence, and it is all tied up with the land. When we were attacked in the 1940s by the Japanese, they did not attack Australia to capture the politicians or to gain the recipe for our beer. They wanted to take over our land because of its strategic and economic benefits. They wanted the land.

During World War II, politicians and military commanders came up with the idea of the Brisbane line. It was a line which would be drawn across Australia from east to west, a little above Brisbane. It was decided that, in the event of invasion, all the land above Brisbane would be sacrificed for the rest of Australia. If the Japanese forces had continued the

invasion they started in Darwin in February 1942, there was to be withdrawal to this Brisbane line. I believe now that there is no Brisbane line. Instead there is a Hobart line or a southern Tasmanian line, because it seems to me that the whole of Australia is going.

I will not labour the point, but I cannot speak strongly enough of this. What was the point of the World Wars of 1914-18 and 1939-45, the Korean war and the Vietnam war, where Australians fought not only for the direct interests of their own country but for the interests of our allies, if we are now selling our country off? There is a tendency in Australia at present to treat land as simply another chattel, and it is not. Governments throughout Australia have spent millions of dollars, particularly in 1988, on trying to promote a cohesive Australian community, in promoting our Australianism, our patriotism and the citizenship that belongs to us as Australians. However, these actions have a hollow ring to them when the land, the subject of our patriotic fervour, is held on a lease-back from a foreign country.

As I said at the beginning, foreign investment is very important for our development, but any such investment should be in projects and not in land ownership. In other countries, and I believe that Singapore is one such country and probably there are others, it is a very difficult if not impossible for foreign nationals to own land. They can maintain businesses and investments there, but they cannot own land. What is so very different ...

Mr Collins: What about Japan?

Mrs PADGHAM-PURICH: Japan would be the same.

What is so very different then in establishing a register so that we know how much land is owned by foreign interests? I am not talking about prohibition at the moment. When we know how much land is owned by foreign interests, we can take action accordingly in light of that knowledge. I have to say that the sentiments I have just expressed are not mine alone. They are also the sentiments of 3 very concerned constituents of my electorate. I believe that, if they were made public, it would become apparent that many more people share the same concerns, not only in my electorate but throughout the country. I put the view forward to the government.

I know that patriotism is an old-fashioned word, and that one is regarded as being a little passe if one talks about patriotism. However, patriotism is the land. It is Australia. I believe the government could do a lot worse than to look at establishing something like a register of foreign land ownership in the Northern Territory to let all Australians see exactly who does own what land.

Mr TUXWORTH (Barkly): Mr Speaker, I rise tonight to bring to the attention of the House a meeting that was held at Borroloola recently to look at the problems with alcohol in that town. About 3 months ago, I had the good fortune to attend a meeting between local Borroloola folk and officials of the Department of Health and Community Services to discuss health services generally. That meeting went pretty well. At the end of it, the chairman asked the Aboriginal spokesman whether there was any particular matter that the people would like to discuss. They then got stuck into the grog problem and, boy, didn't they give it the rounds of the kitchen for about 1 hour. What came out of that first meeting was the

absolute concern of Aboriginals in Borroloola about the damage that alcohol is doing to them as individuals, as families and as a community.

As a result of that meeting, a further meeting was organised by 2 ladies in Borroloola. People were invited to come from far and wide to discuss the problem. I am pleased to say that about 120 people attended the second meeting which was held in the community hall. About 60 of them would have been local and probably there were about 60 visitors. Among the visitors were people from various government departments, in particular the Department of Health and Community Services which sent a large contingent to monitor and take part in the meeting, and they played a very positive role. Officers from Commonwealth departments were present also, as were people working with the Drug and Alcohol Unit in Katherine. It was a very well balanced group.

The discussion during the meeting was very informative in that the Aboriginal people started to level with themselves on exactly where they are at in relation to alcohol. Whilst it may not have been terribly stimulating for the outsiders, it was pretty encouraging to see local people taking a good hard look at themselves and what they ought to be doing. A committee of about 18 people was formed representing a wide cross-section of Borroloola. It is to be the genesis of a drug and alcohol group in the town whose task will be to assess priorities and examine how the problems can be overcome. Already, that committee has identified the need for some staff. When I say 'staff', I mean some people to work in the town in relation to alcohol education with young people.

I raise this matter today in the hope that the Minister for Health and Community Services may make himself aware of the determination that is developing among Borroloola people to try to come to grips with the troubles they have in their town as a result of grog. All over the Territory, communities are meeting and facing the fact that alcohol is doing enormous damage to communities, their families and individuals. People are ready to try to arrest the damage and to do something positive. At Borroloola, there are very positive signs. All the people need is a little support and encouragement from the government and, if the Minister for Health and Community Services can make himself aware of the moves that the townspeople are making and give them some tangible support in terms of some funding, I think that good things will result for the community concerned.

A moment ago, the member for Koolpinyah raised a matter that has been troubling me for some time, particularly because there is a station in my electorate that is virtually in a state of limbo because of the very problem that she raised. I do not know whether members have read a book called 'Yen'. It has been on the market for about 12 months, and it is quite interesting. It is a study of Japanese investment in America, in both stocks and shares and the real estate market. The authors of the book track through the enormous Japanese investment that has taken place over the last 10 to 12 years and demonstrate that Japanese investment in that country has reached a point where they have the capacity to collapse the American economy simply by dumping what they have and walking away. In short, they are now dictating in many ways how the American economy will function. The book goes into the conspiratorial and insidious possibilities that may exist for this happening but, nevertheless, it is an example of how, if they are not careful, countries can lose the control of their own circumstances to outsiders. In my view, the need for a register of foreign interests in land in the Northern Territory is now apparent, and I support what the gentle lady from Koolpinyah has said in this regard.

Mr Deputy Speaker, I raise for your consideration the acquisition of Muckaty Station some time ago by foreign interests. Subsequently, it was sold and destocked and, as far as I know, it has not operated properly as a cattle station for nearly 18 months. Members would remember the great front-page announcements in the tabloids of a futuristic city and holiday mecca that would bring tens of thousands of foreigners there. There was to be an airport, a powerline from Tennant Creek and a water supply from somewhere else. It was enough to make your stomach turn. Anybody who had been on the station knew that it was just a joke, but it has taken a long time for us to come to grips with the reality. The Muckaty purchase and the subsequent lapse in use of the land is a fine example of why we ought do something about establishing a register of the foreign ownership of land in the Northern Territory.

I do not regard the foreign ownership of land as bad at all. In fact, there is an old saying: 'What does it matter? They cannot take it away', and I suppose there is a lot in that. However, in terms of managing your economy, it is always helpful to know where your strengths and weaknesses lie and who your landowners and title holders are because, in their own way, they play a big role in how the land is used and how the economy is to be developed or not developed. We have seen foreign owners come to the Territory and make a very productive contribution with what they have done with the land. Probably there are areas of the Territory that are owned by foreigners of whom we have absolutely no understanding. In respect of the Muckaty lease, foreign ownership has not really been a very successful venture at all so far, and something ought to be done about it.

The member for Koolpinyah spoke about patriotism and how the notion of nationalism might be going out of favour or how it might not be fashionable to be talking in terms of being a great supporter of your country. The reaction that I get in the community is that Territorians, as distinct from other Australians, are very conscious about who owns land in the Territory, and they are very keen to see as much of it as possible owned by Territory people. Perhaps the publication of a register at some appropriate time in the future might give Territorians some stimulus to make a bigger effort to buy back the farm. I think that it is time we looked at the matter seriously and did just that.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, tonight I would like to raise an issue which relates to Alice Springs and to part of my electorate in the central business district which has become the subject of a draft planning instrument. I refer to the area bounded by Sturt Terrace, Stott Terrace, Railway Terrace and Todd Street. Not long ago, a private developer, one Brian Sims, put forward a proposal to buy up much of the area in order to erect various buildings which, he believed, would convey the spirit of the old Alice Springs. His proposal was objected to by many people, including the National Trust. I have one of trust's documents here, signed by the director, objecting to Mr Sims' plans for the area.

Let me present the following view in relation to Mr Sim's proposal. He proposed to buy the land which he required for his development. No doubt, he would have had to pay market price, but that fell by the wayside. He withdrew after opposition mounted. The government has now prepared a draft planning instrument pursuant to a direction of the Minister for Lands and Housing under section 39(1) of the Planning Act. The time allowed for objections expires on 31 August and there will be a hearing on the matter in early September. Those affected have been sent a copy of the minister's draft planning instrument. What it comes down to virtually is that they will not be able to sneeze without going to the Planning Authority for

permission. Any sort of building alteration or demolition will have to be approved.

In certain parts of that precinct, there are buildings which date back to the 1930s and 1940s, particularly in Hartley Street. Some have been well preserved but, in other cases, the situation would be laughable if it were not for the very serious ramifications for people in the area. For example, Mrs Carmel Rose, wife of the late Colonel Rose, has a house in the area. That house was built by her husband in 1960. It is made out of local stone and in itself it is an interesting enough building. The house which was previously on the site was demolished before the colonel built his house from stone, which really does not fit into the local pattern. Mrs Rose also owns the block of land next door on which stood a building, half of which has long since gone. She bought the land as an investment, which is a fair and reasonable thing to do in the CBD area. The building is an unoccupied shell and, if this instrument goes through, she will not be able to do anything with it, and she will certainly never be able to realise on her investment.

It is simply nonsensical to apply a blanket planning instrument to the whole area. I am sure that, if the minister visited the area and actually looked at the individual buildings there, he would find other similar examples. It is so silly that it should never have been contemplated.

Mr Reed interjecting.

Mr COLLINS: If the Minister for Primary Industry and Fisheries had a look for himself, he would find that I am telling the truth.

I believe that the member for Flynn had a property in the Billygoat Hill area, although he may have disposed of it now. I know that he had intentions of building an office block there. The area has been rezoned. It now has a B zoning, which involves certain restrictions. People have kicked up a fuss about it, but the zoning still applies. The people in those 4 houses have to pay considerably higher rates than they had to pay before. They believed that their properties were valuable and they were not making a fuss about the rates because they hoped that they might be able to realise the value of their properties under the zoning which applied then. That has all changed now.

I have a personal friend, Ralph Yates, who lives at 5 Sturt Terrace. We have known one another for a long time and I have been telling him for the last 10 years that it is time that he demolished that house. It is a fire trap. It is beyond repair. He has lived in the house for some 28 years and therefore he is no fly-by-nighter hoping to make a quick quid out of buying up an old property and having the zoning changed. He actually went into the house as a temporary measure because it had been condemned by the Housing Commission.

Mr Vale: They are nice old houses though, Denis.

Mr COLLINS: It is not a nice old house in any way, shape or form. The Minister for Tourism ought to have a close look at it. It is a fire trap and it is beyond repair.

Mr Baden Florance lives just 2 houses from Mr Yates. He was about to leave the Territory, after many years service with Telecom, to go to Kangaroo Island to look after his aged parents. He believed that it was in his best interest to sell up the property which he had lived in for a long

time. He fought hard to purchase the house, and honourable members would know that it took a very long time for some people employed by the Commonwealth to be able to purchase their own houses in the Territory. He had hoped to realise a reasonable amount of money and, in fact, he had a buyer. However, the real estate agent did the right thing and told the would-be buyer about the draft planning instrument. The person had a look at the instrument and promptly lost all interest in the property.

We need to bring some reason to bear on this situation. I have always said that, when it comes to preservation of buildings for a purpose, those buildings must be thoroughly checked to determine whether they are really worthy of preservation and do not resemble the shell of a building on the block owned by Mrs Rose. She has been told that she cannot do anything with it and, certainly, nobody would ever want to buy it. These people have lost the freehold rights which we, as Territorians, generally enjoy. We face certain restrictions but, in many ways, we have a great deal of freedom. These freedoms have been taken away from the people concerned and there is only one fair way out of this. The government must assess each individual block in terms of its preservation value. If a property is deemed worthy of preservation because it reflects the style of the 1930s or 1940s, the government should purchase it at the market price. Properties which do not fit into that category should remain as normal freehold blocks.

The zoning will affect even a new building, which contains a veterinary clinic, that was built some 3 or 4 years ago. The people involved with the clinic are scratching their heads and asking why on earth they should suddenly find themselves in a heritage area. I wrote to the minister a considerable number of weeks ago, particularly in respect of Mr Yate's property. I have received an acknowledgement but not a reply. This issue is causing considerable heartache to many people and I think the government should come clean on it. Let us preserve those buildings which are worth preserving, if the government can afford to do it, and let us exempt those buildings which are definitely not worth preserving and that do not fit in with the government's aims as stated in this draft instrument. It makes no sense for the veterinary clinic or the doctor's surgery, which are only a few years old, to be put into this area.

I would ask that common sense apply in this matter. A number of people are under a real cloud. Mr Yates is to remarry during the next few weeks and he would dearly like to get rid of the old family property and some of the memories that go with it. If this draft instrument becomes law, no one would ever take that property on. He certainly would not be in a position to keep up the maintenance. It is grossly undemocratic and unfair and I ask the minister to examine the matter most carefully.

Certainly, some of the buildings in the Hartley Street area should be preserved. One of them was owned by the Commonwealth. The minister referred to Reverend Tom Fleming and the restoration of the Hartley Street School. That could have been accomplished 2 or 3 years earlier. Papa Luigi offered to spend at least $250 000 on that school and the deal nearly went through. The Commonwealth was prepared to relinquish that building for the toy library and the play school, and the National Trust had promised that the old library could go into the Hartley Street School.

I approached the present Minister for Mines and Energy, who was then in a different portfolio, for the difference between the value of that house and the house which the Minister for Lands and Housing had promised to swap. Had that been accomplished, Papa Luigi would have taken over the old school and spent $250 000 to restore it. He would have refurbished it and

put in all the memorabilia, and it would have attracted large numbers of people. He wanted it to become a restaurant, as local people would know, and he was prepared also to contribute something like $50 000 per year as rental for the National Trust. None of that came to fruition and I had quite a few battles with the Reverend Tom Fleming. I am certainly not unhappy with the outcome, but the school could have been restored much sooner and the National Trust would have had a very good income which would have allowed it to achieve much more.

A comparatively small number of people are suffering because of the present situation and I dare say they are thinking: 'There are only a few of us. We do not matter. The government will be able to say that it is doing something for planning and conservation in the central business district in Alice Springs'. Let us adopt a commonsense approach. Let us preserve what is worth preserving and let us not penalise unnecessarily people who are in an unfortunate situation at the moment.

Mr HATTON (Conservation): Mr Speaker, I rise to respond to some of the points made by the member for Sadadeen. Perhaps I can give him some understanding of what we were seeking to do in the area and show that we are not attempting in any way to harm individuals unreasonably in the process.

As honourable members would be aware, for many years now, the people of Alice Springs, particularly their vocal spokespeople in the Alice Springs Town Council, have been arguing, fighting and scratching about how somehow the character and the feel of the old Alice Springs are being lost. They have complained that the character and heritage of the old town of Alice Springs were being eroded by the rush of new development that was occurring in in the town. All honourable members would be very well aware of the arguments and disputes that occurred over the demolition of Turner House. Each of us has vivid memories about the controversy that arose during the period of the Flynn by-election in 1988, which centred on the tearing down of the facade of the old Marron's Newsagency. There has been a range of similar arguments and fights in Alice Springs.

The fact is that many of the old houses in Alice Springs have been preserved: the old Hartley Street school, the Residency and the old courthouse, which has now been brought under the control of the Museums and Art Galleries Board, and a number of other old houses. I ask members to bear in mind that the community has been calling for something to preserve the feel of the old Alice Springs. On many occasions, various honourable members have spoken on this subject. The government has been listening and we have looked at the Alice Springs area.

That area includes the old buildings in the hospital complex, where the current Rural Health Services are, some of the facilities for the Flying Doctor Service near Billygoat Hill, some of the old buildings on the current jail site and houses in that area from Hartley Street up to Stott Terrace. There is quite a good collection of the houses of the 1930s and 1940s and a range of accommodation. It does have much of the shape and feel of the old residential Alice Springs. Certainly, there are modern houses in that area too, but we looked at that and decided that it might provide an appropriate location to develop a precinct to capture and hold the feel of Alice Springs for which the people of Alice Springs have been calling for so long.

However, we are conscious of the fact that we do not have heritage legislation in place. I am keen to note that the member for Sadadeen is so interested in this. Although we do not have any heritage legislation in

place at the moment, we are well down the path to having such legislation drafted for introduction.

Mr Bell: What is it? 11 years now?

Mr HATTON: I knew the honourable member for MacDonnell would not be able to contain himself much longer. He will be aware that I tabled a draft bill in the House earlier this year. We have received a wide range of submissions. A committee of community representatives is working with the Conservation Commission and they have now completed drafting a bill and I am very hopeful that I will be in a position to introduce a bill or draft bill for public consultation at the next sittings. We are that close, and it will be a dramatically redrafted proposal.

Be that as it may, in the legislation in place at the moment, there are very limited powers to enable government to prevent people demolishing buildings. In that particular precinct, much of the zoning was a business zoning and we were concerned that, if we revealed an interest in declaring that area a heritage precinct, some unconscionable people might seek to move in quickly with bulldozers and circumvent any potential to create that precinct by a quick clearing of some of the old buildings. For that reason, until heritage legislation is in place, it was proposed to introduce a planning instrument to limit and control what can happen there in order to prevent people precipitately demolishing the area in an attempt to limit the ability to create such a precinct and so maximise their profits through the construction of office blocks under the business zoning.

That is a temporary measure in anticipation of heritage legislation coming into place, and whilst the study is being carried out in relation to the appropriateness of that area as a heritage precinct. A planning committee has been established which includes local representatives and all local representatives on the National Trust. It is working with a consultant who has been given a brief to develop proposals for the area. His report is anticipated by the end of November. When that report is in place, the government will be in a much better position to make some firm decisions.

In respect of the individuals that the member for Sadadeen referred to, there is no intention that they should ...

Mr Collins: It is already happening.

Mr HATTON: What has happened is that a temporary block has been put on the zoning so people cannot move to demolish buildings and clear the area. I have said that already, as you would have heard if you had not been talking. That has been done so that people will not be able to act in that way. We saw the Turner House exercise and the Marron's Newsagency exercise. We do not have legislative powers to prevent demolition at the moment, and we needed to do something in the interim until heritage legislation was in place.

I can advise honourable members that neither I nor the government support the view that, because the community decides something is of great community heritage value, any individual should pay that particular cost. It should be a cost to the community as a whole and, in the heritage legislation, we are proposing that, where a property is declared a heritage property, the owner of that property will be entitled to compensation for loss of the value and for loss of the amenity of their property. There will be opportunities also for its sale because we will be encouraging private

ownership under appropriate structures and for appropriate uses in that area. I have just said ...

Mr Collins: One potential buyer turned away because he would not place himself under those restrictions.

Mr HATTON: Mr Speaker, if he did not listen to what I just said, because he wanted to talk to other people, the member for Sadadeen will have to read what I said in Hansard.

Mr Collins: That is what Hansard is for.

Mr HATTON: Nobody will be disadvantaged. The decisions will be taken by the end of this year. We could not responsibly propose a heritage precinct and leave it open for anybody to go in with a bulldozer and clear blocks of land and undermine any potential intention. The planning instrument is proposed as an interim hold.

I might say that the level of hypocrisy that we meet in people when it comes to heritage matters is really very frustrating.

Mr Collins: I have always been consistent on heritage matters.

Mr HATTON: When the government does nothing, and something is knocked over, everybody is immediately pro-heritage. They ask why the government did nothing to prevent it. Why didn't the government do this and why didn't the government do that? When the government does take action to protect heritage, they ask why the government is interfering with their rights or somebody else's rights. I have heard of the amazing situation where the Alice Springs Town Council - one of the strongest voices speaking out for the protection of Alice Springs heritage - has written to us saying that this might reduce its revenue from rates and therefore the government should compensate it for the loss of revenue as a result of the declaration of a heritage zone. If the Alice Springs Town Council is serious in its protestations, I think it should waive the rates on any heritage property and make that its contribution to the protection of that heritage.

Mr Bell: Which property are you talking about?

Mr HATTON: I am talking about that potential Hartley Street precinct area. The council wrote and suggested that perhaps we should consider compensating it for the potential loss of revenue if it were declared a heritage zone. I think that is hypocritical nonsense.

Mr Bell: So do I.

Mr Collins: So do I. I have never varied from my view that, if something is to be preserved, it should be bought at market value.

Mr HATTON: That is the problem we face with heritage. If heritage is to be preserved for the community, then the whole community pays. Therefore, through government or council or whoever, the community should compensate people for the loss of the value of their property or loss of amenity. Secondly ...

Mr Collins: Do you want me to take that back to them? I certainly will.

Mr HATTON: You certainly can. It is in the draft bill and it is proposed that the heritage legislation will provide for that.

Mr Collins: It is not in here.

Mr HATTON: It is not in here. The current instrument is a holding measure to stop people from knocking things over and circumventing our ability to create a precinct.

Mr Collins: When will the draft bill be introduced?

Mr HATTON: I am hoping to introduce it at the next sittings. I have said that 3 times in this speech already.

I would like the people in that area to be assured that, firstly, if there is any loss of amenity or value, it is our view, under the heritage legislation, that they would be compensated for that and, secondly, the consultant has started working to the planning committee. We expect to have the results of the consultant's study by November and the recommendations for that area. They will look at all the types of issues the member for Sadadeen spoke about, such as the houses around Billygoat Hill and those other places, and make recommendations on an appropriate plan for the area. It may well be ...

Mr Collins: That sounds good news. However, you would do yourself a lot of good by telling the people. It would be easy enough to put them out of their misery.

Mr HATTON: Mr Speaker, that is what the planning process is about. At the moment, we are looking only at a holding situation between the decision to carry out the investigation and its completion, and the introduction of heritage legislation. We are moving to put that planning instrument in place for the purpose of stopping people wantonly demolishing areas to undermine any potential development of the precinct. It is not a long-term, fixed planning instrument. It was announced by the Minister for Lands and Housing at the time that that was the purpose for which it was being introduced, and the Alice Springs Town Council was advised of that.

Mr Collins: It is not clear from what the people have got so far.

Mr HATTON: I hope that the honourable member is now in a position to advise the people in that area that they should not be as concerned as they may feel at the moment, and I have had other representations myself.

The final point that I would like to make in respect of this precinct is that we received a suggestion from a particular businessman in Alice Springs to locate some buildings in that area and develop a precinct. He came up with the idea when he heard that we had been discussing the precinct there. I must say that I certainly did not, do not and would not support that proposal. To clarify the situation, the proponent was intending to bring the set from a movie called 'Quigley Down Under' and relocate the homestead facilities in separate buildings - these are temporary polystyrene shells - in the area to create a pseudo-Disneyland heritage precinct. That is not what we are talking about for this area. We would not have supported the 'Quigley Down Under' set relocation proposal in the Hartley Street heritage area. We are examining whether that area can be developed to preserve a heritage precinct in Alice Springs which will provide a focal point for tourism and other activities in and near the central business district. It has great potential.

Let us await the consultant's reports. I ask those citizens who may feel that they are directly affected to wait and to note that our government has always held the view that individuals should not suffer as a result of a community decision. The community should meet any cost of an individual's loss of amenity or property value resulting from public interest decisions that may be taken. That is a view that I hold very strongly. It is a view that the Country Liberal Party has always held very strongly. It underpins what we are proposing to do in respect of our heritage legislation.

Mr BELL (MacDonnell): Mr Speaker, in September last year, I had the privilege to accompany the member for Ludmilla and the Deputy Clerk of the Assembly to the 20th Australasian and Pacific Regional Conference of the Commonwealth Parliamentary Association in Kiribati. I want to table a brief report that I prepared as a result of that conference. Before I do so, I want to thank honourable members for the opportunity granted to me to participate in the conference. I would like also to make a few comments in respect of the advantages of such backbenchers' conferences.

I have a few friends who have been rude enough to refer to the Commonwealth Parliamentary Association Conference as a junket. I thought that was particularly unfair and that was one of the reasons why I wanted to mention it today. It is very important for members of the Territory's Assembly to visit places like Kiribati. So often, we become caught up in our day-by-day concerns in representing our electorates, in pursuing issues in relation to portfolio matters and developing policy etc, that we rarely have the opportunity to compare and contrast our activities with those in other places.

I found the opportunity to visit Kiribati a particularly valuable one. The participants came to the conference from many places. Participants came from the Australian states, the Cook Islands, Vanuatu, Western Samoa and Tuvalu. There were observers from the UK, Singapore, Hong Kong and Malaysia. A number of issues were regarded as important. The environment was high on that list and papers were presented on waste dumping and drift-net fishing. It was interesting that, subsequently, I noted that Japan made an announcement that it would stop drift-net fishing. That was a matter of some concern to many of the countries there. Other papers delivered were on development assistance to Pacific countries. I was very impressed with the identity of the Pacific island nations. That was something that impressed me deeply.

I delivered a paper on language and parliamentary democracy. I explored some of the issues involved in representing non-English-speaking people in a parliament that conducts its business in English. Some interest was shown in that paper.

In addition to the conference itself, aspects of local history and culture were particularly interesting. We had a crash course in Kiribati music and dancing. Both the Protestant and Catholic churches provided wonderful hospitality at which performances were a very important ingredient. One of the highlights of the trip was a visit to North Tarawa and the opportunity to visit some of the sacred sites there - I am not sure what the local term is. I was deeply impressed to hear the older men talking about the grave of one of their ancestors. It was an old woman who had been buried sitting up, facing the sea and overlooking a lagoon. They referred to the practice of local fishermen placating her with offerings and conversation in the hope that they would catch plenty of fish and that they would be able to ward off sharks. There were other areas that were of particular interest as well.

I have included some comments about the future participation of members of the parliament in these conferences. If one becomes involved, not only in the conference process, but also in study and conversation in the local context, it is a very valuable experience. I have included some features of the itinerary.

In conclusion, I would like to pass on my thanks not only to my fellow participants, the Deputy Clerk and the member for Ludmilla, but also to the staff and members of the parliament in Kiribati who worked so hard to make the conference successful. They certainly provided some wonderful hospitality. I very much appreciated the opportunity to participate. I seek leave to table my report on the 20th Australasian and Pacific Regional Conference.

Leave granted.

Mr BELL: Mr Speaker, another valuable experience that I had in recent weeks was the opportunity that presented itself quite by chance to visit CSIRO-SEC. This is the Territory's part of an Australian-wide network of science centres for school students and for teachers. This is a network jointly-funded by the Commonwealth Scientific and Industrial Research Organisation and the State Education Authorities.

I was very interested to be briefed on the Science Education Centre by Terry McClafferty. He spent a considerable time explaining to me the experiences that are provided to both primary and secondary students at the centre. As a former teacher, I have to say that Mr McClafferty communicated to me his enthusiasm which I am sure is passed on in the same way to students who visit that centre. In order to give honourable members some idea of the centre, I should point out that there are a number of activities which involve equipment which is not available to students elsewhere.

There are various exercises with data loggers, chemical refrigerators and thermistors where data is logged by computer. There is also an experiment involving electricity consumption in which students measure the consumption of various household appliances. I note that this particular activity is, to quote the document, 'proudly sponsored by the Power and Water Authority'. There are also exercises in calorimetry in which students use multimeters to assess the concentration of particular solutions. There are some studies in radioactivity where students use what is called a Geiger-Muller tube to assess the radioactivity that is present in various objects in the environment.

I was very excited and very interested to have the opportunity to see those activities. I believe that both the Territory Department of Education and the minister are to be congratulated. I spend a fair bit of time criticising some of the activities and decisions of the minister and his department. In this case, I believe that they are supporting something that is worth while and so too is CSIRO under the Chairmanship of former New South Wales Premier, Neville Wran.

I believe that, in national terms, our science education programs are not as good as they have been. Our participation rates in science education programs at secondary schools are not regarded as adequate and that has been part of the inspiration for these programs. Very frequently in this Assembly, we talk about economic development and very rarely do we talk about our investment in the brain power that drives much of that economic development. I believe that there is a very practical aspect to this science education program as well as the simple pursuit of knowledge for its

own sake. I am sure that honourable members will appreciate, as I do, the importance of that particular centre for the children of the Territory, particularly those of them who will develop a keen interest in science studies.

Mr REED (Correctional Services): Mr Speaker, I want to speak briefly tonight about the Community Service Orders Scheme and the possibility for that scheme to be used to the benefit of the community which, of course, is how it was intended to be used. I am thinking in particular of litter clearance in the various centres throughout the Northern Territory where people are serving community service orders.

The Community Service Orders Scheme was first introduced in Australia by this administration and it is interesting to note that, as in so many other cases, other jurisdictions have followed our lead. The scheme gives people the opportunity to provide a service to the community in lieu of payment of fines, to the extent of $100 per day.

Earlier this year, I wrote to the town councils of Alice Springs, Tennant Creek and Katherine and the Darwin City Council, suggesting that they might take greater advantage of the Community Service Orders Scheme, particularly from the point of view of litter clearance and urban beautification. In moving around the Northern Territory, it seems to me that these tasks could be undertaken by persons ordered by the courts to perform community service. Certainly, there is a continuing litter problem in the community. Councils incur considerable costs in cleaning up litter. It is something of an indictment on our society that the task needs to be repeated continually.

I know of areas in Katherine where the litter builds up to an alarming extent and at an alarming rate. I know that the Katherine Town Council is concerned about this matter. Whilst the council participates in the scheme, making use of it to carry out work at the Katherine Showgrounds and, to a lesser extent, in litter clearance, I would urge the Katherine Town Council and other town councils in the Northern Territory to make greater use of the scheme, particularly for litter clearance. At present, 60 people are serving community service orders in Katherine. Potentially, this considerable human resource is available to the council there for the purposes of litter clearance.

I believe that litter clearance constitutes a commendable use of the program. It represents community service in the true sense, and I believe that it would instil in the minds of people serving such orders the fact that they have erred in the eyes of the community and are receiving an appropriate punishment. Perhaps it might serve also to deter those people from offending again. Therefore, I urge councils and local government organisations throughout the Northern Territory to look again at the possibility of using the Community Service Orders Scheme. I know that the Darwin City Council is currently considering a project which would involve people serving community service orders. Already, Katherine is participating. Alice Springs is looking at opportunities and I think the Tennant Creek Town Council is considering the possibilities also. I urge the councils to consider using this ongoing human resource to deal with the ongoing problem of litter.

The litter problem is of growing concern in the community and it is something that the people of the Northern Territory wish to see addressed, not only from the point of view of the beautification of their own towns, but also from the point of view of the presentation of their towns to people

who visit the Northern Territory, particularly bearing in mind the importance of that to our tourist industry.

The problem that the local government organisations face is that many of the people who are serving orders are doing so at the weekend. That incurs some costs to the council for salaries and staff to supervise people doing the jobs. It could well incur additional costs such as overtime and penalty rates. Councils should weigh the situation up very carefully, bearing in mind that, in places like Katherine, they have a resource of up to 60 people that they could be using. They could budget over a 12-month period for 2 or 3 staff to be available at weekends to supervise people ordered to do community service. For projects such as litter clearance, 2 or 3 staff could supervise 20 or 30 people quite easily and effectively and litter could be cleared from quite extensive areas of public land. That would be to the benefit of the community. Litter would be cleared, towns beautified and the concept of the community service orders reinforced. After all, the measure was put in place to serve the community. I urge all local government organisations in the Northern Territory to reconsider the letter that I wrote to them earlier this year and, hopefully, they will decide to participate in the Community Service Orders Scheme more effectively.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

PETITION
BTEC Shoot-to-Waste Program

Mr EDE (Stuart): Mr Speaker, I present a petition from 1716 citizens of the Northern Territory who have requested the Assembly to stop the BTEC shoot-to-waste program. That makes over 3000 signatures on this subject now. The petition bears the Clerk's certificate that it conforms to the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of 1716 citizens of the Northern Territory respectfully showeth that, having been made aware of the enormous waste of cattle and buffalo as evidenced in the shoot-to-waste program in the Northern Territory Brucellosis and Tuberculosis Eradication Campaign, your petitioners therefore humbly pray that the Legislative Assembly take note of our concerns and immediately stop the shoot-to-waste campaign of BTEC and replace it with a more reasonable, non-wasteful program fully consulting with the producers for a method more acceptable to Northern Territory conditions, and your petitioners, as in duty bound, will ever pray.

SUSPENSION OF STANDING ORDERS

Mr BELL (MacDonnell): Mr Speaker, I move that so much of standing orders be suspended as would prevent my moving the following motion:

that the Northern Territory government appoint forthwith a solicitor independent of government so that police and other people with information relevant to the police investigation of -

(a) certain police officers charged with drug related offences;

(b) possible criminal offences against a certain police officer by another police officer, and an alleged incident involving a police officer and a member of the public;

may be able to provide that information, through a solicitor so appointed, direct to Mr Robert Mulholland QC, secure in the knowledge that there will be an independent assessment of that information.

Mr Perron: Let us hear your argument.

Mr BELL: I am only moving the suspension of standing orders at this stage.

Mr Perron: If you want to put the question, we will defeat it. I thought you intended to say something about it.

Mr BELL: Mr Speaker, last night on the 7.30 Report, we heard an extraordinary admission made.

Mr Perron: You are speaking to the suspension of standing orders now. Remember that.

Mr BELL: Yes, I am speaking to the suspension of standing orders. I would seek some direction from the Chief Minister.

Mr SPEAKER: Not from the Chief Minister. You must seek it from the Chair. You must speak now to the motion to suspend standing orders.

Mr BELL: Mr Speaker, I simply say in support of this motion that there is deep concern in sections of the Territory population about the conduct of the Mulholland inquiry, particularly in respect of the way in which the Chief Minister has denied people the ability to present information to the inquiry in an unfettered fashion. I seek the suspension of standing orders because of the importance of this issue and because of my belief, and the belief of many people in the community, that the matter must be resolved today. I believe that to allow any more time to pass without the resolution of this issue would be a dereliction on the part of this Assembly.

Mr PERRON (Chief Minister): Mr Speaker, if that is the extent of the honourable member's argument for interrupting the proceedings of this Assembly and seeking a suspension of standing orders in regard to this matter, I am very surprised. Clearly, urgency is not required and, in fact, the motion itself is not required to enable events to occur in the way to which the honourable member has alluded. People who want to transmit information to Mr Mulholland have the capacity to do that now. They do not have to wait until this Assembly debates and passes a motion, and the government goes out and engages a solicitor or whatever. They have a number of options as to how they can transmit information for Mr Mulholland. Certainly, the journalist principally responsible for pushing this line publicly has been told personally, by the Secretary of the Department of Law, how that information can be transmitted to Mr Mulholland, unedited and unread, and without having been listened to should it be on a tape. They know that, but they do not want to take any notice of it.

The inference in this quest for urgency to deal with this matter is that no person, at any level in the government, can be trusted to perform even as a mailbox. It is not merely that they cannot be trusted to hear what these people have to say and to make judgments as to whether further action should follow whatever is said, but that they cannot be trusted to act even as a mailbox. For those people who say that one cannot trust the police because some of the investigations are into allegations against the police, that does not mean that the Northern Territory Police Force cannot be trusted.

I point out to honourable members that the Fitzgerald Inquiry, heralded as the way to go about a major investigation into widespread, institutionalised corruption in a police force, had Queensland police working for it. They were working for Mr Fitzgerald, assisting him to come to grips with police corruption. The inference that no one in the Northern Territory Police Force - from the Commissioner of Police down - can be trusted is in the proposition put forward to us today. It is intimated that he is not good enough to be a person to whom we refer people who have allegations to make about the police or about criminal activity in the Northern Territory.

The inference is also that no other public servant - but let us specifically look at the Department of Law - in the Northern Territory can be trusted, and that it is unreasonable that we expect such people, unnamed,

to go to a government lawyer, starting with the Secretary of the Department of Law, and confide in them or, if not to confide the information to them, then to provide the information which will be transmitted to Mr Mulholland unedited. The inference in the urgency motion today is that those avenues are not open. What about the Solicitor-General? Cannot Mr Tom Pauling QC be trusted? He is independent of government. He is a statutory officer. In fact, he can decide to bring actions against all sorts of people, if he believes that it is in the interest of the Territory. Can't he be trusted with a confidence?

We are talking about people who handle all levels of crime: organised criminal activity, prostitution, drugs, rackets, whatever is going on in the community. They are involved in interstate cooperation among police forces; for example, in respect of information on the international drug trade. It is marvellous what information is available to trusted senior officers of the government who are protecting the public interest.

Nevertheless, we are told that there is someone out there who knows someone else, who knows someone who has some information that is very important, perhaps vital, but that they are not prepared to trust to any officer. What about trusting a politician? Now I can understand people not trusting politicians, but I have difficulty with them not trusting Solicitors-General, police commissioners and the secretaries of government departments - all men with unblemished records.

Mr Collins: The Ombudsman.

Mr PERRON: The Ombudsman of course. I omitted that office by mistake. He is a man who has a specific charter from this Assembly to work independently with the Commissioner of Police and his teams in looking into any complaint against the police of any level of seriousness. He is a man who is also independent of government. He can write anything in his reports and they must be tabled in this Assembly, critical as they may be of anybody in any way. The inference in this motion of urgency today is that these people do not have any of these opportunities.

Let us not be unreasonable about it. Let us do what is reasonable to enable society to bring to the surface wrongdoing and corruption at any level in our society, but let us be reasonable. Let us not be absurd about it. I am flabbergasted that honourable members opposite have not invited these people to pass their information to them so that they can see the Secretary of the Department of Law and see if he can convince them that he will transmit the information to Mr Mulholland. If he cannot convince members opposite, they can make a public fuss about it. However, to imply that these people are so untrustworthy that you could not whisper something to them in a corridor without it rebounding on you in some awful way ...

Mr Leo: What a load of rubbish!

Mr PERRON: It is absurd. It really is absurd. We should not be wasting the time of this House on absurdities.

Mr Speaker, I do not have much more to say on this. I think I have demonstrated my point, and I hope honourable members see what I am putting to them as being genuine. I know some of them are aggrieved. In particular, the journalist concerned is terribly aggrieved that we did not establish a Fitzgerald-type inquiry which he originally wanted. It has never been that. We have never claimed that it was, and there is no reason whatsoever for such an inquiry in the Northern Territory. Honourable

members opposite accepted what we had established, perhaps grudgingly, in April or May, when it was established and we explained how it was to work. They felt then that that was okay. But, all of a sudden, they are not prepared to let that run its course, and it will not be very long now. I do not know when Mr Mulholland will report or when this matter will be concluded. It might be on the eve of an election sometime. It might be terribly embarrassing for myself and the government. I have absolutely no idea what will be said, but I am prepared to let the matter take its course.

I have faith in the Northern Territory Police Force. Occasionally, it may contain a bad apple. I guess every police force does. I have enormous faith in it. I would place my life in the hands of the Commissioner of Police at any time. He is a man of the most outstanding integrity. If he thought that I was doing something wrong as Chief Minister, he would have me sorted out through the legal process in a flash, and so he should. He is that type of man. He would rather not be the Commissioner of Police, in 3 seconds, than take a direction from me that he believed was not proper, and that is a fact. That is why I support him. I hope we never lose that man.

Mr Speaker, let us not let people who know people, who know people, who know other people who have some information dictate how this Assembly and this government establish procedures to bring malpractice to light. That is all I ask. Let us be reasonable. Let me conclude by saying this. If no one in government can be trusted and no politician can be trusted, it seems that members of the opposition believe that there is a private solicitor somewhere who can be trusted. They say that this is the answer. These persons can go to a private solicitor at any time of their choice. And I am absolutely sure that, after consultation with the Secretary of the Department of Law, that private solicitor will be able to assure his or her clients, absolutely to their satisfaction, that this information will be transmitted to Mr Mulholland.

Mr Speaker, there is no necessity for this motion. There is no necessity for urgency and I move that the question be put.

The Assembly divided:

Ayes 15	Noes 9
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Dondas	Mr Ede
Mr Finch	Mr Floreani
Mr Firmin	Mr Lanhupuy
Mr Harris	Mr Leo
Mr Hatton	Mr Smith
Mr McCarthy	Mr Tipiloura
Mr Manzie	Mr Tuxworth
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Motion agreed to.

Mr SPEAKER: The question is now that the motion be agreed to.

The Assembly divided:

Ayes 9	Noes 15
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Dondas
Mr Floreani	Mr Finch
Mr Lanhupuy	Mr Firmin
Mr Leo	Mr Harris
Mr Smith	Mr Hatton
Mr Tipiloura	Mr McCarthy
Mr Tuxworth	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Motion negatived.

MINISTERIAL STATEMENT
IULA ASPAC Training Centre

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I rise to make a statement with regard to the IULA Asia Pacific Training Centre in Darwin. The Northern Territory government has long recognised the importance of looking to the north as the key to our future. This government has established the Territory as an integral part of Asia. Today, I want to outline the start of a new link which will make Darwin the centre of attention for local government authorities throughout Australia and the Asia Pacific region.

Following a bid sponsored by this government, Darwin has been chosen as the Asia Pacific training centre for the International Union of Local Authorities. Our successful bid for this training centre is a major coup for the Territory. The centre will host up to 250 students a year, with the potential to grow even further in coming years. It will draw students from countries including Australia, New Zealand, Fiji, Bangladesh, Burma, China, Pakistan, Indonesia, Malaysia, India, Thailand, Vietnam, Japan and Papua New Guinea. The training centre's catchment area covers some 5 million square kilometres, with a population of 1000 million people. The skills of Territorians will be passed on to local government authorities in some of the world's most developed and underdeveloped countries.

Before I look more fully at the benefits this training centre will bring to the Territory, I would like to explain what the International Union of Local Authorities is, and how this government successfully attracted the centre to Darwin. The International Union of Local Authorities, IULA, was formed in the early 1900s with the aim of strengthening and improving local government and promoting cooperation and consultation between local communities, an aim strongly endorsed by this government. It is a world-wide organisation with members in more than 70 countries. IULA's activities include biannual world conferences, training and development, regional seminars, and representation on the United Nations and the Council of Europe. Until late last year, IULA was represented by regions based in Europe, North America, South America, the Middle East and Africa.

The 29th World Congress of IULA, held in Perth in September last year, voted to establish an Asia Pacific section with its headquarters in Jakarta, Indonesia. Following this decision, a training and development conference was programmed to coincide with the first IULA Asia Pacific executive meeting in February of this year. This conference considered 3 issues: the need to identify the specific training and development needs of the region; future development plans for the region; and, bids to establish the IULA Asia Pacific Training Centre from Indonesia, India, Malaysia, Western Australia and the Northern Territory.

The Northern Territory government, through the Office of Local Government in my department, co-prepared a submission for Darwin to host the training centre. A great deal of input was received from the Northern Territory Local Government Industry Training Committee, and I would like to acknowledge the committee's efforts because the Northern Territory won that bid against strong opposition. Our submission to IULA stressed the many advantages of Darwin as a training centre. These would be well known to honourable members, and include: our close and long-standing relationship with our northern neighbours, particularly Indonesia; the geographical advantages of our capital cities; the existence of a friendly, cosmopolitan and racially-tolerant atmosphere in Darwin, in which international students would feel at home; the presence of a university under the auspices of which the IULA training centre could be established; and, the strong support of both the Northern Territory government and local government industry for the proposal.

As a result of this government's efforts, we have been given a wonderful opportunity to help to shape the future of the Asia Pacific region, a region which is home to more than 1 billion people. The students who come here will be major decision-makers of the future. International participants in the IULA courses will be those managers and administrators who are responsible for the management and direction of change. They are the people who will be making many of the decisions which will affect the welfare of their own countries and, indirectly, the welfare of other countries in the region. As the IULA courses progress, entire levels of middle and senior management within the Asian region will have been exposed to Territory hospitality and Territory know-how. Obviously, we too stand to learn much. The initiative will foster very strong links between us and our northern neighbours. These bonds of diplomacy, friendship and sharing of knowledge and information will augur well for the stability and harmony of our region.

Of course, much work remains to be done. The Northern Territory Industry Training Committee has been awarded the task of preparing a strategic plan for the training centre. The Northern Territory government and the federal Office of Local Government have contributed $25 000 each towards this task. Early indications from a training needs analysis have shown that there are 2 major immediate needs - training in the fields of solid waste management and in road pavement technology. These traditional local government activities are still the source of significant problems throughout the Asia Pacific region. The learning will not be 'pie-in-the-sky' stuff. It will provide tangible and immediate benefits for the citizens of the participant countries. Other courses are planned in urban fringe development control, the role of local authorities in drug and substance abuse, liquid waste management and senior management and public administration training. The Northern Territory University is developing such courses, using a mixture of Territory and interstate expertise. We should see the first students arrive in Darwin late this year to begin their studies.

The benefits this training centre will bring to the Northern Territory should not be underestimated. Some of those benefits are more tangible than others. For example, the expected 200 to 250 students visiting Darwin every year will stay for a minimum of 3 weeks in commercial accommodation. Their fees will help to employ experts at the university in a range of local government fields. They will be involved in field trips and may even bring their families with them. If the usual Territory hospitality is any indication, they will go home and tell their friends about the Top End experience.

Perhaps even more important are the intangible benefits which will flow as a result of this initiative. The local government training centre in Darwin will further cement our position as the true Australian centre for the Asia Pacific region. Our position as a strong, stable and welcoming partner in the region will be boosted. We will show our credentials as a centre for educational excellence. The Territory government has already established strong educational links with other Asian nations, particularly Indonesia, and this training centre will strengthen those bonds. All of this can only enhance the work already done by the Chief Minister, the Deputy Chief Minister and the Territory government as a whole in putting the Territory on the map of the Asia Pacific region. This government has invested a great deal in developing its relationship with our Asian neighbours. We have recognised that the future of our Territory lies closely aligned with that of Asia. Our foresight is now being rewarded. While others bidding for the honours of hosting the training centre were still trying to prove their affiliations with the region, our bona fides were well and truly established. The Northern Territory was seen already as part of Asia.

It is also important to note the faith which governments of the Asia Pacific region have expressed in our ability to provide world standard education through the Northern Territory University. Our decision to establish a university in the Northern Territory, which this government saw as crucial to the development of our people, also stood us in good stead when we put in our bid.

I have no doubt that we will see more developments of this type in the Territory. The fact that we have been able to attract this prestigious training centre to Darwin is proof of the high regard in which the Territory is held, largely through the efforts of this government. I have a vision that, one day, we may be the major diplomatic focus for Australia in the Asia Pacific region. The Leader of the Opposition may well scoff, but those who scoff would be well advised to look at our record since self-government. It is a record of which most, if not all state governments, would be justifiably proud. I could refer to a number of Labor states which have dug themselves into holes and do not look outwards at all.

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

Mr SMITH (Opposition Leader): Mr Speaker, I would like to explain to the honourable minister that I was not scoffing at his comments. However, when he said, 'I have a vision', I was strongly reminded of Martin Luther King. I congratulate the government on its achievement in attracting the IULA ASPAC Training Centre to the Northern Territory. Obviously, it is a significant achievement. The work which has been put in by many people in the Territory government, and in local government, needs to be recognised and I am certainly happy to do that.

As do members opposite, the opposition sees that, during the 1990s and in the 21st century, Darwin's position will make it a very important part of the Asian region. Initiatives like this, which help us to achieve that, should be welcomed. There is no doubt that there will be a northward and westward shift of economic power and influence during the next decade and beyond. It has begun already with the shift of economic power from New South Wales and Victoria to Queensland. It is quite clear to me that the 1990s will be a significant decade for the north of Australia and, of course, that is one of the reasons why we have put in place the concept of a North Australian Economic Community which will allow coherent development right across the top of Australia during the 1990s. That is a very important issue.

The furthering of our links with the near Asian region is equally important. The Northern Territory generally, and Darwin in particular, are extremely well placed to develop those links. Darwin has the potential to become an important regional centre for activity in the near Asian region. When we think about our contact with Asia, traditionally we think about the horticultural sector and the secondary industry sector in general. Obviously, efforts have been made in that regard and some have been successful. Hopefully, more will become successful.

A significant aspect of this statement is that it reveals that there is a huge new area opening up for which Darwin could become a centre in the Asian area and perhaps even in the rest of the world - the development of tertiary services that can be exported and used right across the region. The IULA ASPAC Training Centre is for the development of tertiary services for the region. Darwin is very well placed to develop those tertiary services.

At the ATIA Conference, I had an extremely interesting conversation with one of the participants who said that communications had improved to such an extent that many businesses were no longer site specific. In other words, through the use of improved telecommunications, businesses had the option to site their businesses where it was pleasant to live rather than where the actual work was being translated into action. An example he gave was that much consultancy work for major projects in places like Indonesia was being done in Australian head offices in Sydney and Melbourne. The consultants, the architects, the planners etc are putting their plans together in those head offices and using satellite communication and fax machines to transfer their information to the place where the workers are actually putting the projects into place. Just 15 or 20 years ago, there would have been a requirement for those people to be on site. There is no such requirement today, and they can be sited literally anywhere in the world.

In such a situation, people ask themselves where they would like to live. Darwin is well placed to take a part in that. We have a good climate and affordable housing. We have easy travel times to work. We have an enormous number of benefits. In my view, that will be one of the growth markets for us in the next few years. It is happening already. For example, from its Darwin office, Woodhead Australia is doing work at present for the development of a billion dollar university in one of the Arab states. It has been able to identify people here who can do the work and, with that modern communications network, that is possible. On a smaller scale, there are people based in Darwin who are competing for consultancy jobs throughout Australia. I do not want to mention any names, but that is certainly happening as well. A huge market is opening up for Darwin to become the centre of a thriving consultancy and tertiary industry sector.

That demands that certain things be put in place. There is still some room to improve communications between the top end of Australia and the near Asian region. Obviously, we need a concerted and consistent approach to that. There is a need also to improve the banking and finance facilities in Darwin to enable these international transactions to occur. It was not too long ago that none of the major banks in the Northern Territory had any experts in dealing with international finance. As a result of developments in the past few years, we have made a start. We now have local experts in the major banks who can handle these matters of international finance, but there is certainly much to be done in that area. I think that, with a bit of forethought, it is possible to turn Darwin into a major banking and finance sector for the whole of the Asian region. It certainly needs one. For many people, Singapore is perhaps too big for their needs and, if we can identify ways in which we can provide banking and finance services for the region, I think that will be a profitable area of growth as well.

Of course, we have education and health, and the export of those services and the import of students into the Northern Territory. Quite clearly, the initiative announced today is one particular service that has been developed in the broad education area. I have no doubt that there will be enormous potential for the top end of Australia to develop both education and health services for the whole of the near Asian region. It is an enormous growth area that we have to make the best of, and we have to ensure that we are in there for our share of it. It is a very competitive area, particularly in the field of education. Universities and colleges right across Australia are attempting to get into the Asian market, both by sending lecturers overseas to run courses and by encouraging students to come to Australia, because it is a major way that those institutions can grow. But again, because of our location and because of our geographical and climatic advantages, I think that, with a concerted effort, we have an enormous potential to do very well in those areas as well.

It goes without saying that, equally in the tourism and recreational areas, there is potential for further exciting developments. To pull it all together, we need some sort of coordination. That has been one of the problems with the way the government has handled these general questions of export and foreign investment in the Northern Territory in the past. There has not been sufficient coordination. There has been a need to pull it all together. One of our propositions is designed to do that, and that is the concept of Trade North. Under a Labor government, Trade North will pull together the major groups within government who are dealing with our export potential and with private investment, and it will run them in a coordinated manner to ensure that government knows where it is going and is able to get out there and provide the clearest possible assistance to people who want to be involved in that area. We will not restrict ourselves to the traditional export areas. As I have said, I think a major change is occurring in terms of people's thinking about what we can do with the near Asian region and where the market opportunities lie, and that change is as much in the realm of ideas as it is in the sale of manufactured or horticultural goods.

I do not want to hold up the business of the Assembly any longer, but I did want to take this opportunity to congratulate the government on the initiative that has been announced in this statement, and to say that members on this side of the House see that the Territory's future in the next 20, 30, 50 years will be linked very closely to the future of the near Asian region.

Mr HARRIS (Education): Mr Speaker, it gives me a great deal of pleasure today to rise to support the Minister for Labour, Administrative

Services and Local Government and his statement. When the statement was first circulated, I wondered why the Minister for Labour, Administrative Services and Local Government was delivering it. After all, the bid was put forward by the Northern Territory University.

Members interjecting.

Mr HARRIS: Mr Speaker, I will correct that. It was done with a great deal of assistance from the local government sector. In fact, I first became aware of the contract being won by the university in June, when I received a letter from the Vice-Chancellor of the university. As I indicated, the university put forward a submission ...

Mr McCarthy: In response to an approach from us.

Mr HARRIS. It might have been done following an approach from the minister's office, but we are all working together, and I am just saying that the courses are to be conducted at the university. In putting forward that proposal, the university was strongly assisted by the Northern Territory Local Government Industry Training Committee in Darwin, and I think it is important that I acknowledge a couple of gentlemen here: Mr Geoffrey Raddatz, the Training Development Executive, and Mr Stuart Phillpot, the Principal Research Officer. There is no doubt that this contract will bring enormous benefits to the Northern Territory, and we heard about some of those benefits as the honourable minister made his statement. There was a tremendous amount of competition for this contract and I am very pleased to see that we have been able to win it for the Northern Territory.

I was very pleased also to note that the Leader of the Opposition acknowledged the good work done by the Northern Territory government, particularly in relation to housing, and perhaps he should speak to his housing spokesman on that issue. I was glad to hear him talk also about the huge potential that exists with regard to consultancy, and of our ability to export education and health services. Of course, government members have always acknowledged that potential and have sought to create an environment to enable this to happen, and I believe that we have been successful in achieving that.

This is a positive story and I would like to indicate some of the positive aspects on the education scene in relation to our near neighbours to the north and in developing our institutions to cater for requirements in this part of the world. As I said, we have been doing this for some time. Indeed, this goes back to the days of the Darwin Institute of Technology when it was offering courses to people from Brunei. From that time, things have developed at a great rate of knots. We have been putting together the ingredients that will enable us to attract students and lecturers to the Northern Territory. Our own university is operating now although it was a very difficult exercise to get the university up and running.

Very little support has been given by members of the opposition to the establishment of our university to ensure that we receive fair treatment in the way we are being funded for the university. They should be taking up that issue with a great deal more vigour. Whilst they may feel that we did the wrong thing initially, the reality is that the university is successful. Members opposite should be striving to claim the dollars which are required to ensure that the university can continue to operate successfully in Darwin. As I said, it has been a difficult exercise. The federal government had to be dragged along all the way to provide funding

for our university. I hope that, at some stage in the future, a little common sense will prevail and we will start working together. The university forms part of a very important network throughout Australia and it is also able to form a part of the network throughout this region. It is time that we received full acknowledgement in that quarter.

We have also the Menzies School of Health Research, another initiative which was pursued by this government. It will encourage people to come to the Northern Territory as well. Through the Department of Education, we have developed the Northern Territory Open College, which is responsible for the Correspondence School. The Northern Territory Rural College and the Alice Springs College of TAFE also play important roles. Through those institutions, we have been able to create an environment in which people see that the Northern Territory offers a range of wonderful opportunities in higher education. People are coming to the Territory to take up those opportunities. This latest contract adds to many other success stories which have involved the institutions under my control.

One of the elements which draws the Northern Territory to the attention of other parts of Australia and of the world is the people who head the various institutions and departments. Professor Malcolm Nairn is well known. He has some wonderful ideas which I hope it will be possible to develop over the coming years. The Director of the Menzies School of Health Research, Professor John Matthews, is acknowledged throughout the world as an expert in his field. Mr Geoff Spring of the Department of Education is well known for his ability to get things done. All of those people whom I have mentioned have the desire to promote their institutions as places of excellence. Many courses and developments indicate clearly that those people have been most successful.

The Northern Territory University is going from strength to strength. Members are aware of the increase in student numbers this year, but it goes much further than that. The Northern Territory University has been developing its profile and promoting its courses with a great deal of success. This year has seen a 45% increase in the number of overseas full fee paying students - from 134 in 1989 to 190 in 1990. There has been a 60% increase in numbers of overseas students undertaking English language courses at the Northern Territory University - from 48 in 1989 to more than 60 in 1990. The number of international students undertaking short courses has increased by 60% also, although some courses are still to be conducted. By the end of this year, the numbers are likely to have doubled.

From 1 September, the university will appoint a representative in Jakarta, within the office of the Indonesian Australian Language Foundation, to assist with enrolments. Next year, the university expects to expand the training course it conducts under the auspices of the Asia Pacific Institute of Broadcasting Development. The course caters for students from throughout South-east Asia and the South Pacific.

The Northern Territory University has been successful too in attracting research dollars. Recently, the Northern Territory University made successful bids for 2 major language research grants. The first is a project of national significance to investigate the preparation of teachers for teaching English language literacy, both as a first and a second language. The 1-year project has a budget of $270 000. The second project, with a budget of $55 750, is an Indonesian language project. The Northern Territory University is to collaborate with Flinders University in the development of the project, and a planning conference will be held at the Northern Territory University on 14 and 16 August. There are a number of

areas in which the university is becoming actively involved. I know that, as time goes by, those particular areas will be developed further.

Another example of work being done is the participation of Northern Territory University students in a precision survey for the recently installed tide recorder at Fort Hill Wharf. Seven civil engineering students from the university's Institute of TAFE will conduct a survey for the Department of Lands and Housing, and the results of the survey will form part of the database for the monitoring of the Greenhouse Effect in northern Australia. A great many things are happening here, and they will cause people from other areas to look at the Northern Territory as a place to study and to live. As the Leader of the Opposition has acknowledged, we have very good housing opportunities here and, hopefully, many of those people will in fact settle here.

Overseas students are not studying in the tertiary sector only. We have had a great deal of success in attracting overseas secondary students. Since its commencement in 1988, the number of overseas students in the full fee paying student program has increased sixfold. Darwin and Nightcliff High Schools enrol the majority of secondary full fee paying students, and 45% of these students originate from Hong Kong, 20% from Brunei and 15% from Timor. The main aims of the program are multiculturalism and fund-raising for the participating schools. There are a number of constraints on the program and it is important to note them here: the students are placed in schools only with the full support of the school committee; no Australian student is to be displaced by the enrolment of a foreign national; and, there is full cost recovery of Commonwealth and Territory funding.

So far, with an expenditure of less than $100 000 per annum by the Department of Education, the returns have been over $600 000 per annum. Those funds have flowed directly into the Northern Territory economy and it is anticipated that, in 1991, the return from the same outlay will exceed $800 000. Whether people come to the Territory to study at the IULA ASPAC training centre or to undertake their schooling, the result is a flow of dollars into our community, thereby boosting our economy. In the tourism and hospitality areas, Gillen House in Alice Springs has 28 full fee paying students from Japan, Pakistan, Hong Kong, Sri Lanka, Malaysia and Indonesia. Next year, the number will be about 40.

The list goes on. I have referred to the NT Rural College, which has just completed a 13-week practical training course in cattle husbandry for 7 senior Indonesian livestock officers. A whole range of activities of that kind has been taking place.

The Territory's achievements are now being recognised at the national level, not only by the Commonwealth government but also by such bodies as the Asian Studies Council and the Australian Indonesian Institute. As a result of the visit to Darwin, the Chairman of the Asian Studies Council, Dr Stephen FitzGerald, who was Australia's first ambassador to China, is actively encouraging the establishment of a national centre for Indonesian language teacher training at the Northern Territory University. Of tremendous potential also is the Indonesia/Australia Technical and Vocational Education Project. As a result of that, a considerable amount of money will flow into the Territory. The fine details of that project are being brought together at this time. I am hopeful that that project will be successful.

We are providing expertise to educational programs in Africa. With the Commonwealth, the Northern Territory Department of Education has provided

salary, travel and other costs for 6 consultancies in Swaziland, Botswana, Malawi, Zimbabwe and Tanzania. These education officers are providing expertise and are conducting educational workshops in agriculture, educational material development, science and home economics.

There is one field that we have been unable to develop as we wanted. I refer to distance education. It is a shame that the federal government has ignored logic in relation to the establishment of a distance education centre in Darwin. Throughout Australia, a select few universities provide courses externally through distance education modes of delivery. As part of the White Paper on Higher Education - and I have raised this on other occasions - the federal government put a strict limit on the number of distance education providers. We submitted a proposal that one of those centres be established in the Territory because we could see the tremendous potential with our near neighbours to the north and in providing opportunities for the whole of the Northern Territory to take part. Courses of this kind are essential for people in isolated parts of Australia and therefore it is unjust that, under the federal scheme, the Northern Territory University - and I do not want to use the word 'never' - is unable to provide courses of that type. That is plainly less than satisfactory and I hope that the matter is pursued with a little more vigour.

The priorities and even the issues being studied are often of less relevance than those which would be available with courses offered at the Northern Territory University. For example, a teacher at Borroloola might choose the University College of Southern Queensland as the source for his or her course. Obviously, the environment at Toowoomba is nothing like the environment for teachers at Borroloola or anywhere else in the Territory. I would like other members of the Assembly to take up that matter. The provision of education via the satellite has tremendous potential and that must be pursued with a great deal more vigour.

Much more could have been achieved had we had even a reasonable amount of support from the opposition in relation to the establishment of the university. There was much more that we could have done if we had had support from the federal government. I am not speaking about providing opportunities for the Territory only, but for the rest of Australia, and opportunities for our university to form part of a network that would work together.

We have the ideal situation to establish a centre for linguistics, Asian studies and tourism. A whole range of things could be developed here in the Northern Territory that would help to form a total network that would be of benefit to Australia, not only to the Northern Territory people. So many doors are waiting to be opened, as the Leader of the Opposition said initially. Members opposite are now beginning to realise that there is tremendous potential in relation to the exporting of education and health services. The government has acknowledged that all along but we are very pleased to see that at last members of the opposition are starting to realise this, and I hope their support will be given in the future. The centre that is being established is a good development for the Territory and I am very pleased that the university has been successful in winning this contract. I support the statement.

Mr TIPILOURA (Arafura): Mr Speaker, I will be brief in speaking to the statement. The initiative is good one and the Northern Territory Labor Party fully supports it. Labor's North Australian Economic Community will ensure that, together with Queensland and Western Australia, the Northern Territory and the north of Australia will continue to contribute to the

social and economic development of the Asia Pacific region. This initiative provides Australia with an opportunity not only to offer its expertise to our neighbouring countries but to learn from their experience. Many of the nations in the Asia Pacific region are developing countries where the latest state-of-the-art technology and management systems may not be the most appropriate. This is certainly the case for the north of Australia. The challenge is to develop appropriate technology and appropriate management systems that address the unique characteristics of the diverse communities in the Asian Pacific region. Obviously, the training centre in Darwin will be the focal point for information exchange and for the broadening of understanding among the Asian Pacific communities. It is important that adequate resources are devoted to the training centre to ensure its success.

Through the North Australian Economic Community, Labor will be able to offer coordinated cooperative north Australian support for the centre. The opportunity will be available for the Territory to look at the possibility of using the training centre to improve the skills of our kids and to increase their knowledge and understanding of the other Pacific countries so that they are aware of the problems those countries are experiencing. This centre can help give our kids the opportunity to participate in future development plans for the region, not only in the Northern Territory but in all the regions involved - Indonesia, India, Malaysia, Western Australia and the Northern Territory. As the Leader of the Opposition said, it is great for the Territory and for the people in the Northern Territory. It will provide the opportunity for us to be involved in many areas such as education, local government and tourism. I believe the tourism and hospitality area will be good for the Territory where it plays a unique part.

In addition, the centre will give my people the opportunity to be involved not only in the tourism area but also in education, which should assist them to improve their skills. It will give them the opportunity to learn what other Asia Pacific people are doing with regard to education. It may be that we can learn from them. In respect of education, it will be of great importance for the Aboriginal people to look at the other Asia Pacific countries to see what they have been through and experienced. This will provide an opportunity for the Aboriginal people to be involved with the centre and with the region. It will also give the Aboriginal people in the Northern Territory a chance to see the changes that have occurred in the Asia Pacific region and the communities in the Territory can look to those experiences as an example and so learn to run their own communities better with the benefit of education and training.

Mr Speaker, I welcome the statement presented by the minister. It is good, and Labor congratulates the government on this achievement. We will certainly provide the resources the centre requires to ensure its success.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise to support the minister's statement. When established in Darwin, the IULA ASPAC training centre will certainly function in our local interests as well as in the interests of those people from overseas who come to study there. More so than anywhere else in Australia, our form of local and community government has much to recommend it. I would like to suggest very strongly to the minister that, as well as putting this paper before us today, he make energetic efforts to have this sort of work publicised throughout Australia.

I am sick and tired of seeing the states stealing the Northern Territory's thunder. I believe it was the Western Australian government which made great play of its introduction of the police aide scheme. The Northern Territory government was mentioned in the article, but only in

passing. We are way out in front in so many things, and I would suggest strongly to the minister that he should do all he can to publicise this work in forming friendly relations with overseas countries through local government courses and projects in the Northern Territory. Far be it from me to tell the government's experts what to do, but I keep my ear to the ground and I am sure that the publicising of projects like this would do much to assist our case for statehood and for state rights at some time in the future. If we hide our light under a bushel all the time, nobody will know what we can do. The Territory will be regarded as a backwater and people will say: 'Why the hell should they have state government? Nothing ever happens there'. In reality, things are happening all the time.

I can see that the benefits of this project will be not only economic. As people come to the Top End from overseas to study, I can foresee benefits to community government as well as local government. I have spoken briefly and unofficially with the President of the Litchfield Shire Council on this matter. The shire's broad view is that the move is a positive one which will produce valuable spin-offs. Whilst people from other countries will be coming to Darwin to learn, a learning process is a 2-way thing and I am sure that our community governments will be learning from them in their turn. An earlier speaker mentioned housing as a topic which will be discussed in courses at the training centre. I do not think that people from the Asia Pacific region would learn much from our housing in the Top End. In fact, I believe that we could learn much more from them in terms of efficient housing for the tropics.

I will conclude by reiterating my suggestion that the minister do all in his power to ensure that information about this project is bruited far and wide so that people in other places can know what is happening here, thereby assisting our quest for state rights. I would suggest to the minister also that something like this should receive a great deal of local publicity, although I realise that this presentation to the parliament is the first step. I hope that the centre's programs will continue and develop cooperation between the Northern Territory, particularly the Top End, and our overseas neighbours.

Mr SETTER (Jingili): Mr Speaker, as the member for Koolpinyah said, we are way out in front on so many things. Indeed we are.

Mrs Padgham-Purich: I do not even belong to the government. Coming from me, it must be good.

Mr SETTER: I cannot comment on that. Don't sidetrack me.

The member for Koolpinyah's comment was quite correct. She indicated also that the Northern Territory government is not acknowledged as being a ground-breaker. One of the problems in that respect is that good news is no news.

Mrs Padgham-Purich: That is right.

Mr SETTER: That is a matter for regret, because I think that the media has a responsibility to report the good news matters that are publicised by this government. Regrettably, unless there is some blood on the floor or somebody is making the type of outlandish statements and accusations which we often hear from the opposition benches, the media is not interested.

As the minister said, this government has established the Territory as an integral part of Asia. The credit for that goes back over almost a

decade, to the time when Paul Everingham led a CLP government in this place. Everingham and the government he led made overtures to South-east Asia and established the policy of successive CLP governments that the Northern Territory should look north, not south, when it comes to its opportunities. There are opportunities not only in business and trade but in education, culture and sport. I know because, in the last 5 or 6 years, I have been involved in developing those relationships. I am absolutely delighted that Darwin has now been chosen as the Asia Pacific training centre for the International Union of Local Authorities. I compliment the minister and the local government people who have been involved in putting together our application.

It is very appropriate that Darwin be chosen as such a centre. The honourable minister gave us a range of reasons why Darwin should be that centre. He went on to say that the true Australian centre for the Asia Pacific region is Darwin. Geographically, it is the centre of the South-east Asian region. I have often seen maps of the region with concentric circles drawn using Darwin as the centre, indicating that Brisbane and Adelaide are about the same distance away as Jakarta, Singapore and Sydney, Hong Kong and Melbourne, etc.

The other reality is that we have a multicultural society here. A large percentage of our non-Anglo-Saxon people come from Asia or South-east Asia. They are part of our Northern Territory and, in particular, the Darwin community. I welcome the contribution that those people and their children are making towards developing not only our culture but our industry and a whole range of other things.

I understand that the centre will host up to 250 students per year. That, of course, is in addition to what is already happening in this region. The Northern Territory, in particular Darwin, is already seen by the South-east Asians as part of the Asian region. I have had the opportunity and the privilege to participate in a number of delegations that have visited South-east Asia, and Indonesia in particular, over the last 5 years or so. In fact, I visited Indonesia on several occasions prior to becoming a member of this Assembly.

I can tell you from personal experience, Mr Speaker, that the relationship between the Northern Territory and Indonesia has developed enormously over the last decade. No less than 4 Northern Territory Chief Ministers have been hosted by the President of Indonesia. I cannot recall, and certainly it has not occurred in my time in parliament, an Australian Prime Minister being hosted by the President of Indonesia. I cannot recall any of the Premiers being hosted by him. I stand to be corrected there, but I do not recall it. However, 4 of our Chief Ministers have been so hosted, and we do not have the status of a state. We do not have that constitutional recognition in this country. Nevertheless, so much importance is placed by that country on the relationship with the Northern Territory of Australia that 4 of our Chief Ministers have been accorded that privilege, and 3 of those sit in this House today in various capacities.

It is of importance that a centre for South-east Asian studies has been established at the Northern Territory University. Whilst that centre may be quite small at this stage, it is expanding. A recent press release from the Minister for Education announced the appointment of another academic to that centre. The minister outlined a number of ways in which the Northern Territory government, the Department of Education and the university have been involved with developing relationships in the field of education with those South-east Asian countries. Once again, I can speak from personal

experience. He mentioned, for example, the Arafura Youth Games. This is the second year of those games. It was an initiative of the member for Nightcliff when he was Chief Minister. I can recall accompanying him on a trip to Indonesia in 1987 when he promoted that concept. Considerable work was done on it in the intervening years and it came to fruition last year in Kupang. A group of some 60 secondary school students from the Northern Territory visited Kupang to compete in a series of sports with the visiting Nusa Tenggara Timur team in Kupang. I had the privilege of accompanying that team as a representative of the Northern Territory government. The fellowship that was developed there confirmed to those people that we should continue these games on an annual basis.

I had the privilege of representing the Northern Territory government in Ujung Pandang a couple of months ago when a team of 78 Territory secondary school students competed in that city. On that occasion, the second year of those games, there were teams from not only NTT but South Sulawesi, Central Sulawesi, Maluku, Irian Jaya and, I believe, Nusa Tenggara Barat which is the province just to the east of Bali. The standard of competition at those games was very high indeed. Whilst the Northern Territory team did very well and brought home a number of gold and other medals, one realises very quickly that the standard of sport in Indonesia is very high. The reality is that we are drawing on a relatively small school population. The population of the schools in the eastern provinces of Indonesia is enormous. I am talking about perhaps tens of millions of students from whom they can draw their teams. The next games will be held in Ambon in 1991. I am quite confident that the number of teams from Indonesian provinces will increase by at least several more when we go to Ambon.

The honourable minister spoke about student and teacher exchange. We all know that that program has been occurring in one form or another for the last 15 years. Originally, it was established between a school in Bali and the Nightcliff High School and it was arranged on a personal basis, teacher-to-teacher virtually. It has built up from there to the point where, some 3 or 4 years ago, it was expanded to 4 provinces in the eastern part of Indonesia. Now, 2 secondary school students and 1 teacher from those 4 provinces visit the Northern Territory and return. The students come for 6 months, the teachers for 12 months. That has been extremely successful.

I had the privilege of sitting on a committee that overviewed that for about 4 or 5 years. It is no longer necessary now to have that committee in place because the program is up and running and it is going very well indeed. When I was in Ambon 10 days ago, friends whom I have known for a number of years there told me that their child, who is a secondary school student, was in Darwin. That student arrived about a fortnight ago and is participating in that scheme. The scheme is doing an enormous amount not only to build up our credibility with Indonesia but also to develop good relationships between young people. That is what it is all about, personal relationships and confidences which will stand the Northern Territory in good stead in the years to come. Those young people will grow up and go out into industry, commerce, the public service or wherever, and those relationships will remain for their generation and generations to come.

The minister went on to talk about the Technical and Vocational Educational Training Program that the Northern Territory Department of Education has won as a subcontract from the Australian aid abroad organisation. Once this program is implemented, it will put the Northern Territory on the map education-wise as far as participating in aid programs

is concerned, not only in Indonesia but also in Australia. The Northern Territory Department of Education had to compete against a whole range of other institutions in Australia for that particular program and it won it. That program involves the supply of technical and vocational education services and training, again to the eastern provinces of Indonesia, including parts of Sulawesi, Irian Jaya, Maluku, NTT and so on. That is a milestone, about that there is no doubt.

I had the privilege of participating in a team led by Geoff Spring, the Secretary of the Department of Education, which visited Jakarta about 3 years ago and I had discussions with Professor Walinono, who happens to be the Director-General of Primary and Secondary Education in Indonesia with responsibility for tens of millions of students in that primary and secondary education system. He is a very influential and powerful person in the education system in Indonesia. It was at that time that we were able to negotiate that Technical and Vocational Education Training Program with Professor Walinono, and I am quite sure that that will lead us to great things in the future.

Asian language study awards were mentioned by the minister. He told us that 18 Northern Territory primary and secondary teachers will be attending an intensive language course in Indonesia, Japan and China over the December-January school vacation under funding from the Asian Studies Council. It is clear that we are becoming more and more involved in education and the supply of education services into that area. Of course, when I talk about the supply of education services, I am not talking about services that are funded by the Northern Territory government, or by the Northern Territory taxpayer. I am talking about services that are paid for by others, and the funding comes to the Northern Territory. The fact that the Northern Territory University is attracting more and more students from the South-east Asian area is, in itself, a great contribution to the Northern Territory economy because they all have to be accommodated, fed, transported etc.

I spoke earlier about the Arafura Youth Games. Of course, we all know that, in 1991, the Northern Territory will host the Arafura Games, which is an adult sports carnival, and full marks go to the Department of Youth, Sport, Recreation and Ethnic Affairs for the great work that it has done in marketing these particular games throughout the Pacific region. I do not have the exact details but I understand that literally thousands of people will be coming to Darwin and putting Darwin and the Northern Territory on the map in the Pacific region as far as these games are concerned. As the member for Koolpinyah said a few moments ago, we are way out in front in so many things, and she is absolutely right.

In 2 or 3 weeks time, the Darwin City Council will host an International Sister Cities Conference here. As I mentioned a moment ago, I was in Ambon some 10 days ago. I went there to represent the Northern Territory government at the conclusion of the Darwin to Ambon yacht race.

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

Mr LANHUPUY (Arnhem): Mr Speaker, as have other members on this side of the House, I support the statement. Whilst I do not claim to have the knowledge of the member for Jingili in relation to matters affecting the South Pacific region that lies to our north, I would like to say that members of the opposition welcome the move announced by the honourable minister. We congratulate the Northern Territory government on its very successful bid for Darwin to become the Asia Pacific training centre for the

International Union of Local Authorities. Certainly, it will enhance our responsibilities in our relationship with our northern neighbours and it will help those people who, I believe, are still living in under-developed countries right next door to us. Northern Territorians and people coming from other areas will be able to discuss the problems each have experienced and share their knowledge of ways in which to overcome those problems so that those with more limited skills and experience are able to acquire skills that will enable them to handle the problems that confront them.

I congratulate the Northern Territory Local Government Industry Training Committee. It has a heavy task in planning this move and I think it should be congratulated on the massive job that it has done. However, I would like to say that, in the Northern Territory and particularly in Darwin, we seem to forget about creating job opportunities for people in other centres, for example Alice Springs and Nhulunbuy. I want to put in a word for the establishment of some sort of centre located in Nhulunbuy, for example, that could be available to our Asia Pacific friends and that could offer them an opportunity to develop their skills not only in Darwin but in a regional centre. Navigationally, Nhulunbuy is located only 1 hour's flying time away from our nearest northern neighbours, I believe, and I think a community like Nhulunbuy would certainly welcome the provision of infrastructure of that kind whether it be in connection with this specific program or some other development. The point I am making is that we seem to be centering most of our senior education institutions, technical colleges and the university, in Darwin. In the future, the Northern Territory government should be able to look at the possibility of expanding its resources to communities in the outlying areas of the Northern Territory.

I am very pleased to hear that the first student intake will be later this year. I hope that those students will be very successful in their training programs and I wish them well in furthering their education. As I said earlier, the establishment of such a centre will further strengthen the relationship that we have with our northern neighbours.

The member for Jingili spoke about the Arafura Games which, I believe, will be held in Ambon in 1991. We must ensure that we send the best team possible to that sporting event. In developing sporting and educational relationships with our northern neighbours, the Northern Territory is certainly in the forefront in Australia. For a long period, we have had student exchange programs with our northern neighbours and these have been very successful. I refer specifically to the student exchange programs which have existed between some of our northern neighbours and the students at Batchelor College. Students who have visited Asia have experienced different attitudes and lifestyles in Asian communities. It has been an eye-opener for many students at Batchelor College. Certainly, on their return, they have spoken to us about it. It has encouraged many people to attend Batchelor College.

Like the Leader of the Opposition, I support this statement. I hope that it will be a successful centre in the years to come. I am sure the Northern Territory will benefit from the exchange programs that this centre will offer.

Mr FLOREANI (Flynn): Mr Speaker, I believe every member in this Chamber supports the minister's statement. I must congratulate the government on its initiative. I think the Asia Pacific training centre concept is an excellent one and indicates the direction in which the Territory should be heading. The idea of 250 students coming here for

3 weeks from all over the world is an excellent concept and will be to the benefit of all of us.

There is no doubt that our future is linked with that of Asia. Something we have to offer is our professional education standards and projects. I would draw the minister's attention to - and I can provide him with a copy of it - a paper prepared by Dr Jim Eedle when he was Director of the Department of Education prior to self-government. I noted a couple of points that he made. He had visions of the Territory becoming a regional centre for development. The paper is dated 20 January 1978, but it is really line ball with what the minister's statement is about. I think it will add to this debate if I quote some sections of it. It is worth bearing in mind that this was written 12 years ago:

> The function of a regional centre for development would be to provide a base for meetings, studies, investigations, attachments, in-service training and information for younger men and women identified by their governments or employers as likely to be occupying positions of importance within 5 years.

In that context, the minister might like to expand his thoughts in relation to the Asia Pacific training centre. Dr Eedle also noted:

> It is envisaged that each study group would comprise not more than a dozen participants working for up to a month on a carefully selected specific topic of direct relevance to a development issue in each participant's country. The group would then disband, each member taking his findings with him for local implementation.

It goes on to mention other areas that the Territory could examine:

> The centre could concern itself with all aspects of social and economic development and recognise the interdependence of both. Among the topics which might be tackled there come to mind: practical means of implementing major international conference recommendations; planning for integrated social and economic development; development of sparsely-populated areas; community development and community services; public service efficiency; communications; transport; appropriate technology; solar, wind and tidal power; arid zone development; natural disasters; tropical building; nutrition; mining; living from the sea; tourism; wildlife conservation; rural education and training; bilingual education; adult education; and new work possibilities.

Mr Speaker, my intention in reading that into Hansard is that I believe the government is addressing many of these things. I believe this is an historical document which is worthy of the minister's consideration.

Mr TUXWORTH (Barkly): Mr Speaker, I rise this afternoon to commend the minister on his statement. It is not only timely but admirable. One of the things that I have admired about the American and British people is the way they have gone to a great deal of trouble over the last 50 years to include less developed nations in their own educational and development programs. That might have been seen at the time as the great powers being magnanimous and offering a little generosity to people who were not as well-off as themselves. However, the reality is that the Americans and the British were setting in place the foundations for their future world trade, and they did it very successfully. Their university education programs and other

international agreements for training staff are a very astute and profitable means by which to develop and maintain trading links.

The program that the minister has embarked on, although it is directed at local government, will have the same impact on the Territory in the years to come. At the end of the day, many of the people who will come here for these training programs will look to the Northern Territory for assistance in a whole range of fields. Subtly and quietly, we will become natural trading partners of the countries from whence these people come. It is a great initiative. I think it will stand the Territory in good stead in the years to come and I commend the minister for it.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, I thank honourable members for their comments and general support for this proposal. Of course, we did not expect anybody to feel that it was anything other than a positive move. A range of comments were made by various members.

I should take issue with the continuing plagiarism of CLP ideas by the opposition. I did not intend to take issue with comments because, in fact, most of them were very supportive of what I had to say. However, when one looks back over what has been said in the past and compares it with comments made today by the Leader of the Opposition, one recognises that our ideas get through eventually because they come back out of the mouth of the Leader of the Opposition. If we compare the Chief Minister's statement on 'Territory Outlook for the 90s', which he delivered in this Assembly on 13 November 1989, with the comments made by the Leader of the Opposition this morning, we find that the Leader of the Opposition's words were pure plagiarism of the Chief Minister's words.

I will quote a few to indicate to readers of the Parliamentary Record how close they are. In November 1989, the Chief Minister said:

> The new decade will see the Territory assume a new dimension in regional affairs as our future intertwines closely with the vibrant economies to our north. Darwin's location and the shrinkage of distance through the innovation of modern communications technology provide the prospect for our capital to evolve into a service centre in the professions, including law, accountancy, medicine, engineering, design and architecture.
>
> It is within the realms of possibility that some Asian-based trading investment houses may in the new decade consider Darwin as a suitable alternative base from which to administer their regional assets. The relatively high and accelerating costs of maintaining a substantial corporate presence in most Asian capitals, coupled with the doubts about their own future among many Hong Kong-based companies, makes this a real possibility. Student exchanges, now a feature of our education system, are but one initial step in this process. Because of language and social familiarity, the new generations of business leaders and professionals will move more easily within each other's communities. Education is an economic enterprise and today's Territory has set the pace for the states in Australia's regional relationships.
>
> Trade, tourism and major project development are accomplishing the long-term policy laid down by this government in 1978 to seek mutual areas for economic cooperation between the Territory and

our northern neighbours. It has gone beyond the government, with many Territory businesses now having established contact networks which grow daily. The regional significance of our port will increase because of this government's parallel investment decisions to expand port capacity and to develop the industries which put extra cargo into the container and general cargo vessels which berth here.

That is from the Chief Minister's 'Territory Outlook for the 90s' speech of 30 November 1989 and it was reflected almost word for word in the response from the Leader of the Opposition's in this debate this morning. I do not disagree with what he said, but it is pure and simple plagiarism of the ideas of the CLP government.

The Leader of the Opposition's proposal for something called Trade North is nothing new. It is simply a regurgitated version of initiatives which this government has undertaken over a number of years. We are all aware that the ALP has a propensity for plagiarism. One has only to recall the rap over the knuckles which the public gave the ALP candidate for Nelson, Peter Ivinson, because of his plagiarism in the past. We do not mind people picking up the good ideas of this government and espousing them further afield. But, when they claim them for themselves and say that they are their own words of wisdom, we have something to go crook about. I would suggest that we watch very closely the ideas which the Leader of the Opposition puts forward. Certainly, any of those ideas which contain any sense at all will have been plagiarised from our documents. Obviously, an opposition which is not prepared to have an annual conference to talk about issues, policies and platform, has to steal its ideas from parties which are open about their plans for the future.

I would like to give some of the history of the development of the IULA ASPAC Training Centre. About 15 months ago, I was approached by the Office of Local Government with this idea for the establishment of a regional training centre in Darwin. At the time, IULA had just taken a decision to establish an Asia Pacific region and was looking for a location for the regional secretariat and the training facility. It was fairly obvious at the time that the secretariat was likely to go to Jakarta. The matter was to be discussed at the IULA conference in Perth, which I was due to attend but could not reach because of the pilots' dispute.

I gave the proposal my full endorsement and said that we should look at attracting this training facility to Darwin, preferably to our university. The proposal went to Cabinet and received the overwhelming support of my colleagues. Of course, the rest is history. We were able to come up with a very good proposal. The Director of the Office of Local Government, Graeme Marshall, and representatives of the Local Government Industry Training Committee, in consultation with the university, were able to come up with a proposal which received strong acceptance when the matter was discussed in Jakarta earlier this year. Each of the groups involved with the development of this scheme has put in a great deal of effort. The university has provided the expertise required to develop a proposal of a calibre acceptable to IULA. Our proposal was accepted because Darwin is a cosmopolitan city, very much a part of Asia, and deeply involved in exchange schemes with overseas neighbours.

Both the member for Koolpinyah and the member for Jingili spoke about the lack of acknowledgement for the Northern Territory's initiatives and the way these initiatives are frequently copied by the states. That is very true. We all realise that the states often take up programs which have

originated in the Northern Territory. In fact, only this morning, I received a faxed copy of an editorial in a small central Victorian newspaper which praised a number of initiatives in a particular local town. These included the provision of community service orders for Aboriginals sentenced by the courts, and provision for Aboriginal people to advise magistrates. The editorial claimed that these initiatives were something quite new in this country which the rest of the country should be taking up. The information was sent to me by a friend in Victoria, with a suggestion that we might like to consider such initiatives. I have not yet got back to him to tell him that such initiatives really came from here, but certainly I will do so.

There is no doubt at all that the Northern Territory has much to offer in terms of initiatives which could be taken up elsewhere. For example, both Queensland and South Australia are very keen to take on community government. Unfortunately, we have some enemies out in the field. In July, a meeting of Aboriginal organisations in Townsville was attended by a representative from the Northern Territory Office of Local Government together with many other people from around Australia. The meeting turned out to be something of a launching place for controversy and upset around the country.

Dr Martin Mowbray, who is well known to us, is still espousing his view that community government in the Northern Territory is a bad thing. He has spread this viewpoint for the last couple of years. He is espousing it for his own ends in Queensland, New South Wales and other places. He is not the only person who has been doing this, but the sorts of things he says are quite outrageous and simply not true.

The member for Arnhem was keen to see the dispersal of facilities for training. I understood him to say that he would like to see more training available for Australians, particularly Aboriginal people. I can advise that this facility will be available to Australians and not just to overseas people. It will provide training for our own people in local government, as well as people from overseas. Of course, we need to look at many other aspects of training and we are already doing that by providing assistance and training to people in local and community government through our industry training councils and through the Office of Local Government.

I thank honourable members for their general support for the statement. It is a very good initiative, one of many similar initiatives put forward by this government. It carries on the very good work of the Chief Minister, the Deputy Chief Minister and the government generally in developing ideas that will stand this place in good stead and be good for Australia well into the future.

Motion agreed to.

STATEMENT
Declaration of Gregory National Park

Mr HATTON (Conservation): Mr Speaker, I take great pleasure and pride in announcing to the House today the formal declaration of the Gregory National Park in the Victoria River district. On Tuesday of this week, His Honour the Administrator signed the instrument of declaration for Gregory National Park in accordance with section 12 of the Territory Parks and Wildlife Conservation Act. The Conservation Commission of the Northern Territory has prepared a development proposal for Gregory National Park and a plan of management is being prepared.

Gregory National Park is the largest and one of the most ambitious and exciting park developments to be undertaken by the Conservation Commission of the Northern Territory. The park features some of the most spectacular range and gorge scenery in the Territory, as well as rare flora and fauna, significant traces of Aboriginal culture, relics of European exploration and links with the pastoral industry. Its historical sites, associated with the exploration and the earliest settlement of the Victoria River district, form a valuable part of Australia's heritage.

Gregory National Park, off the Victoria Highway 200 km west of Katherine, takes in some 9870 km^2 of country straddling a transitional zone between tropical and semi-arid regions of the Territory. The declaration of the park will ensure careful management and protection of the area's considerable physical, historical, cultural and conservation attractions. One of the prime objectives in establishing the park has been to conserve the area's representative samples of land types and flora and fauna and to protect rare species. The Northern Territory Cabinet approved in principle the establishment of Gregory National Park on 19 July 1984. The park boundary takes in NT portions 3650 and 3651 near Timber Creek. This huge land package, which includes the whole of Bullita Station and part of Innesvale, Fitzroy, Humbert River, Auvergne and Delamere Stations, all acquired for the Gregory Park Development, was transferred to the Conservation Land Corporation on 3 August 1989.

Gregory National Park is an area of major significance for the local Aborigines and the importance of the area to Aboriginal culture is well documented. Hand in hand with the park's development, the Conservation Commission will continue its close consultation with the traditional custodians to ensure the protection of their culture, values and sites of significance. As part of this consultative process, the commission is recording Aboriginal sites of significance and, on request, is assisting local Aborigines to apply for sites to be registered. Consultations are also proceeding with a view to some art sites being made accessible to the general public.

The Auvergne stock route within the park has been the subject of a land claim, but part of that claim was recently withdrawn following successful negotiations which led to living areas being provided for the claimants. It is expected that the rest of the claim will also be withdrawn subsequently.

In the Northern Territory, Gregory National Park is second only to Kakadu in area and, because of its size, it will offer visitors that much sought-after outback experience of the wide open spaces, wilderness and isolation. This park can provide an outback adventure experience and offers a choice of fishing, boating, canoeing, camping, sightseeing, 4-wheel-driving, hiking, horse riding and wildlife observation. With so much to offer, Gregory stands poised to become one of the great national parks of the Territory and a tourist destination of major national and international importance. Already, it is proving to be a popular stop-off point for 4-wheel-drive enthusiasts from all over the world, who relish the fact that some of Gregory's destinations are more than 100 km from the nearest sealed road and consequently far removed from the major tourist traffic. Gregory National Park will become a prime target for the Top End's outback enthusiasts and the growing stream of travellers plying the Victoria Highway between the Northern Territory and Western Australia.

The area of the park surrounding the Victoria River Crossing is easily reached from the Victoria Highway and is only 200 km from the township of Katherine. The park's attractions include the spectacular Victoria River

Gorge system, which is more than 40 km long, with the river passing through sandstone cliffs which tower more than 200 m above the water. Only 3 km from the Victoria Highway is a permanent waterhole which extends for more than 12 km in length. The park has an extensive network of caves. Operation Raleigh members working in the park have recently completed a 10-week project at Limestone Gorge mapping caves which had not been recorded previously.

The area within Gregory National Park is steeped in European exploration history and the spirit of the early pastoralists, and many valuable relics of these times remain. Exploration of the Victoria River district began with the discovery of the Victoria River by Captain J.C. Wickham and Lieutenant John Lort Stokes in 1839. The North Australian Expedition in 1855-56, led by Augustus Gregory, made its base camp at the spot which is now known as Gregory's Tree Historical Reserve. Further important exploration took place in 1879, when Alexander Forrest's expedition traversed the Wickham River area. These early expeditions and discoveries paved the way for the vast Victoria River district to be opened up to become one of the most important pastoral regions in Australia today. Many sites closely linked to the development of the pastoral industry remain, among them the Victoria River Depot established around 1884, Drover's Rest, TK Camp and Crisp's Grave. Throughout Gregory National Park stand baobab trees bearing century-old engravings which tell their own story of the area's fascinating history, and the Conservation Commission has moved quickly to protect and preserve these. The park offers a wealth of wildlife species, many of them common Top End inhabitants like the abundant freshwater and salt-water crocodiles, and others not so common, such as the rare purple-crowned wren.

Gregory's special qualities and, in particular, its rugged beauty, remoteness and limited accessibility give it the potential to offer travellers a unique and rewarding outback experience. As further facilities are developed and more areas are opened up, there is little doubt that this unique park, in one of the Territory's most interesting and historically significant regions, will become one of our most popular tourist attractions.

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

Mr BAILEY (Wanguri): Mr Speaker, I rise to support the honourable minister's statement announcing the declaration of Gregory National Park. I believe that it will become one of the Northern Territory's major national parks. Perhaps I might suggest that he could offer me the same sort of guided tour that I had during the luncheon adjournment, when I accompanied the Minister for Labour, Administrative Services and Local Government on a visit to the toxic waste storage area.

Whilst I express my support for the declaration of this park, I would like to raise a few minor concerns relating to national parks in general. In his opening remarks, the minister said that a plan of management is being prepared for the Gregory National Park. Whilst I accept that this plan will be forthcoming, I point out that we still do not have management plans for many of the parks throughout the Territory. Many of these parks have been declared for many years, and we are still waiting. Without a management plan, there is no legal control over what occurs in a park.

The concept of Gregory National Park was approved in principle in July 1984. The fact that it has only now been declared indicates how long it takes to set up a park of this nature. It also points to the need to commence planning for the management of other areas which need to be

incorporated in national parks throughout the Territory. We must avoid delays in bringing these areas under some form of protection within the Conservation Act.

I have another concern which the minister may be able to alleviate in his summing up. He made some reference to the relish with which 4-wheel-drive enthusiasts may regard the Gregory National Park. While I understand that to be relish for unsealed roads and difficult conditions rather than unfettered 4-wheel-driving within the park area, I would like to see that addressed as a major issue in the management plan.

This brings me to an area of quite significant concern which was brought to my attention recently. I would like to bring to the minister's attention an event that occurred a few months ago, prior to the area being gazetted as a national park, which involved what would appear to be the breaching of a number of Territory laws. It has to do with the bulldozing of a causeway across the Victoria River to allow the damming of the river to hold back the water level to facilitate the use of tourist boats on the river.

Mr Coulter: When did this happen?

Mr BAILEY: This happened in May of this year.

Mr Coulter: Try May 3 years ago.

Mr BAILEY: The event I am talking about appears to occur in most years. In fact, the causeway ...

Mr Hatton: Where?

Mr BAILEY: About 3 km from the Victoria River Bridge on the highway.

Mr Reed: Upstream or downstream?

Mr DEPUTY SPEAKER: Order!

Mr BAILEY: Mr Deputy Speaker, I am ...

Mr Reed: Upstream or downstream? We don't know, do we?

Mr Coulter: Totally confused. Don't know, never been there.

Mr Reed: Have you been there?

Mr Smith: Give him a chance, will you?

Mr FINCH: A point of order, Mr Deputy Speaker! The Leader of the Opposition knows far better than to interject from a place other than his own seat.

Mr BAILEY: Mr Deputy Speaker, if honourable members are interested to know the location of the causeway, it is described in the NT Government Gazette as being 'near the Victoria Highway Inn'.

While the causeway has been built and re-built in most years because it has been washed out by wet season rains, my concern is that this action is carried out illegally and does not comply with the Control of Waters Act. This action breaches section 9 'obstruction of watercourses prohibited' and

section 4 'beds and banks of watercourses and lakes are not alienated'. In other words, individuals are not allowed to say that they are their property and to bulldoze at will.

This action was carried out in May this year when a bulldozer was used to remove material from the bank of the river. The person was approached after Conservation Commission officers had investigated the matter. After the action had been performed, the person then sought approval, within the Northern Territory Government Gazette, to carry out that action. The application to carry out this activity was put in by one Huia Nominees Pty Ltd. A check with the Companies Office reveals that the owner of that company is Donald Hoare.

Mr Reed: Mr Speaker, does it matter who did it, or is the action the problem? Get to the point.

Mr DEPUTY SPEAKER: Order!

Mr BAILEY: An action was carried out that was illegal under the provisions of the Control of Waters Act. It is my understanding that the banks of the river were under the control of the Conservation Land Management Group ...

Mr Hatton: Conservation Land Corporation.

Mr BAILEY: The Conservation Land Corporation. No permission was sought for that action to be carried out. Not only that, I understand that the Conservation Commission has lodged an objection to the application for the activity to be carried out. The minister may like to comment on that. I ask the government how it is that a person is able to get away with carrying out an action that is illegal, and then apply for permission to do it after it has been done. I leave it to the people of the Territory ...

Mr Hatton: When was the action specifically carried out?

Mr BAILEY: The action involved the bulldozing of material from the bank ...

Mr Hatton: When?

Mr BAILEY: In May of this year.

Mr Hatton: Do you have evidence of that?

Mr BAILEY: It was done to create a causeway across the river to hold back the water. An application for that action to be carried out appeared in the Northern Territory Government Gazette of 6 June of this year.

Mr Hatton: Have you reported it to the authorities?

Mr BAILEY: Mr Deputy Speaker, the authorities are well aware of it. The information that I have obtained has come from the minister's own personnel.

Mr Reed: Have you been there?

Mr Hatton: My personnel?

Mr BAILEY: I have not been there since the activity occurred.

Mr Reed: Have you been there ever?

Mr Hatton: Not my staff. Which minister?

Mr Coulter: It happened about 15 years ago.

Mr BAILEY: Mr Deputy Speaker, the activity is carried out every year and it is an illegal activity under the definition of the Control of Waters Act. I believe that there has been a miscarriage of justice in allowing this person to apply retrospectively for permission to carry out an illegal activity.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, that was probably one of the most amazing exhibitions of an honourable member working from notes on scraps of paper in the absence of any first-hand experience of the area that I have ever seen. It was quite amazing. I am sure that the Minister for Primary Industry and Fisheries, who is very familiar with Gregory National Park and was involved in many of the negotiations for land for Gregory National Park when he was with the Conservation Commission in Katherine, will have a great deal to say about the comments of the member for Wanguri. Certainly, I am very familiar with the area that he was referring to, and I am very much aware of that crossing having been in place for as long as I have been going there. I have used the crossing on numerous occasions myself. It certainly did not happen in May this year. I have not used the crossing since May this year, but I have crossed that causeway on a number of occasions and, whilst it is inclined to be a bit rough, it has been used for mustering over many years to my knowledge.

In rising to support the statement made by the Minister for Conservation this afternoon, I am delighted to have been around to see the declaration of Gregory National Park. The Parliamentary Record will bear witness to the fact that, over the last 7 years, I have said time and time again that Gregory National Park is the prime national park for the Territory. It is a magnificent area of some ...

Mr Ede: Litchfield is not bad.

Mr McCARTHY: Yes, and I have always included Litchfield in that, but it is up and going. The 10 000-odd square kilometres of Gregory National Park will delight the visitors and they will go back again and again. I have not seen it all but I have seen a great deal of it. It is well worth a visit. If any honourable members have not been there and are not aware of its delights, they ought to go out and see it for themselves. There is no doubt at all that, with regard to parks, the western side of the Stuart Highway will outshine the eastern side any day of the week.

As I have often said, Litchfield is already a premier park. Again this year, visitation to Litchfield Park has outgrown all expectations. People are still making the same sorts of remarks that, as I indicated in this House, were made to me 3 years ago by an early visitor: 'We have been to Litchfield and we have been to Kakadu. We are going back to Litchfield'. Undoubtedly, Litchfield has become a premier park for the Territory, and Gregory will become a premier park for the Territory also. Keep River is another of our most magnificent parks and it is also on the western side of the Northern Territory.

There are some excellent areas within Gregory National Park such as Jasper Gorge, Bullita, the areas of the Humbert River that have been

incorporated into the park and the river itself, whether it be in the area of the crossing or down at Timber Creek. Timber Creek is one of the most picturesque little towns in the Territory. It is in a beautiful setting and one that I always enjoy visiting because of its great beauty, early morning and late evening, down along the river - Gouldian finches eating out of your hand. It is an absolutely magnificent area and one that we can all be proud of.

Even though this park had not been declared, the officers of the Conservation Commission have not been sitting idle. They have been developing this park over the last few years. The road through to Bullita has been improved. Quite a lot of work has been done there. Conservation Commission houses have been built in Timber Creek itself. There is a ranger presence there. Operation Raleigh went in to develop a number of parking and walking areas in the park. All of those things have been happening and, even though this park has been declared only now, it is being visited. People are going in there and seeing the great beauty that this place has to offer.

At times, some people say that we tend to knock the Aboriginal land councils. That could be said to be true, but there is very good reason. With the development of the Gregory National Park, we have seen one of the reasons why this government has felt obliged at times to attack the actions of land councils. Members have been provided with a map of Gregory National Park and they will note that it has non-contiguous boundaries. There is a section of the park over here and a section over there. The large section in between, which I have coloured in yellow, is unable to be declared as national park. While this government purchased that land from the landowner with the intention of incorporating it into the park, the Northern Land Council has put a claim over that land so that we have been unable to incorporate it within the park. Over the years, it has refused to lift that claim. Given that taxpayers' money has been used to buy that land for the specific purpose of incorporating it into the Gregory National Park, it is outrageous that this is happening.

If we look at the history of relationships between the land councils and government over the years, we will see that it is not a one-sided affair. In fact, this government has bent over backwards to accommodate the needs of the Aboriginal people and the land councils. It is this type of thing that gives rise to problems and is the cause of the battles that we have with Aboriginal people. It is a pity that we have not been able to declare all of portion 2917 to be a part of Gregory National Park because it is an area that ought to be included. No doubt, the Minister for Primary Industry and Fisheries will say a little more on that. I know that he was involved in obtaining that land for incorporation into the park. It is a great pity. We ought to work together to ensure that the park becomes an complete entity.

The declaration of Gregory National Park indicates that this government is prepared to set aside large tracts of land for the benefit of future generations of Territorians, Australians and visitors from overseas. We are definitely the only government capable of properly administering parks in the Northern Territory. There is no justification for the duplication of bodies within this Territory for the administration of parks. The Conservation Commission has a very proud record. In my view, it has the best record of any park management body in this country. Nevertheless, an amorphous body from Canberra wants to control 2 of our major parks: Kakadu and Uluru. That results in an outrageous duplication of functions. When governments are being called on to do away with duplication and to put

responsibilities where they belong, this is the prime time for the Prime Minister to demonstrate his sincerity and to return Kakadu and Uluru to the people of the Northern Territory for management by our very worthy Conservation Commission, under the control of this government, so that we can get on with the business of ensuring that there is no duplication and that the best resources possible are put into our parks on the basis of the most appropriate priorities.

There is no doubt that, one day, we will control all of our parks. I have no doubt that, as the road to the west improves, visitation to Gregory National Park and to Keep National Park will rival that to Kakadu. It is on a major highway. Basically, Highway 1 runs through the middle of it and makes it even more accessible than Litchfield, even though that park is very accessible when compared to Kakadu. I believe visitation to Gregory and Keep will rival that to Kakadu and probably Litchfield in years to come. I am very proud of the fact that this government has taken the initiative to obtain the land required to have this park up and running. There is no doubt that we will see a prime facility develop there. In time, Timber Creek will develop into a magnificent little centre which, hopefully, will be the management centre of the park. Because the facilities are already there, it would be the most appropriate location for the major ranger station. Already, we have ranger facilities at Bullita. We will need ranger facilities at the southern end of the park and certainly at the Victoria River crossing as well. It is a very large park which needs to have visitor facilities and ranger accommodation at all entry and exit points. Over time, those things will happen.

The Territory government is now developing a number of parks through its Conservation Commission. There is the West MacDonnells Park. Litchfield is being improved year by year with better road access and more visitor facilities. Each time I go in there, something new has happened. It is an absolute credit to our commission. It has fairly limited resources because we all know that the Territory's resources are limited these days as a result of the efforts of the federal government to keep us down. Despite that, the commission has developed parks of which we can be truly proud.

It is a shame that people like the member for Wanguri should use this as an opportunity to denigrate the work of the Conservation Commission and this government in ensuring that we have decent facilities and decent parks, not only for our own citizens but also for people who visit and spend money here. I think we should all be very supportive of this move. It was outrageous of the honourable member to introduce a furphy like the crossing over the Victoria River which I last travelled over about 12 months ago. That crossing has been used by the local cattlemen for as long as I can remember. To introduce that as an indication that the Conservation Commission is not on top of its job in this new park is outrageous. The member for Wanguri ought to be castigated roundly by everyone in this House for having raised that as something worthy of mention today.

I can recall flying across the rocky country of Gregory National Park, late one evening 7 or 8 years ago. The sun was going down and the shadows on the formations in Gregory National Park were something to behold. I guess members in this House recognise that I am not particularly poetic but I felt poetic on that occasion. I could have written anything as I flew across Gregory National Park late that evening. I have experienced that feeling many times as I have driven through Jasper Gorge and have seen the colours and shadows that play on rock faces in the early morning or late evening. It is the same in the Victoria River Gorge. It is absolutely magnificent. The place is so peaceful. There are lovely areas where people

can camp with their families. I do not think that anything like it can be found in Kakadu. Certainly, I have not seen any similar areas where I would take my kids camping in Kakadu National Park. It is a very peaceful and outstandingly beautiful area. We have other such areas that, over future years, we will see developed in much the same way.

With those few words, I strongly support the declaration of the Gregory National Park. I commend the Minister for Conservation for initiating this discussion today. It has given us an opportunity to see the work that our great Conservation Commission does. It indicates that we are capable of doing what the ANPWS believes only it is capable of doing in the Northern Territory: managing good parks for the benefit of people, rather than locking people out. If we look at what is happening in Litchfield Park, we will recognise that is the case. As I have said before in this House, people are saying: 'We have been to Kakadu and we have been to Litchfield. We are going back to Litchfield'. They will be saying the same about Gregory in the next few years: 'We have been to Kakadu and we have been to Gregory. We are going back to Gregory'.

Mr REED (Primary Industry and Fisheries): Mr Speaker, it is with some pleasure and pride that I rise to contribute to this debate. At the outset, I would like to respond to the comments of the member for Wanguri. In doing so, I will refer to his contribution to a debate on the Territory Parks and Wildlife Conservation Amendment Bill on 3 May 1990. His remarks on that occasion, together with his debate today, indicate clearly the shallowness of his commitment to conservation and environmental issues and his lack of knowledge of these matters. In the debate to which I refer, he stood up and said the one word 'supported'. Then he sat down. That was the extent of his contribution.

Today, we have witnessed another disgraceful episode involving the member for Wanguri. Rather than addressing the issue of the declaration of the largest national park for which the Conservation Commission of the Northern Territory is responsible, he chose to home in on a very emotive issue. He went to the extent of naming a person who was alleged to have carried out an act to which the honourable member referred. Shock, horror!

Mr Speaker, let me just give you some of the history of the matter to which the member for Wanguri referred. For 15 years, I have used the track which leads to the crossing referred to by the member for Wanguri. The crossing is upstream from the Victoria River crossing. It was clear that the member for Wanguri did not know the location. As far as he was concerned, it was just an emotive issue which he could use to grab a headline. His comments had nothing to do with the matter before the House today. The Leader of the Opposition should be absolutely ashamed of himself for having the member for Wanguri as his conservation and environment spokesman because he does not know what he is talking about.

The fact is that the track to which the honourable member referred was used for clearing stock from the Innesvale acquisition area of the Gregory National Park. The crossing has been re-established each year after the wet season. It is in an area of washed river stones and gravel and re-establishing it is simply a matter of levelling out the humps and hollows in order to allow vehicles to cross the river. Historically, the track was used to clear stock from the pastoral lease. It should be borne in mind too that, if it had been convenient for the member for Wanguri to look on this track as having some historical significance, he would have taken the opportunity to do so. That exemplifies the hypocrisy of the approach taken by members of the opposition to matters of the environment and

conservation. It is totally opportunistic. They interpret issues purely in the light of the particular arguments they are trying to promote at a given time.

Mr Smith: And you don't? What about weeds in Kakadu?

Mr REED: That track has been used for 16 years, simply to allow access from one side of the river to the other and to move stock in a way which accords with the proper management of a pastoral lease. Such activity is absolutely legitimate and, as far as I am concerned, totally supported. It happens on every pastoral lease in the Northern Territory. We expect managers of pastoral leases to do it. We expect them to provide access to their properties so that they can manage their land and their stock properly in order to comply with their covenants. That is the history of the track which the member for Wanguri has made such a fuss about. He does not know that history. He has not visited the area, and he has not experienced real life in the area.

However, enough of the shallowness of the member for Wanguri, the opposition spokesman on conservation and the environment. I am eager to get to the positive aspects of this statement. When I was with the Conservation Commission, I was privileged to take part in the acquisition of some of the land for the Gregory National Park. Indeed, I did that in the company of Mr Tom Dacey, who is in the adviser's box here today. I can well recall the time when we went out and negotiated with the then owner of Bullita Station, Mr Reg Durack, and his wife, Edith. We sealed the deal in relation to the acquisition of that property, which was the first land acquired for the Gregory National Park. From the point of view of national park management, that was a milestone in conservation in the Northern Territory.

The member for Wanguri referred to plans of management. He argued that large areas of land were in danger because there was no plan of management. Of course, there are parks in the Northern Territory which do not have plans of management and, according to the member for Wanguri, no one is looking after them and we have a dreadful problem. Fortunately, the officers of the Conservation Commission are much more committed and devoted to their task than are the honourable members opposite. In fact, on the day Bullita Station was acquired, the Conservation Commission started caring for and managing its lands. The commission does not wait for the paperwork. It does not wait for all the formalities which are so greatly valued by the member for Wanguri. Its officers do their jobs straight away. They do not wait. Unlike the Leader of the Opposition, they do not look for excuses. They do not have unveilings of new policies or new statements, without coming up with the documents for the public to study. They get on with the job.

The Leader of the Opposition should be absolutely ashamed of himself. He is a disgrace to the people of the Northern Territory because he does not have the same commitment to the Northern Territory that people in the public service have and which, in this particular case, people in the Conservation Commission have. He does not share their concern for the well-being of the Territory and for the responsibilities which they hold. The Leader of the Opposition and his colleagues stand condemned.

The Minister for Labour, Administrative Services and Local Government has referred already to the acquisition of Fitzroy Station. That is a very sad story because the Northern Territory government paid for the land with taxpayers' funds only to have the Northern Land Council slap a land claim over it, a process which is totally supported by the members opposite. The

members opposite must stand condemned for that also. They should not imagine for a moment that people in the community do not know about it. The Leader of the Opposition can look remote, as he so frequently does, but people do know about it. They are aware that the opposition supports the land councils in placing claims over land for which the taxpayer has paid, just as it supports the payment of $70 000 a year in rent for land at the Victoria River Research Station. Territorians are aware of and are concerned about these issues, and the opposition stands condemned in relation to them.

The minister's statement refers to the major significance of areas of the park to Aborigines, a fact which I can confirm to some extent. I spent some time with some of the senior Aboriginals in that area and had the pleasure of learning much about their culture. In that context, I must say that there is really some urgency about recording aspects of the culture which these elderly people embody. Despite what the radicals say, their culture is dying and it is important that it be recorded now, before the old people pass on. In many circumstances, the stories are not being passed on to the younger generation. The young people do not care as much as the older people did. These comments may be rather controversial, but I believe them to be factual. The culture of these Aboriginal people is dying and their ties with the land are decreasing. I believe that this must be recognised. I am privileged to have been able to talk with some of the older people. One who comes to mind is a fellow called Big Mick, who has since passed away. He was a very informative man, and I really appreciated the opportunity to talk with him, to learn about his culture and to visit some places which were very meaningful to him.

Fishing is one of the activities which can be undertaken in the park. I have experienced some very good fishing in Gregory National Park, part of which is bisected by the Victoria River. The area of the park to the west of Timber Creek abuts the tidal sections of the Victoria River and provides access, via a stretch of water 90 miles long, to the sea. There is very good fishing and boating in that area, as well as good canoeing in the freshwater stretches of the Victoria River, the Wickham and the Baines. As the statement indicated, this is very attractive country for camping, sightseeing, horse riding and wildlife observation.

The statement refers to the attraction of the park for 4-wheel-drive enthusiasts. Gregory National Park covers a very large area of land, almost 10 000 km^2. It is important to note that people who come to the Northern Territory do so because they want to experience the outback. They do not want bitumen roads running to every corner of national parks and every corner of the Northern Territory. In preparing a plan of management for Gregory National Park, it is important to take that into account and to maintain 4-wheel-drive access to various parts of the park for the people who want that experience.

The member for Wanguri referred to the use of 4-wheel-drive vehicles and suggested that we should not have unfettered use of these vehicles in the park. I agree with him on that. Such use has to be controlled, but it has to also be recognised and catered for. In years to come, I would hate to see Gregory National Park dissected by well-formed gravel roads or, worse still, bitumen highways. Gregory National Park should be an adventurer's park. It should be an outback park which offers an outback experience to visitors, especially those visitors from interstate who, as the years go by, will have fewer and fewer opportunities to experience the outback and the real pleasures of the Northern Territory.

The statement refers to the history of Gregory National Park. I have taken particular interest in that history over the years. As the statement says, the Victoria River was discovered in 1839 by Captain Wickham. Lieutenant John Lort Stokes explored the Victoria River to a point very close to the Victoria River crossing, near the present Victoria River Highway Inn. That was achieved by lugging heavy, keeled boats up over rocky bars and along stretches of water, over a distance of some 150 miles from the sea. That was a remarkable achievement. Nowadays, it is easy to travel through that country which gives one very little appreciation of the efforts required of our early explorers.

Another important explorer was A.C. Gregory, who led an expedition which, on horseback and foot, surveyed the whole area from Timber Creek through Jasper Gorge, Victoria River Downs and down to what is now known as Lake Gregory. Augustus Charles Gregory led the North Australia Expedition in 1855-56. Lake Gregory is just across the Western Australia border at the head of the catchment of the Victoria River. In travelling that far in those years, A.C. Gregory and his team put the lie to the story of a great inland sea. That was the last quest for the great inland sea and it was one of the most successful expeditions because it identified the grazing potential of the Victoria River district. I take this opportunity to pay tribute to the North Australia Expedition. Over the years, I have been a great admirer of the efforts of that team.

The Victoria River Gorge is spectacular. It is one of the most spectacular gorges in the Northern Territory and it is little known, as is much of Gregory National Park. Another area which has been visited by few people - and I consider myself to be privileged to have been there on a number of occasions - is Wickham Gorge. In years to come, I believe that it will be a major attraction in the Northern Territory. There are few gorges which can equal it for beauty, ruggedness and, indeed, remoteness. I would certainly hate to see a bitumen highway leading to it. In the Northern Territory national parks system, we have a real opportunity to retain a feeling of remoteness and an opportunity for people who live in cities to experience something different. As the population grows and cities expand, people will have fewer opportunities to appreciate remoteness and wilderness areas and our national park system is unique in Australia in terms of the opportunity to provide those experiences.

The wildlife of Gregory National Park is very interesting. The statement refers to the purple-crowned wren. It describes the park as 'a transitional zone between tropical and semi-arid regions of the Northern Territory'. I can remember using almost that exact phrase and being castigated by a biologist for doing so, on the basis that it was not strictly accurate. I used the description because the Gregory National Park occupies a zone at the southern limits of the distribution of tropical species and the northern limits of the distribution of species of the semi-arid zone.

For example, the painted finch occurs in the area of Wickham Gorge in the southern part of the Gregory National Park. There are very few records of sightings of this bird to the north of Wickham Gorge, but it is abundant in the arid area of central Australia, including the vicinity of Ayers Rock. The park does cover the interface between the arid and semi-arid lands and species and those of the tropical north. That will provide added interest for people who visit the park and study its wildlife in years to come.

I am totally confident that the Conservation Commission will ensure that this is a well-managed park which will become a feature among Australian national parks and a destination equalled by none for tourists from interstate and overseas. It will be another jewel in the Northern Territory's crown, and I commend the minister's statement.

Mr SMITH (Opposition Leader): Mr Speaker, I rise to congratulate the government on its initiative in establishing the Gregory National Park. It is sometimes forgotten that, despite the fact that we have some very well-known parks in the Northern Territory, the percentage of the Territory's land area devoted to parks is still somewhat below the Australian average. I am not saying that as a criticism but simply as a fact. It is important that we identify areas of land which have the potential to become parks and move to consolidate them into parks on an ongoing basis. We have seen the establishment of the West MacDonnells National Park and now we have the Gregory National Park. That is certainly to be commended.

I do not know the area of Gregory National Park at all well. However, what I have heard about the area certainly indicates that it is well worth conserving as a national park. I agree with the member for Katherine that, in our national parks, we need to be conscious of the varying needs of people who want to use them. There is a very large and growing market for wilderness-related activities in the Northern Territory. One of the complaints in the tourist industry a few years ago was that the wilderness-type experience was rapidly disappearing in the Territory and that people were travelling to Western Australia to have that experience. One could hardly say that Litchfield Park offers a wilderness experience these days but, with the opening up of Gregory National Park and with pioneering initiatives such as that of Terra Tours in Eva Valley, we are starting to provide a comprehensive wilderness tour concept. I think that is to the good of the industry.

In terms of the need to identify land suitable for the creation of further national parks, the next area we need to look at is the Gulf country, some of which is really magnificent as a few discerning tourists have discovered. A couple of alert tour operators have identified the area's potential and I believe that, before very long, there will be considerable pressure on it. The Gulf Area Study went some way towards identifying particular areas which might be consolidated into national parks and, hopefully, those areas will be considered soon.

I want to take this opportunity to recognise the efforts of one of my constituents, who has a single-minded obsession with one of the early expeditions into the country now know as Gregory National Park. His particular interest is in Thomas Baines who, I believe, was the main artist on the major expedition into that area. The member for Katherine may know my constituent, Willy Pedersen, who has been single-minded in his devotion to ensuring that the efforts of Thomas Baines in the Northern Territory and during that particular expedition are well recognised. Certainly, he has put an enormous amount of his own time and resources into fully investigating that area and to writing up, in considerable detail, the historic aspects of that expedition. I have had the pleasure of seeing some of the work that Willy has done on that area and, when it is completed, it will provide a very valuable historical resource.

I want to take this opportunity to express my concern about recent actions of the Minister for Primary Industry and Fisheries in relation to Kakadu National Park. The honourable minister was very quick to condemn the

member for Wanguri for his failure to acquaint himself fully with the facts of Gregory National Park, and to tell the honourable member that perhaps it might be useful for him actually to visit Gregory National Park and see what is there. The same criticism must apply to the Minister for Primary Industry and Fisheries and his attitude towards Kakadu National Park. Frankly, the assertion he made 2 or 3 weeks ago that Kakadu National Park is weed-infested was outrageous. It was very quickly demonstrated to be outrageous by the Australian National Parks and Wildlife Service. The member for Katherine should not forget that he is a minister of the Crown and that his comments will be taken seriously, even when they are wrong. Frankly, I would think that the last thing we need is a minister of the Crown in the Northern Territory who spreads misinformation about what is happening in Kakadu National Park.

The Australian National Parks and Wildlife Service demonstrated amply that there is no major salvinia or mimosa problem in Kakadu. There is a problem with a naturally-occurring weed which has come back after the removal of buffalo. The minister has not bothered to familiarise himself with that situation. Without worrying about the facts, the possible damage he might do to the reputation of Kakadu National Park, or the damage he might do to the tourism industry in the Northern Territory, he simply launched into a head-kicking exercise. His approach was compounded by his claim that, despite the fact that the Commonwealth had promised $1.25m for weed control in Kakadu National Park ...

Mr Reed: Over 3 years. Get it right.

Mr SMITH: ... the money had not been provided. When he was advised by the CSIRO that, in fact, the money had been given, he then complained that the Northern Territory government had not been notified.

Mr Reed: That is right. The minister had not answered my letter. He still has not done so, as a matter of fact.

Mr SMITH: Frankly, it is not good enough for a minister of the Crown in the Northern Territory to go off in a half-cocked manner, causing enormous damage to the reputation of the Kakadu National Park.

Mr Reed: Have you been to Kakadu?

Mr SMITH: If you want to be a cowboy, if you don't want to make responsible statements, resign from the ministry and give yourself the freedom of the backbench to make your crazy comments. If you want to be a minister of the Crown, you have a basic responsibility to make sure that your facts are right.

Mr Reed interjecting.

Mr SMITH: The criticism you made of the member for Wanguri applies to you. A simple telephone call to the CSIRO or to the Australian National Parks and Wildlife Service would have given the minister the facts of the matter. But no, headline-grabbing Mike goes out and unnecessarily and falsely casts aspersions on the reputation of the Australian National Parks and Wildlife Service and, more importantly, on the reputation of the national park itself. That is not good enough. I conclude by saying that one of the good things about the next election is that the member for Katherine will not be with us after it.

Mr FIRMIN (Ludmilla): Mr Deputy Speaker, I rise today also to congratulate the government on the declaration of the Gregory National Park. Unlike some other members in this Chamber, I have been to the area and, like several others who have spoken here today, I consider it to be a magnificent and glorious piece of country. As has been said, it will probably become one of the most impressive national parks in Australia. I have travelled through the area many times since my first trip to the Kimberleys about 25 years ago. In those days, the Victoria Highway was just a gravel track. I was fascinated by the country when I first saw it and I find it as fascinating now as I did then.

Today, I would like to touch on some of the history of the area and to add to what has been said already about it. The best documented and most famous visit to the area - and probably the first visit by white men - was that of the men of the HMS Beagle. They moved along the coast area after they had been in the Darwin region the year before. When they reached the coastal area at the mouth of the Victoria River, in 1839, they decided to map as far upstream as they possibly could. There are some very interesting aspects of that well-documented enterprise which sometimes sounds like a wonderful tourist trip.

I noted the jocularity across the Chamber when Gouldian finches were mentioned. Members might be interested to know that the naming of that bird arose out of the voyage by the staff of the Beagle up the Victoria River. I think it was Mr Forsythe who named it. He was in a gig that was being rowed up the river by Captain Stokes. He saw this magnificent bird and he named it after his good friend Mr Gould who had spent many years as a naturalist and was receiving specimens of animals and birds from the voyage. He thought this bird was unique and so attractive that he decided to call it after Mr Gould himself.

Mr Speaker, I would like to read you a little about that voyage up the Victoria River in 1839. I will read a couple of pages from the log of the voyage which was kept by Captain Stokes. It makes fascinating reading and reinforces some of the passion that is felt for this area, particularly by the Minister for Primary Industry and Fisheries and the Minister for Labour, Administrative Services and Local Government. It is very difficult to describe the beauty of the area unless you are a poet or a talented writer. Captain Stokes wrote:

> The Beagle was now nearly 50 miles up the Victoria River and might have gone 7 miles further, but a valley holding out a hope that we might find water by digging and the distance at which the river was fresh being too great for us to think of completing our stock from it, we anchored abreast of it.
>
> Whilst onshore getting observations for the area from the chronometers in the afternoon, I could not avoid soliloquising as I gazed upon the ship lying surrounded by lofty, rocky heights that towered above her masts until they appeared mere sticks. The contrast forcibly presented itself between the comparative insignificance to which she was reduced by the elevation of the hills around and the majestic appearance she was accustomed to bear when among the lowlands of which we had seen so much. The sight reminded me of early years of wandering within the narrow arm of the sea in Tierra del Fuego, save and except there were not the forests of ages to hide the nakedness of the land, which even there was close to the water's edge.

> My companion, recording the instruments in the boat, broke the reverie I was indulging in and, on returning on board, I found everyone busily preparing for the expedition up the river.

It was at that point that they anchored the Beagle, and from there on they took the gig and worked their way up the river.

I found another part in the log that probably relates to the area to which several of my colleagues have referred today and, if I had a topographical map, I could find the place because the early explorers named all the significant features which are still recorded today on the map. I did not have an opportunity to look at the large topographical map last night. Captain Stokes wrote:

> A sudden change in the trend of the reaches brought in sight the strange appearance of the country represented in the woodcut annexed. The peak on the right bank we named from the passion it assisted in gratifying 'Curiosity Peak'. Landing at the foot, we were not long reaching the summit although the thermometer was 90 degrees in the shade. The river formed a remarkable feature in the landscape before us to the north-east and, behind it, rose a high table range of hills from 500 to 600 feet in elevation. They were capped with low reddish coloured cliffs and, at their feet, stretched an extensive and seemingly boundless plain in a north-east direction whilst, on the south-east side and distant about 18 miles from where we stood, low ranges of hills were visible. Here and there over the plains were many small whirlwinds appearing in the distance like streaks of smoke curling upwards through the air.

I will not read the rest of it. They named that area the Whirlwind Plains. The high land that they saw away in the distance was called the Sea Range. They were in that area for nearly 2 months. It was one of the high points of that year's expedition by the Beagle. The log takes up 2 volumes and encompasses 6 years of expeditions by the Beagle. There is only one other place in the log where Stokes writes with such passion. Clearly, this section of the log is so extensive because they found the area fascinating.

It is interesting to note that the Minister for Primary Industry and Fisheries said that other expeditions into the area spoke in the same way about it. I can give a more recent example. In the early 1980s, a good friend of mine, Mr Hans Voss - who, like myself, is a marine historian - decided to go up the Victoria River and retrace the voyage undertaken by the Beagle. He took his yacht Antipodes as far as he could before he ran into the whirlpool areas at the southern reaches of the Victoria River. He speaks with great passion of the area as well. One day, when I have more time, I will probably attempt the same trip by water. So far, I have been into the area only by land.

Mr Smith: You will have plenty of time for that, Col.

Mr FIRMIN: That may well be the case, but we will see. Many things may come to pass.

I want to congratulate the Operation Raleigh teams which have worked in the area in the last couple of months. Some members know that I have had some involvement with the Operation Raleigh people and with the Duke's Mob. I met the parties that went out to Gregory National Park. They worked on

mapping the limestone caves, helped with walking trails and created some emergency helicopter pads in case of accidents in the area.

It was interesting to talk with these young adults from all around the world who were making their first trip to the Northern Territory. They were in Darwin for less than a week before going out to the Gregory National Park. They were absolutely fascinated by the area. They could not say enough about it. In fact, 3 of the 9 people in a party which had worked on the cave systems determined that, on their return to England, they would save up immediately to return and spend some more time in the park area. That included 1 girl who, unfortunately, had fallen and broken her leg and had to be treated at Timber Creek. She demanded to be taken back to the party and remained with it for the week that they were in Gregory National Park. She did not want to miss out on anything.

In closing, I reiterate that I believe that this park has the potential to become one of the greatest parks in the Northern Territory. As one of my colleagues interjected a while ago, it may possibly become one of the greatest parks in the world. I congratulate the government on its declaration.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I rise to support the minister's statement with enthusiasm and pleasure. I speak with some knowledge on the subject, knowing officers in the Conservation Commission probably better than most, though perhaps not as well as the Minister for Primary Industry and Fisheries. I know their dedication to their work and I believe that they are just as concerned as some honourable members who have commented on the fact that it has taken 6 years actually to declare this park. That has not been for the want of effort on their part. It has been due to a number of reasons, the chief being, as honourable members before me have said, the land claims put over an area that the Northern Territory government had bought for inclusion in the park which, from the park's point of view, is in a state of limbo at the moment.

Let us hope that some arrangement that is acceptable to both sides can be worked out so that that area can be included in the Gregory National Park at some time in the future. With the happy working relationship between the Conservation Commission and the traditional owners of Gurig National Park, a precedent has already been set for the Conservation Commission to work with the traditional owners of particular areas, and I cannot see why the same type of arrangement cannot be reached in respect of the relevant area of land in the Gregory National Park area so that it also can become part of the park.

As well as the park presenting its wild, natural beauty to all of those who visit it, I would like to be assured that some steps will be taken to preserve features of historical significance in the park in terms of pastoral settlement, the sites that were marked by the first surveyors of the areas as well as the areas of significance to Aboriginal people. Not only will it then be a park of natural beauty, but a park of history as well.

Mr Deputy Speaker, 4-wheel-drive activity in the park has been mentioned. Without being told, I would have assumed that the 4-wheel-drive enthusiasts would not be allowed to go hell, west and crooked in the park but would be allowed reasonable access, along appropriately defined paths. This facility offered to 4-wheel-drive enthusiasts is not able to be made available in places like Kakadu National Park, where people have to be extremely careful that they do not go off the beaten track at all, because they will be subject to a hefty fine if they do so. I refer to a particular

court case some years ago when an unsuspecting Victorian tourist went off the beaten track and ended up in court being fined for his efforts.

I have been to the Gregory National Park and I was impressed by the grandeur of the rock formations. In particular, I recall a palm which grows there in a limited area. I do not know the name of the palm, but it grows right at the edge of cliffs. From memory, it is a very tall, spindly palm with a little bunch of greenery on the top, growing up 20 to 50 feet. These palms are growing from the base of the cliff and up the cliff face, and are very impressive.

When the park was in its formative stages, the plan of management was circulated. I do not know whether all honourable members received a copy for comment, but I received one. I commented on the plan for the control of rubbish and human detritus. I would like the minister to comment on what I am about to say, if he thinks it is relevant. Personally, I think that it is very relevant. As this area is to be used for camping by both Aboriginal and non-Aboriginal people, I would like to see the same requirements concerning the clearing of rubbish and other throwaway material that comes from human habitation applied to both these groups of people. If this national park is to remain in as near a pristine state as possible and to continue to be of interest to everybody, then the rubbish that humans throw away has to be collected. I hope that strict by-laws will be framed in relation to this because I do not believe it should be the responsibility solely of the rangers to pick up other people's rubbish all the time. It should be a case of if you muck up, you clean up. If you have rubbish, you should dispose of it yourself.

I read with interest in the statement that the park has an extensive network of caves. There are not a great many areas in the Northern Territory where speleologists can indulge in their interest. There is a cave formation at Katherine, but I believe that that formation is not of such an extent as to permit exploration by groups. I stand to be corrected, but that is my understanding. I would like the minister to comment on that aspect though, if he does not have the knowledge to, perhaps I could make my own inquiries. However, if the network of caves in the Gregory National Park is of such a nature as to permit expeditions to explore them, that will provide another very important drawcard in Gregory National Park.

The minister noted in his statement the historical old baobab trees on the banks of the Victoria River. I have seen these and I hope that their state of preservation has improved during the 6 years since I saw them last. From memory, they were protected by a fence, but the main form of protection at that time seemed to be effected by removing the signs that indicated the track that led to them so that tourists were not easily able to find their way to them although, if they knew where they were, they could go and see them. I would like to see these trees protected more adequately, because they are truly historical. With those few remarks, I conclude by complimenting the minister on bringing to fruition the declaration of Gregory National Park, and I compliment also the officers of the Conservation Commission on their work towards this end.

Mr MANZIE (Lands and Housing): Mr Speaker, I rise to support the declaration of the Gregory National Park. Honourable members have spoken of the beauty of the area and have detailed its history. It is an area of the Territory that was mentioned as long ago as the days of the first European exploration of the Territory. It was one of the first areas of Australia where oil was discovered near the surface of the land, and it is an area

which has been seen by the Northern Territory government to be worthy of incorporation as a park.

It is important to take this declaration as an example of the government's attitude towards the development of parks in the Territory. Originally, this was a cattle station area. A previous Speaker of this House, Roger Steele, who had a great love of the area due to his early work commitments there, convinced the government of the beauty of the region. The government accepted the fact that this was an area of great significance and we have moved in a way which does not occur very often in this country today. The end result is that an area of some 10 000 km^2 will now develop into one of the greatest parks in Australia.

Many of us have visited the park, unlike the Labor spokesman on conservation, who obviously does not know where the park is and has never been there. However, that fact does not stop him from making adverse comments. The member for Wanguri gave an absolutely appalling display this afternoon. Not only did the tenor of his speech run contrary to what has been said by a number of opposition speakers, but he had the audacity to stand in the House and attempt to denigrate the government in relation to claims of illegal activity and destruction of an area on the banks of the Victoria River in contravention of the Control of Waters Act. It has since been pointed out to him by a number of honourable members that the area he was speaking about has been a crossing for many years. To my own knowledge, the crossing has existed there for more than 20 years. It was already there before the bridge was erected. It is an area which has been in continual use for the movement of cattle and other things across the river.

Not only had he not been to the area, he did not know the area. However, that did not stop him trying to score some political points. Again, he exhibited the sort of behaviour for which he is becoming quite notorious - that is, opening his mouth and talking about things he does not know about, making statements which have no basis in fact and, in general, making a fool of himself. It does not help the standard of debate when that type of behaviour is indulged in by the opposition spokesman on these matters. If the honourable member has genuine concerns about mechanisms for protecting areas in the park by law, I would like to hear what comments he has to make on the circumstances of the Aboriginal land claim in the area.

As has been stated, in pursuance of its commitment to develop a world-class national park for all Australians and for all people of the world, the government committed taxpayers' money to the purchase of properties when they came on the market in order to enable the park to be established. One of those properties was Fitzroy Station. In the period between the purchase, effected with taxpayers' money, and the lodgement of the registration of the purchase, the Northern Land Council claimed that area and it is now part and parcel of a land claim. If that claim is successful, the area will be excluded from the application of Territory law. The Control of Waters Act, the Soil Conservation Act and all other acts which relate to the control of behaviour and operations on that land will not apply. The government of the day will not have an ability to enforce them.

I would like to hear what the opposition spokesman on the environment has to say about that. He said that someone had broken the law and done something terrible, which has since been shown to be absolute rubbish. Nevertheless, he said nothing about the fact that, after the commitment of taxpayers' money to develop this park, a land claim had been lodged placing the environment of the area in grave jeopardy by putting it beyond the

control of Territory law. That is an example of the sort of double standards that are exhibited by members opposite. I am sure that the community is well aware of the opposition's views on these matters.

In considering the opposition's position on this matter, I thought I would have a look at what its party platform says about parks in the Territory, the role of the Conservation Commission and the development of new parks. I dug out my trusty copy of the Labor Party platform. First, I turned to the table of contents, but I found no reference to parks. Then, I looked under heritage and natural heritage but there was nothing there either. I turned to recreation, because Territorians and other Australians would be presumed to spend recreation time in national parks. There was nothing there. Where else could I look? I tried tourism, and there I found a little section on parks. The section is not very extensive but I think that it is worth reading out. This is the ALP's commitment to one of the greatest assets in the Territory, our natural environment, and to the protection of that environment through the setting up of parks to ensure that the land, flora and fauna of the Territory will be preserved for those who come after us.

The first thing one reads about parks appears at page 118: 'The unique natural beauty of the Territory should be available to all Australians and overseas visitors to enjoy, provided that the enjoyment is not to the detriment of local cultures or to the environment'. Immediately, Aboriginal land is out bounds! I suppose people might destroy the environment by walking or by using a river crossing which they have used for many years. That is the perception of the member for Wanguri. On the next page, after a few paragraphs, we find another entry which says that Labor will 'encourage and support a code of behaviour within parks and reserves for tourists ...'

Mr Ede: Read it all. Don't be selfish.

Mr MANZIE: There is nothing else there.

I will continue: '... by developing appropriate signs, pamphlets and other material'. This is a commitment to put in big mobs of signs which, somehow or other, will make people behave themselves in parks and reserves.

After another 6 or 7 paragraphs, I found something else to the effect that Labour will 'ensure appropriate access to Territory tourist attractions'. I suppose that has something to do with parks. There is no mention about developing parks, managing parks, or the Conservation Commission's role except - surprise, surprise - a couple of paragraphs about Kakadu and Uluru National Parks. I thought that I might find something to the effect that the ALP would require those parks to be handed back to Territorians so that they could be developed to the same high standard as our Territory parks. But no, it says:

> As a matter of priority, Labor will ensure that Aboriginal interests are fully taken into account in any development plans in Kakadu and Uluru. It will ensure adequate and proper consultation with all tourist operators and other interested bodies on current and future development plans within the national parks. It will ensure that proper environmental safeguards are provided for in development plans and will continue active negotiation with the federal government and traditional Aboriginal owners of the lands which constitute these 2 great national parks to ensure that the traditional owners are involved as fully and meaningfully as possible in policy formulation, planning and management in

relation to the parks, and that the status of the parks as major elements of Australia's national heritage is protected.

That is the sum total of the ALP platform's contribution to the development of national parks in the Territory, to the management of the 100-odd parks and reserves which the Conservation Commission looks after in the Territory, to the creation of new parks in the future, and to determining the nature of the Territory's involvement in Kakadu and Uluru. It is disgraceful. The community should know that the ALP has no policy or direction in relation to the development of parks in the Territory. Heaven forbid if, by any chance, Labor should be in a position to control what goes on in the Territory. It was obvious today that the opposition spokesman on conservation, the member for Wanguri, did not know what he was talking about. Other opposition members expressed viewpoints which contradicted his. That happened because they do not know what they are talking about. They become mixed up and come up with different stories because they have no policies relating to the development of parks. They certainly have a position on Aboriginal land rights and they support that to the hilt to the detriment of ordinary Territorians.

Mr Ede: We have 1 policy: to win the next election. That will do.

Mr MANZIE: It is important to recognise the opposition's total lack of credibility in this area.

Mr LANHUPUY (Arnhem): Mr Speaker, I would like to congratulate the Minister for Conservation on the declaration of the Gregory National Park. I remember that, a long time ago, people at Yarralin and Timber Creek had to decide whether to go ahead with a land claim or to discuss matters with the Conservation Commission to put in place a joint management arrangement in the area. My information is that, once this park is declared with the excisions which have already been worked out between the Conservation Commission and the people at Yarralin and Timber Creek, about 100 Aboriginal people would have traditional affiliations to that specific area of land covered by the park.

I would like also to take the opportunity to congratulate Laurie Roberts of Timber Creek who worked with the Conservation Commission. I am sure that the member for Katherine would be very much aware of Laurie's efforts in conveying to the Conservation Commission the attitude of the people in that area. It is my information that those people have always wanted to enter into a joint agreement with the Conservation Commission in relation to the area of land we are speaking about.

Many of the members on the other side of the House have made great play about the fact that the NLC, on behalf of the claimants, lodged a land claim during the period between the purchase of the land by the government and the gazettal of the purchase. The NLC acted on behalf of traditional Aboriginal owners in that area. That is its charter under the Land Rights Act. Timber Creek is on a pastoral property and Yarralin has always been on a pastoral property. The people who are claiming that area of land saw an loophole in the legislation which the Minister for Conservation should be very well aware of. They seized on that opportunity.

Mr Hatton: The NLC lawyers seized it.

Mr LANHUPUY: I am sure that the Minister for Conservation employs lawyers to give him similar advice. That is what lawyers are for - to seize on opportunities. I commend those people for taking the opportunity to

obtain an area of land which people at both Yarralin and Timber Creek have been wanting to get back for some time.

I have no first-hand knowledge of the area, although I have flown over it. Honourable members have spoken very highly of the Gregory National Park and I would like to see it one of these days, hopefully in the near future. I know from the time when I used to be with the NLC that Aboriginal people have always taken a very keen interest in conservation matters. It is clear that the officers of the Conservation Commission have established a very good relationship with the people on the ground. Aboriginal people in the areas of Gurig National Park and Keep River National Park have found that they can work with the officers of the Conservation Commission. It is only when politicians become involved that things get out of hand. Sometimes it is pretty hard to explain matters to old Aboriginal people, such as those living at Timber Creek and Yarralin and to tell them for example, that the legislation does not allow them to claim certain areas. I believe that it was through the goodwill of the Territory government that the 2 excisions were made available to Bob Shard at Yarralin and Laurie Roberts at Timber Creek respectively. I believe that there was an agreement that the Aboriginal community would not claim the stock routes and reserves which ran across the Keep River and Gregory National Parks.

I would like to caution the Minister for Conservation in relation to a concern which has been expressed to me on behalf of the people at both Yarralin and Timber Creek. This may not necessarily be a matter which the minister can take up, but the Conservation Commission can certainly do so. Concern has been expressed to me that there are difficulties with people living at Bucket Springs and Little Police Hole, which are excisions of 2 km^2 to 3 km^2 within the Keep River National Park. The difficulties concern access problems and building matters within the excisions. I believe that the problems can be sorted out with the management of the Conservation Commission.

Certainly, I would not like to see concerns or practices of this sort occurring in the area of Gregory National Park. Difficulties can and do arise. People tend to speculate on them and blow them out of all proportion. I believe that, with the goodwill of the staff of the Conservation Commission, it should be possible to work out some sort of agreement establishing set guidelines and procedures within the park which meet the needs of both the communities living on the excisions and the officers of the Conservation Commission.

Generally, I support the minister's announcement of the declaration of the Gregory National Park. However, I express those concerns. I do not intend to refer to the Kidman Jasper Gorge Land Claim and the difficulty which the Northern Territory government is having in relation to its appeal to the High Court. The matter is in the court's hands, and I hope that that matter will be cleared up very soon in the interests of establishing a good relationship between the Conservation Commission, the Territory government and the communities at Yarralin and Timber Creek. I convey my congratulations to the officers of the Conservation Commission in Katherine and to the officers of the NLC who have represented those people at Timber Creek and Yarralin. I believe that we have a beautiful park in the area and I hope that, in the future, people will be able to use it and be proud of it.

Mr HATTON (Conservation): Mr Speaker, I thank honourable members for their general support for the work of the Conservation Commission in bringing this park to the stage of declaration. In my reply, I would like to take the opportunity to deal with a number of the issues that have been

raised in the course of the debate. I will start from the most recent comments and work back to those of the member for Wanguri.

There is no doubt that the land claim area within the park is a source of particular aggravation to all of us because of the way devices were used. The view of honourable members opposite seems to be that it served the government right for not being quick enough on its feet in registering the title and so leaving a window of opportunity open for 28 or 30 days which allowed the lawyers who shuffle through land claims to take advantage of that gap to whack in a claim.

Mr Ede: How long was the window open for?

Mr HATTON: Between 28 and 30 days.

Mr Speaker, what a state the Northern Territory has reached! Clearly, the government was proceeding to purchase land for the purpose of a national park. There was no question about that. The process of negotiating and purchasing is administratively slow within a government department. During a gap of a couple of weeks after the payment of $60 000 for some land to form part of a national park, that land was locked up in a land claim process. Nobody can tell me that that is a reasonable approach for a land council to adopt.

It is a general policy by the Conservation Commission across the Territory to develop local management committees and joint management arrangements in respect of our parks and, specifically, to provide the opportunity for joint management by traditional owners of land, whether or not it was formerly Aboriginal land. It is a means of joint management so that they can exercise their traditional responsibilities and rights in respect of that land whilst, at the same time, we can carry out the necessary works for the protection of the conservation and recreational values of the area. That has been working very successfully. Given that very positive approach by the Conservation Commission and the Northern Territory government, to receive this type of back-handed treatment really tests your patience and your will to keep striving for a cooperative approach on such matters. It is a point of some frustration. I was Minister for Lands and Conservation at the time when that incident occurred and, for that reason, I feel that particularly keenly.

In respect of the other Keep River properties, I can advise the member for Arnhem that I believe I know the situation to which he is referring. Our major access problem is that the road going into those living areas is through Kununurra. It comes through Western Australia and we are having exceptional difficulty in persuading his Labor government mates in Western Australia to give any assistance in respect of the road on the Western Australia side of the border. We are negotiating with the Aboriginal community organisations in the Kununurra area and seeking to resolve this matter and to put pressure on the Western Australian government to meet its responsibilities on its side of the border. Perhaps the member for Arnhem could assist us by talking to his colleagues in Western Australia.

I do not need to speak about what the Leader of the Opposition said because he said nothing about Gregory National Park. I do not think a discussion about Kakadu and its weed problem is appropriate in this debate. It indicates how little he understands or knows or cares about conservation developments in the Northern Territory.

Turning to the member for Koolpinyah, the Aboriginal living areas are freehold properties excised from the Gregory National Park and the Conservation Commission has no control over such areas except in respect of general environmental rules. However, camping within the park will be controlled by by-laws under the Territory Parks and Wildlife Conservation Act. Identification of the limestone caves in the Gregory National Park has been undertaken recently, with the assistance of the Operation Raleigh students. Information will now be utilised to ensure proper management of this area through inclusion of a proposed draft plan of management. I hope that answers the honourable member's questions.

I turn to the matters raised by the member for Wanguri. He raised the matter of planned management. It is an hoary, old chestnut.

Mr Bell: That is a tautology, Steve.

Mr HATTON: Perhaps the member for MacDonnell can record that for the Christmas occasion.

I would like to deal with this matter of plans of management and the strategic planning that is taking place within the Conservation Commission. The member for Wanguri is not in the Chamber. If he takes the time to read the Parliamentary Record, it may save him considerable effort and worry in future when it comes to such concerns. I promise him that it is not a major concern. It is true that, although only 4 plans of management are currently in force, there are a further 19 draft plans of management at various stages of the approval process. It is anticipated that a steady stream of plans will be finalised in the coming months. The Watarrka National Park Plan of Management, which was tabled in the May sittings, is expected to come into force during these sittings.

The planning task in the Territory is quite different from that which prevails in the states because the Territory park estate is still actively expanding. Such planning effort has been and continues to be directed at strategic plans for large areas aimed at providing a balance between conservation and recreation, defining purposes of various parks and reserves, and guiding the acquisition process. In recent years, the following comprehensive strategic plans have been completed: the West MacDonnells Strategic Plan, the Top End Wetlands Strategic Plan, the Tennant Creek District Strategic Plan, the Pine Creek/Daly River Strategic Plan and the Gulf Country Strategic Plan.

Because these strategies set the stage for all Conservation Commission developments, they have been completed at the expense of formal plans of management on the basis of the fact that such plans of management will not be particularly meaningful without adequate definition of context and purpose. However, now that the commission's strategic planning is well advanced, a redirection of effort towards the production of formal plans of management has been implemented as will become evident as 19 plans of management make their way through the system in the coming months. In addition, plans of management for all the commission's parks and reserves have been programmed through to 1993. These will be based largely on existing area statements which have been completed for 95% of the Territory's park estate and which identify key values and management issues and provide a context and direction for each park or reserve.

Aspects of the Territory's park planning system have been closely imitated by the states. Members may be interested to know that, recently, the Queensland National Parks Service has adopted a planning system modelled

on that of the Territory, and the Department of Conservation and Land Management in Western Australia has copied directly the format and style of the Watarrka National Park Plan of Management in its recently produced plan of management for the Hamersley Range National Park. That is hardly a poor performance by the Northern Territory. Where no plan of management exists for a park or reserve - and this has been a continuing concern of the member for Wanguri - the commission is fully empowered to manage the park or reserve under section 17(3)(iv) and section 17(5) of the Territory Parks and Wildlife Conservation Act 1988, which states, commencing at subsection 17(3):

(3) Subject to subsection (4):

(a) no excavation shall be carried on;

(b) no buildings or other structure shall be erected;

(c) no work shall be carried out; and

(d) no timber shall be felled or taken in a park or reserve except in accordance with the plan of management relating to that park or reserve.

(4) At a time when no plan of management is in force in relation to a park or reserve, subsection (3) does not prevent the commission from preserving or protecting the park or reserve, protecting or conserving wildlife in the park or reserve, controlling authorised scientific research or protecting persons or property in the park or reserve.

(5) At a time when no plan of management is in force in relation to a park or reserve, subsection (3) does not prevent the commission, with the approval of the Administrator, from performing its functions in that park or reserve for the purpose of operating that park or reserve for the purpose for which it was reserved while a plan of management is being prepared.

Mr Speaker, that is exactly the level of approval that we have received in the instrument signed by the Administrator this week. All capital works carried out in parks are subject to approval by government as well as approval by the Administrator, in compliance with section 17(5) of the act. Day-to-day management of all parks and reserves is carried out by commission staff applying the Territory Parks and Wildlife Conservation by-laws as follows:

Application of by-laws:

These by-laws apply to and in relation to all parks and reserves, including all land committed under a law of the Territory to the care, control and management of the commission or which, under section 103B of the Crown Lands Act, may be managed, regulated or controlled by the commission, except to the extent that they are inconsistent with by-laws made under section 71 of the act in respect of a particular park or reserve or, in the case of land reserved under section 103 of the Crown Lands Act, the purpose for which it is reserved.

I hope that, when he comes back from wherever he is, the member for Wanguri will realise that we can and do manage our parks even in the absence of plans of management. Strategic planning processes are in place. These have been there for many years and they have been spoken about in this House on many occasions. We have a most interesting geographical information system which enables the operation of a Mapnet model in the Northern Territory. It is mapping the biological resources of the Northern Territory excellently. A recent article in a Melbourne newspaper praised the exciting work that is being done in the Territory and the computer modelling of data to draw the plan of the West MacDonnells National Park. That is occurring right throughout the Territory.

Another old chestnut that is floated by those who seek to denigrate the work of the government and the Conservation Commission is how small an area we have covered by national parks. That is probably true. Before Tuesday of this week, we had only 212 881 ha in national parks under the control of the Northern Territory plus another 229 000 ha as a marine park at Cobourg. We have now added a further 1 104 340 ha to that national park estate. Of course, that is nowhere near the area of land that we have under the care and control of the commission. In fact, some 86 areas, covering 4 242 065 ha or over 3% of the total land mass of the Northern Territory, are under the care and control of the Conservation Commission and the Australian National Parks and Wildlife Service.

The areas that are not yet declared as national parks include: Alligator Lagoon, Black Jungle, Lambells Lagoon, Cape Hotham Forestry Reserve, Casuarina Coastal Reserve, Daly River, Dulcie Ranges, Gosse Bluff, Junction Reserve, Keep River extensions, Litchfield Park, Marrakai Flora and Fauna Reserve, the Mary River crossing, the Mary River Conservation Reserve, Malacca Swamp, Ooloo Crossing, Point Stuart, Rainbow Valley, Shady Camp, Swim Creek, Tennant Creek Telegraph Station, Upper Litchfield Park, the West MacDonnells and the Wildman River. These are quite extensive areas of the Territory that will eventually be formally declared as parks. Quite clearly, we have very wide-ranging development of parks in the Territory. This will continue.

As I announced recently, Cabinet has approved the development of a new park in the Murchison and Davenport Ranges area, east of the Devil's Marbles and south-east of Tennant Creek. We will create a magnificent park in that range. It will be a major feature of our park network. The Gulf region has revealed areas which will be brought under park management and, in some cases, be set aside for recreational and other uses. However, these will be under the control of the Conservation Commission. In addition, we are negotiating with Aboriginal people in east Arnhem Land in relation to 1 or 2 potential national parks in that area.

Amendments to the Territory Parks and Wildlife Conservation Act that were passed in May will enable us to establish national parks over areas that are leased. That enables us now to look at the proposal of having national parks developed under our act on Aboriginal land in a similar way to Uluru, Kakadu, Nitmiluk and Gurig National Parks without the need to have completely separate legislation.

My final point is that something almost unrelated seems to have attracted everybody's attention. It is an incident that occurred in respect of the Victoria River. Though it is a miniscule incident compared to the overall significance of the opening of this park, a park 50% of the size of Kakadu National Park, nonetheless, it is a matter that needs to be dealt with. I refer to the development of some earthworks and the damming of part

of a lagoon in the vicinity of the Victoria River crossing by a company owned by Mr Donald Hoare. On this subject, the member for Wanguri became particularly excited, for once in his life, and we heard massive, emotive revelations flowing forth from his lips.

Mr Speaker, let me clarify the situation. To our knowledge, a crossing has existed at that point for 15 or 16 years. The member for Katherine dealt with that point quite extensively. To my knowledge, boat tour operations have been undertaken there since 1985. I recall that there was some conflict between the previous operator and the current operator and I understand that some personal bitterness persists between those 2 operators as a result of some events that occurred there at that time. Nonetheless, that area has now come into this national park and, of course, the involvement and direction of the Conservation Commission is considerably heightened.

As it turned out, the company involved, Huia Nominees, did undertake some earthworks there in May and constructed a road and some damming too. It has applied for a licence, under the Control of Waters Act, to enable it to close off certain waterways which come under the administrative responsibility of the Minister for Mines and Energy. Be that as it may, it is of interest to the Conservation Commission because it refers to an area within our park. That application is before the Controller of Waters in the Northern Territory for a licence to close off or obstruct a waterway for an ongoing purpose.

The Conservation Commission has lodged some objections to that application, and I would like to record clearly what those objections are. We do not object to the presence of that obstruction now, but we are bringing this area under our management and we have management proposals. I will read from the Conservation Commission's specific notation to the Controller of Waters. It is titled 'Application for Licence Huia Nominees, Victoria River'.

The Conservation Commission wishes to object to the above application on the following grounds:

(1) the site is located within Gregory National Park and managed by the Conservation Commission of the Northern Territory, and is owned by the Conservation Land Corporation - the applicant has no tenure over the land;

(2) no prior consent was sought by the Conservation Land Corporation or the CCNT for either the existing or future works;

(3) no formal environmental assessment of the project has been carried out under the Environmental Assessment Act;

(4) park development and planning procedures will be pre-empted by the proposed works - the unauthorised works previously carried out have compromised the recreational values of the area which will be developed as a major day-use picnic area incorporating water-based recreational activities; and

(5) if granted, there may be legal implications for exclusive use of the area by the applicant - this is

incompatible with park management aspirations and practices.

The commission has no objection to the granting of a non-exclusive use licence to enable the applicant to discharge his legal responsibilities under the Control of Waters Act. The following conditions would be required by the Conservation Commission of the Northern Territory:

(1) the licence will expire on 31 December 1990;

(2) no further earthworks will be permitted in any form on the banks or in the riverbed;

(3) no additional work or structures will be permitted which have the effect of retaining more water or interfering with the river flow or ground water hydrology;

(4) the dam will be required to be breached at the direction of the Conservation Commission if there are grounds to believe that riparian vegetation is being adversely affected by the dam;

(5) the causeway, a dam wall and associated structures are not for the exclusive use of the applicant.

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

Mr COULTER (Leader of Government Business): Mr Speaker, I move that so much of standing orders be suspended as would allow the minister to complete his remarks.

Motion agreed to.

Mr HATTON: Mr Speaker, I want merely to make the point that we believe the structure as it is now will wash away with the coming wet season.

Mr Reed: It has for the past 16 years.

Mr HATTON: That is why we are prepared to see the process continue through to the end of this year. Previously, it has been washed away during the wet season. We are quite prepared to have a non-exclusive use licence granted under those conditions. We believe the blockage will wash away in the coming wet season, as it has in previous years, and any future use of the area will be under stringent licence conditions. Negotiations are proceeding between the Power and Water Authority and the Conservation Commission on any licence conditions that would be required to protect the environment of the area.

Mr Ede: How is he to get his cattle through?

Mr Reed: It is a national park. Can't you read. There are no cattle there.

Mr HATTON: Mr Speaker, I trust that answers the questions, from a park management point of view, regarding the practicalities of exactly what is happening in that area.

I commend to honourable members the work of the Conservation Commission in this area. The work of the officers throughout the commission is a credit to the Northern Territory. Every Territorian should be exceptionally proud of the work done by the staff of the Conservation Commission, and the development work that has been effected in the short time since 1984. That work included the decision to acquire land in a pastoral area, the process of acquisition, organisation and planning, and evolution to the stage where we have now formally declared a major national park for Australia. That that has been done in the space of a scant 6 years is a matter of great pride. It continues the very proud record of a world-class organisation.

Motion agreed to.

MINE MANAGEMENT AMENDMENT BILL
(Serial 288)

Bill presented and read a first time.

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

In May this year, this House debated and passed the Mine Management Bill. This innovative piece of legislation portrays the present-day philosophy on occupational health and safety, and the current concern for the environment within the mining industry. Since the third reading of that legislation, I have been approached by interested parties regarding some aspects of section 40. Section 40 is a provision that allows the body of mine workers to elect 2 persons experienced in the type of work at the mine to inspect that mine to ascertain that the mine is safe to work. This may seem an archaic provision, particularly in this world of instant communication, but the provision is sensible as it may take some time for a government mining engineer to reach an out-of-the-way mining location and inspect the mine.

There had been some concern that the body of mine workers might elect 2 persons to inspect the mine, and those 2 persons could stop mine production or processing by leaving their normal duties to go and inspect another part of the mine. The simplest answer to the situation was to have the mine inspected by off-shift mine workers and so remove the chance of a production hold-up. They would not be paid for that inspection activity, but they would be covered by worker's compensation insurance. Mr Speaker, you may recall that, in the committee debate on the Mine Management Bill, some concern was expressed about section 40, and I said that I would review it to ensure that it was not subject to abuse. Since then, I have reassessed the situation and I am of the opinion that mine workers should be paid for the inspection activity.

The Mine Management Amendment Bill ensures that the 2 elected mine workers may inspect the mine during their normal shift and be paid for the inspection activity. However, it does preclude the election of those persons who, by neglecting their normal duties to inspect another part of the mine, would cause a production disruption or stoppage. It places the same burden on the body of mine workers not to elect such workers for that inspection activity. I wish to make it clear to all parties that, if any abuse of this amendment occurs, I will have no hesitation in reverting to the original provisions. I firmly believe that this amendment will promote cooperation between mine management and mine workers to achieve the goal of health, safety and environment protection that is needed in modern industrial practice.

It has been brought to my attention that there is a typographical error in the printed act. Section 8(4), dealing with the Mining Board, should read subsection (2)(c) not subsection (1)(c) as printed. This minor amendment is for reasons of clarity only, and does not alter the intent of the legislation.

Before I conclude, I would like to bring to the attention of honourable members an advance notice of intention concerning the membership of the Mining Board. As a result of discussions with mining industry members, the Mining Board and representatives of the Northern Territory Trades and Labor Council, I am prepared to consider the appointment to the Mining Board of an appropriate person nominated by the Trades and Labor Council. Accordingly, I have written to the Trades and Labor Council seeking its nomination to the board as constituted under the Mine Management Act 1990. I commend the bill to honourable members.

Debate adjourned.

STATEMENT
Sessional Committee on the Use and Abuse of Alcohol by the Community.

Mr POOLE (Araluen)(by leave): Mr Speaker, as you are aware, the sessional committee was established by the Legislative Assembly on 23 November 1989 to inquire into and report to the Assembly on trends in alcohol consumption in the Northern Territory, the social and economic consequences of alcohol use and abuse as well as the services currently provided to deal with the resultant problems, and those factors which directly affect the level and nature of alcohol consumption in various Northern Territory communities. Further, the terms of reference require the committee to report on appropriate policies and services for the prevention and treatment of alcohol problems.

Alcohol use and abuse is connected to various problems which can impact on the individual drinker, the drinker's immediate family and community, and the broader community in terms of coping with the financial and social costs engendered. Whilst most people in our society would agree that moderate and contained drinking can be a pleasurable adjunct to social occasions, its contribution to serious problems in the areas of law and order, health and welfare is of major concern.

In undertaking the responsibilities with which it has been charged by this House, in the first instance, the committee has commenced to identify these problems. Initially, the committee was provided with both written and oral briefings by departmental officers from the police, the Department of Health and Community Services and the liquor commission on alcohol issues generally and, in particular, matters pertinent to its terms of reference. The next step was to advertise throughout the Northern Territory for interested individuals, groups and organisations to provide written submissions to the committee.

It should be noted that the concerns of this House regarding the cost to individuals and the community of alcohol use and abuse are shared by the community, as has been evidenced by the level of response to date to the committee. Since written submissions were first called for in mid-March, a total of 48 have been received, representing a considerable input to the committee's deliberations. Over the past 2½ months, the committee has undertaken public hearings and held meetings at communities. Public hearings have been held in Alice Springs, Katherine, Tennant, Alyangula and

Gove, providing an opportunity for almost 70 persons, representing 35 organisations or appearing as individuals, to present their views on the problems and solutions as they perceive them. In addition, meetings have been held at Imanpa, Mutitjulu and Papunya in the central region, and with representatives of the Angurugu and Yirrkala communities in the east Arnhem region.

Whilst in Katherine, members of the committee attended and participated in part of the grog forum with representatives of 12 Aboriginal communities in the region from Borroloola in the east to Bulla Camp in the west, down to Lajamanu and Daguragu. It also visited a number of town camps, both wet and dry, in Katherine to observe at first hand how alcohol restrictions or the lack of them can influence the lifestyles, health and welfare of the residents. The public hearing in Tennant Creek was followed by a meeting at a town camp with local residents and visitors from out bush. Although the committee has yet to hold public hearings in Darwin, meetings have been held with a number of organisations and are ongoing.

I believe that this initial process of the committee, of consulting widely across the Northern Territory and gathering information from a cross-section of people on the effects of alcohol and possible solutions, is important. I intend that this course of action shall continue with the committee's role being to canvass views and assess the situation in all centres as well as smaller communities.

Whilst I consider that the committee is still in the early stages of its inquiry and certainly I do not wish to pre-empt any of its findings, what is already obvious is that there is not a problem, as such, but many and that the solutions will lie in attacking the issues from a number of angles, taking cognisance of the circumstances and needs in different areas. The evidence to date is sufficient to establish this. At each public hearing in each centre which the committee visited, different issues have emerged to dominate the alcohol debate.

In Alice Springs, it was the havoc which the use of alcohol is causing in the overall community, with special reference to its influence on the social fabric of Aboriginal lifestyle. It was also that of law and order, a situation that has probably received sufficient publicity and public expressions of concern from members of this Assembly not to require further elucidation from me at present. In Katherine, it was the perceived need for more facilities to address rehabilitation, and a need for education programs and support systems. Tennant Creek brought to light alcohol abuse as a manifestation of broader social problems, and argument for some rationalisation of the financial viability within the industry. Not surprisingly, the views expressed on Groote Eylandt and in Gove alluded to the balance which the residents of the smaller communities are attempting to maintain between the traditional cultures and the lifestyles of the work force. Accessibility to, and availability of, alcohol appeared to be the issue there.

The message from Aboriginal people, particularly in the small communities, is also one that has been highlighted over recent months. Alcohol is a major factor in the changes taking place which are leading to the breakdown of traditional cultures. Of great concern is the part it plays in contributing to violence, the physical abuse of women, and the neglect of the welfare of children, placing their health and future at risk. The debate between prohibition and regulation, education and rehabilitation continues, as does the effectiveness or otherwise of

restricted areas legislation in doing any more than moving the problem from one area to another.

Whilst I do not wish to detract from the serious nature of the problems which Aboriginal people are facing as a result of alcohol abuse, its impact on the non-Aboriginal population should also be stressed. In fact, the available statistics show that a much greater proportion of Aboriginals than non-Aboriginals do not drink at all. Growth in concerns about the overall effects alcohol can have on an individual and the community are evident not only in the Northern Territory. As studies and more quantifiable data become available, particularly in relation to alcohol's contribution to morbidity and mortality rates, its full impact is starting to emerge. In fact, there appears to be a general agreement among health researchers and professionals Australia-wide that any more than 4 standard drinks per day may place an adult male at risk. Because of the different physiology of women, the recommended limit for adult females is 2 standard drinks per day. Sales figures for alcoholic beverages provided by the Racing, Gaming and Liquor Commission indicate much higher alcohol consumption rates in the Northern Territory than nationally, in a country which has the highest per capita consumption rate of all English-speaking nations.

Although statistics are not available to show the rate of direct causation by alcohol, 1 in 2 road deaths in the Territory involves in some way a blood-alcohol level of 0.03% or higher. According to police records, alcohol plays a part in over 50% of serious crimes and more than 70% of violent crimes. In fact, indications are that 58% of police work Territory-wide is alcohol related, with estimates as high as 95% in some specific areas. As well, it is estimated that 1 in 5 hospital beds are being used for alcohol-related illnesses. Add to this the cost in terms of social and welfare services and lost productivity and it is obvious that alcohol's accepted part in the way of life of Territorians needs to be re-evaluated.

I wish to table a brochure which the committee has produced to heighten awareness of the alcohol issue throughout the Northern Territory and to elicit input to its deliberations. It is obvious that the alcohol debate is an issue that touches on the lives of most people. Consequently, I take this opportunity to invite all members of this House to contribute to the discussion and the committee's deliberations. I will convene a special hearing in the near future for members of the Legislative Assembly to give formal evidence to the committee and to provide a forum for discussion of the issues.

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

Mr BELL (MacDonnell): Mr Speaker, I welcome the statement delivered to the Assembly by the Chairman of the Sessional Committee on the Use and Abuse of Alcohol by the Community. I believe that it represents a very accurate, if fairly summary, description of what the committee has been doing since it was established towards the end of last year. I believe that its activities to date have justified the efforts of the Assembly in establishing it and, at the outset, I would like to place on record my appreciation of the essentially bipartisan nature of the committee's work. I hope that it is reciprocated by government members. Given the fact that alcohol abuse, particularly in Alice Springs and around my electorate, has been such a high profile public issue, I think that that bipartisanship has been all the more remarkable. I would like to pass on my appreciation to the members for Araluen, Leanyer, Karama and Arnhem.

There are a few comments that need to be made in addition to this report. Before I make those, it is appropriate that I point out that, in this debate, I have no intention of responding to some of the comments made by the Chief Minister during the time that the committee has been deliberating. The Chief Minister has made some recommendations or suggestions publicly with which I strongly disagree. I do not intend to debate them here, and I do not propose to chastise him except to say that I believe that it would be more productive if his comments were directed through the committee.

Mr McCarthy interjecting.

Mr BELL: I will resist the temptation to respond to the interjection from the member for Victoria River. If he wishes to debate at a political level rather than at a level of gathering information, he is most welcome to because, as I have said elsewhere, there are serious shortcomings in the government's decisions.

I do not intend to comment on those in a critical way. However, I believe that I would be derelict in my duty if I did not say that it was a tragedy that, 2 days after the committee had visited Imanpa, there was an alcohol-related death. The committee visited Imanpa in May. The unrestricted takeaway licences that have recently applied - albeit for different reasons of administrative and legislative process - at Erldunda and Curtin Springs undoubtedly have been a contributing factor to that death. The fact that people travelled from as far away as Docker River, 300 miles further west from Kenmore Park, and at least 200 miles to the south to the hearings of the committee at Imanpa was an indication of the depth of feeling in those communities. During those hearings, they said: 'Ngnurra panya kutjarrangku ngananya utjuni'. That translates as: 'Those 2 places that are selling grog are squeezing us'. I do not believe that this Assembly can ignore the plight of the Imanpa community and many of those associated with them.

I will say no more about that at this stage, but I think that is an important factor and I will be having more to say about that in another context. I am quite determined to continue and to see continued the bipartisan spirit that has characterised this committee. The reason for that bipartisanship is that everybody on the committee has detected a real concern in the community. There has not been a place that the committee has been to where the subject matter has been treated with a yawn.

The chairman's statement reflects quite correctly the relatively diverse concerns. One of the diversities that I was interested in and found thought provoking was the fact that, in eastern Arnhem Land around Nhulunbuy, the problems that the Aboriginal community has are not of the same order as the problems that are being suffered in the Aboriginal communities around and in Alice Springs. I think it is worth stopping for a moment and considering why that is the case.

At first glance, I would say that it is because, for geographical and historical reasons, black-white contact in eastern Arnhem Land has been recent and has been generally far less disruptive of Aboriginal tradition than the 100 years of it in central Australia. The poor Aranda in central Australia have had their country trampled on for 100 years and they are in a much more difficult circumstance than are the Pitjantjatjara further to the west in my electorate, also for geographical reasons. I submit that both of those groups are in a more difficult situation than the Yolgnu in east Arnhem Land. The member for Arnhem may disagree with me in that regard, but

that is my first reaction. Those distinctions need to be brought out. I am hoping that, as the committee continues its deliberations, those sorts of perceptions will be brought out in the committee's reports to the parliament.

That brings me to what I see as the 2 broad areas for the committee to look at: firstly, legal and administrative reform and, secondly, educational and attitudinal change. Both of those are important and both must move in step. By visiting various centres, the committee is carrying out part of that educational process itself. Certainly, I am finding it educational. As a person who moved the motion that set up this committee in October last year, I feel that I have learnt a great deal. I hope that I will be able to make some contribution in both those areas. As I have said to a number of people, I regard this committee as one of my highest priorities as a member of this Assembly. If, as a result of the activities, the deliberations and the decisions of this committee, a few people can stay alive a bit longer and a few people can live life a little more abundantly, the committee will have justified its existence.

To sum up on that point, I believe that attitudinal change is something for which we must continue to work. There is a large number of issues that range from bringing the point home that the World Health Organisation regards more than 4 standard glasses of beer or 4 glasses of wine as dangerous to questions relating to the determination of the most appropriate forms of advertising for educational purposes.

I point out that there is a need to be even-handed in this regard. I am not interested in becoming involved in a 'let's bash the liquor industry' exercise. I think that we need to be talking about responsibility in all sorts of areas. I have a friend who runs a winery in the Rutherglen area. Indeed, the fine Rutherglen reds are dear to my palate. I recall meeting him when he first commenced that enterprise. He said that there was considerable pressure to have warnings on alcohol containers similar to those on cigarette packets and that he was getting in first. On the bottom of all of his bottles of wine is written, 'Enjoy wine in moderation', or something to that effect. Thus, the liquor industry is interested in this. I believe that attitudes in the industry are changing.

Since I am talking about the industry, it is worth while referring to the economics of grog. One of my concerns is that, so far, the committee has not received many representations from the liquor industry. The Liquor Licensees Association in Alice Springs made representations to the committee. Mr Tony Bridgeman from the RSL Club in Alice Springs and one other member of the association have made representations but, to date, they are the only people. Hopefully, in Darwin we will hear more from the organisations. In neither Katherine nor Tennant Creek did the committee receive representations from licensees. It is important that this committee get a good handle on the economic structure of the liquor industry for the information of the Assembly. I suspect that at least some licensees are forced into a position of pushing grog much harder because they have debts to service. I think that that is important.

If a licensee is tempted to transgress the Liquor Act by serving somebody who is intoxicated because he is under economic pressure to sell more booze, that is of importance to us. The traditional view would be caveat emptor, let the buyer beware. This is one area of economic relationships in which the government has a legitimate interest. I will not refer to one of the offences against that provision of the Liquor Act because it is before the courts at the moment. In fact, surprisingly few charges have been laid under the 'serving intoxicated persons' provisions,

and the reason for that is worth considering as well. I suggest that our attitude to booze is ambivalent. Those provisions of the Liquor Act are an area in which the committee has more work to do.

Another issue needs to be brought out. The chairman touched on it in his statement when he referred to alcohol as a symptom and not a cause. I think that we have more work to do too in examining the connection between alcohol abuse and the lack of employment opportunities, particularly in the Aboriginal community. I have talked about this subject at length in the Assembly before and I will not do so again today. However, the issues of lack of employment and lack of occupation which underlie alcohol problems in the Aboriginal community need to be addressed. The same applies in respect of alcohol abuse in the non-Aboriginal community. The factors which lead to alcohol abuse in the non-Aboriginal community are different and include, for example, isolation and the relative lack of extended family for many white fellows living in the Territory.

The work of the committee must be ongoing. The Assembly should not expect this committee to say: 'Right, we have done our job. That is the end of it'. I would be very disappointed, for example, if I did not have the opportunity to go back and talk to the people to whom we spoke at the camp just to the north of Tennant Creek. Its name escapes me at the moment, but I found that a very fruitful dialogue with a group of people who were deeply concerned about the issues. We have a responsibility to go back to them in 6 or 12 months, or maybe longer. The process should be ongoing. It is my belief that the sessional committee should be renewed with each session of parliament until booze ceases to be such a huge problem in the Territory community.

To conclude then, it is obvious that many other issues could be raised and examples given. However, I have given some indication of the importance of the activities of the committee to date and its future activities. Once again, I welcome the statement from the chairman. I thank members of the committee and I look forward to working with them to alleviate some of the traumatic evil which booze is causing in the lives of so many people in the Territory.

Mr FINCH (Racing and Gaming): Mr Speaker, I wish to endorse wholeheartedly the comments of the member for MacDonnell in so far as they relate to the bipartisan nature of the committee. That is not likely to make headlines or even page 14 of the NT News. Perhaps the committee should place an advertisement in the newspaper just to let people know how bipartisan its approach has been. It is an extremely important aspect of the committee's approach and is perhaps what is most likely to assist us in finding some meaningful solutions.

Whilst the approach within the committee has been bipartisan, there has been the odd lolly-fight outside the committee. The member for MacDonnell refrained from making too much comment on those disputes and I will not do so either. Submissions to the committee and appearances before it have not always been non-political either. Some have been quite provocative, and that not necessarily in one direction only. Despite all that and despite even, at times, being under a fair amount of pressure from people giving evidence, members of the committee have taken a fairly cool approach and we seem not to have become too ruffled.

The experience has been enlightening to all of us. I have discovered that some of the problems we witness in central Australia are quite different from those which exist in the Top End. I am sure that the member

for MacDonnell would have been equally enlightened when he travelled into areas new to him. Given the fairly complex and vexed nature of the problems, no doubt some of the witnesses who have appeared before the committee were justified in expressing some emotion which has arisen as a result of their exasperation with trying to find practical solutions, just as the committee is trying and as society has tried over the decades if not centuries.

I would like to pay tribute to the hard work done by the Legislative Assembly staff to date, specifically Mrs Pat Hancock and those who have helped her. Staff have worked many hours, sometimes in not altogether pleasant circumstances. It has been a bit chilly on occasions and we have done a great deal of flying from one bush location to another. The recording of evidence in uncomfortable conditions has often been complicated by the demanding business of listening to interpreters. I should acknowledge the member for MacDonnell, who has helped us all in understanding some evidence presented in southern areas. I am sure that the member for Arnhem had just as much difficulty as I did in understanding much of that evidence. I was interested in how he handled one situation in which he was asked to talk to the local people and tell them his views. I was not sure whether they expected him to speak in language or not. It was all very interesting. We have had the opportunity to hear of some of the problems and people's perceptions of the causes. However, the real challenge lies before us in our attempts to provide practical answers. That will not be nearly so easy.

I look forward to the further deliberations of the committee. They have been constructive and bipartisan to date. We will be receiving submissions from licensees in the Darwin area, and I am aware of some members of the Assembly who would like to present their views, some on the record and some off it. I believe that that will be extremely helpful. The committee has encountered some minor problems identified by witnesses. A number of those have been passed on to the appropriate bodies and resolved.

The liquor commission is moving already in relation to a number of issues, particularly those relating to the proper practice of licensees in their serving of alcohol. The AHA itself is taking on some responsibility and has recently launched a campaign of self-regulation in relation to the serving of intoxicated people, a very important area which the commission is also working on.

Whilst it is true that few charges have been laid under the act to date, that is significantly due to the practical difficulties encountered in getting the appropriate evidence through the system and before the courts. As a result of the recognition of that problem, the commission and the Department of Law are embarking on a review in an effort to find a practical way of ensuring that that aspect of the Liquor Act is enforced. The 'fit and proper persons' provision of the new Liquor Act allows for the suspension of licences for periods ranging from 24 hours to 7 days or, in cases where licensees will not accept conditions imposed on them, the removal of licences. Whilst the committee will need some time to reach practical solutions, the process of change does not have to wait on that.

In concluding, I again express my appreciation and that of all my colleagues for the work of Pat Hancock, the Hansard staff and others, who have spent many hours travelling and typing up evidence and transcripts. I refer also to the activities of other members on the committee, particularly those who have been involved in subcommittees gathering evidence. The subcommittee system was somewhat misunderstood at the start. In terms of

bipartisanship, things nearly did go off the rails at an early meeting in Alice Springs, particularly when some of the witnesses and some members of the media attempted to make mileage because it was a subcommittee meeting. It was never intended that Messrs Poole and Palmer would be at the meeting, and we made that very clear. The situation was dealt with in a bipartisan fashion and the problem was sorted out eventually. Apart from that one occasion, things have gone really well and we look forward to some constructive input and decisions in the future.

Mr LANHUPUY (Arnhem): Mr Speaker, like the Minister for Racing and Gaming, I welcome the chairman's statement. At the outset, I would like to thank Pat Hancock and the Assembly staff, who have worked around the clock to assist this committee in its deliberations. No doubt, many people are hoping that this committee will come up with the goods. Within the committee, we are aware of the hardship which the abuse of alcohol causes, not only in remote communities but also in the major communities. The committee has become aware of the fact that, whilst there are cultural differences, abuse of alcohol is a major problem wherever it occurs.

In my own community, I have been involved with many people who have experienced difficulties because of alcohol. I only hope that, as we move around the Northern Territory, people will come to the committee and express their views openly, whether it be to exercise their right or to speak on behalf of communities or organisations. It is time that the Legislative Assembly realised that it is a disease. In the Aboriginal community, we are feeling it. We have received that message very loud and clear in our travels. People have said that they are losing much of their culture and they are losing many people. For example, a death occurred recently at Nhulunbuy which was alcohol-related, and it was a very sad affair.

I would hope that, during the life of this committee, our discussions will bring out those people who are concerned about the use and abuse of alcohol by the community at large. As I said earlier, our travels, even though they may be in their early stages, have been very educational not only for members of the committee but also for the staff that travel with us. I only hope that we will be able to share our experiences as members of the committee with honourable members in this House and ensure that what we have heard around the Territory is brought into the legislature and that it will provide some protection for our moral standards, our social life, and social human behaviour in the Northern Territory community.

The committee is learning. Certainly, I have a long way to go on the committee. I look forward to participating as a member of the committee during its life in this Assembly. I am very pleased that I have been able to participate in some of these discussions and that I have been able to assist where language difficulties have created communication problems for the committee. As I said, we have found that there is a large and very real problem with alcohol consumption in the community and it is not restricted to the use of alcohol by Aboriginal people only. It is also within the white community generally, although it is more apparent visually with the Aboriginal people.

The problem does exist. It is a disease which I believe the community has to come to grips with. I hope it does not reach the point where we will no longer be able to save ourselves from this disease. I can only hope that, as legislators, we can come to grips with the fact that it is a disease, and speak to the people about it and educate them. The people will begin listening to this parliament and will take into account the responsible attitude that we, as legislators, are taking towards coming to

terms with the difficulty that we have. I accept the fact that the committee has a long way to go. Certainly, there will be further hearings, not only in the major regional centres, but also in Darwin. I can only urge people in the Northern Territory generally to attend these hearings and express their concerns about the use and abuse of alcohol in the community.

Mr FLOREANI (Flynn): Mr Speaker, I listened to the chairman's statement with a great deal of interest. I have been looking forward to it eagerly. You will recall that I fully supported the committee's formation and, from what has been reported today, it would appear to be doing a great job.

Mr Speaker, as you know, I have a business background. When first I was elected, I acknowledged to myself that I did not know much about social issues. I attended a seminar held by a group called the Holyoake Group in Alice Springs and, for the first time, I became aware of the seriousness of alcohol use and abuse in our community. The Holyoake Group talks of a denial factor. One denial factor is that, as a community, we do not want to know about and do not want to tell anyone about our drinking habits. I found it fascinating to hear the member for Arnhem use what I think is the correct term when we talk about alcohol abuse, and that is that really our grog-taking is a disease. It is one of those diseases that sneaks up on us and we do not really realise what is happening. I am heartened that we have a committee that is actually looking at the whole problem.

Originally, Holyoake was started by an Australian in Perth some 20 years ago. The more that I learn about the problems of grog use and abuse in our community, the more tragic the situation seems to be. I think that all of us hear, almost on a weekly or a daily basis, of some tragic loss of life - and not necessarily only in Aboriginal communities - among our young people who are being killed in car accidents etc as a result of alcohol abuse. It seems that, in our community now, we cannot enjoy ourselves unless we blow our brains out with too much grog. However, that is only one factor, and I think that another very important factor is that of family breakdowns and so on.

I was fortunate enough to attend some part of the meetings and I think that the high level of response was great to see. Another point that struck me was that a number of professional people, who deal with grog problems and the diseases grog promotes, appeared to breathe a deep sigh of relief that at last someone was listening to them describe their problems and the problems that they saw in our community. I think that the denial factor is a term that will be stressed in the committee's final report.

I would like to congratulate the committee on its bipartisan approach and the spirit that it is displaying. It is a great thing to see because the problem is serious enough to warrant that type of approach. We will all come to the conclusion that drinking is an individual's problem. I believe the true answer will lie somewhere in the area of raising community awareness about grog and what grog does to ourselves and our community.

Another point that I found interesting was the emphasis laid on the fact that health warnings now appear on cigarette packets and advertising alerting people to the fact that smoking is dangerous to health. Grog is more dangerous again as it affects not only the drinkers but also their families and those around them. That is something to be considered.

In his report, the chairman hinted that this is not only an Aboriginal problem, but a non-Aboriginal problem as well. I believe that, when the

final facts and figures are known, we will discover that the problem is just as great in the non-Aboriginal community as it is in the Aboriginal community. I look forward to future statistics, reports and facts emerging from the investigations of this committee, and I congratulate the committee on the report that it has made today.

Mr COLLINS (Sadadeen): Mr Speaker, I was pleased to hear the first report from the chairman of the Sessional Committee on the Use and Abuse of Alcohol by the Community. In some ways, one could be a little cynical and say that, as a result of one's experience of life, one knew already the attitudes to many of these matters. I am sure that members of the committee have found that they were aware already of many of the factors raised in the submissions and hearings. At this stage, the committee is hearing at first hand about the problems: the terrible sadness that grog has brought to the lives of many people in the community, the ways in which people's health has been ruined, how families have been broken up and the deaths resulting from alcohol abuse. I am sure that that is a very salutary experience.

If easy solutions to these problems were available, I am sure that we would have applied them by now. However, people are free to drink and whilst, in many instances, we see that that produces devastating results in the lives of many people, we continue to maintain that they have the right to pursue that course if they so choose and that they must be their own judge. At this stage, whilst solutions have not yet emerged, the facts are being gathered and a reasonable start is being made. I hope that the next report by the committee will lay greater emphasis on suggestions for remedies. I am sure that people have made suggestions, as occurred when the Chief Minister met with a large number of Aboriginal women in Alice Springs. They had some very firm views, and the Chief Minister had to tell them that he was not in a position to implement laws that they would like to see enacted. Many Aboriginal people do not drink, and that is something that many people in the white community do not quite understand. Basically, I think that is because the drinkers from the Aboriginal communities, who are not acceptable in their own areas, tend to come to the towns to drink. That creates the false impression that most Aboriginal people use and abuse alcohol.

I believe that those Aboriginal people who have recognised the damage that alcohol does and who have given up drinking are the type of people who provide hope that we will overcome this problem to a large extent. It is a matter of example. We need high-profile people, such as prominent footballers etc who are admired by young people, to state publicly that they do not drink because they want to be fit and healthy and that they are able to enjoy themselves without alcohol. That type of example could have a widespread effect among young people. The anti-smoking campaign has been running for a long time but, at last, it is starting to produce results. People are beginning to realise that it is not smart to smoke, and many are giving up. Many are following the example set by people whom they admire. Such people need to understand how they can influence people's behaviour. For example, there are prominent Aboriginal footballers who are greatly admired. They have an enormous capacity to influence young people and it is the young people whom we want to help because alcohol is addictive for them. For those who get caught up with it, it is pretty hard to shake. There is only one cure for alcoholism and that is total abstinence which is very difficult for some people. I say that because I have known 1 or 2 people who have had to face that problem.

I dare say that one of the reasons why I do not drink is because, when I left school at about the age of 16, my first job was in a bakery with a

man who had been a cook in the RAAF. He was heavily into the grog and he reached a stage where his doctor told him that, if he did not stop drinking, he would end up in a mental asylum. He stopped cold. I have always admired that man for the courage it took to do that. He told me a few horrific stories about his RAAF days when they would make jungle juice from rice and cordial. He had a Squadron Leader friend who was a doctor and had access to pure alcohol. It reached a stage where the jungle juice was not strong enough and they mixed pure alcohol in with the brew. When this gentleman was leaving New Guinea for Australia, a couple of friends asked him for the brew that was in the making. He had a gallon of pure alcohol and he told them to add no more than half of it to the brew. Those 2 fellows died. He suspected very strongly that they added the entire gallon and that it took their lives.

When the problems caused by alcohol affect people one knows, the sadness is very personal. I know that the member for MacDonnell has spoken on numerous occasions about his sadness when Aboriginal people he has known have died. I am not sure whether I should really mention this but, as you would know, Mr Speaker, I was late in arriving at these sittings because I attended a funeral service in Alice Springs on Monday afternoon. The funeral was that of a young lad who had often visited my home as a friend of my son. On Saturday, he played his first A grade game of football. I have it by word of mouth that he attended a party after the game and that the beer was flowing rather freely. At about 9 o'clock, someone arrived with a motor bike and the lad asked for a loan of it. The person who lent the bike was not aware that the lad had had a little too much to drink. The end result was that 2 lads went for a ride on the bike and hit a tree. One is dead and the other is in hospital in Adelaide in a pretty sad state.

Together with my family, I have felt the terrible sadness of the whole affair. How does one comfort parents who have lost their only son and sisters who have lost their brother? I have known these people since I came to Alice Springs, and it really hit home. I can only share the hope which the lad's mother expressed to me that other young people might learn from this terrible accident. On Monday afternoon, the Flynn Church was packed tight with people, many of them young folk. Every seat was taken and people were standing in the aisles. There would have been as many again outside. I hope and pray, as this lad's mother said, that such a terrible accident will provide a salutary lesson and, in that way, at least have some benefit to other young people. There were not too many dry eyes on that occasion, and one can only hope that people may learn something from that tragic event.

We tend to have the attitude that we cannot enjoy ourselves without grog. We need people who are admired in the community, black or white, who are prepared to say: 'I can live my life and have a great time without abusing alcohol or even touching it. I can live happily without the need for an extra stimulant'.

The chairman's report states, particularly drawing on experiences in the Tennant Creek area, that alcohol abuse is a symptom and not a cause. I think that is true. There has to be some reason why people drink themselves into oblivion. I well recall a story which Bob Katter told me when he was the Minister for Aboriginal and Islander Affairs in Queensland. He went to a community and told them that he wanted to give individual families blocks of land to which they could have individual title rather than having the land controlled by a committee. An Aboriginal man sat listening to this with his sons. He was a pretty tough fellow and he said to Bob Katter: 'I have been waiting 20 years to hear somebody say that they would do that. However, you are too late. The grog is killing everybody'. Bob Katter went

ahead and did it anyway. He returned to that community 3 years later. One of the man's sons had a bakery, 1 had a garage and 2 or 3 others had other businesses. Obviously, they had received some help, but the heartening thing was what the father said to Bob Katter. He told him that they had beaten the grog problem. I believe that the catalyst came from people being able to own their own bit of dirt. That is what encouraged them to have a go. Once one experiences a little success in standing on one's own feet, that can remove the need for something which drowns the feeling of hopelessness and pointlessness.

I am very interested in suggestions about possible solutions or part solutions, even if they do no more than alleviate the problem of alcohol abuse in communities for a short time. I refer to a suggestion put to me by Mr Bill Ferguson. He is a white person who is married to an Aboriginal woman. He works for the Tangentyere Council in Alice Springs. Everybody who has been concerned with the alcohol problem knows that Bill is very concerned and very genuine. He put a suggestion to me which I have mentioned previously in this House. It may not provide a total solution but he believes that it has some possibilities and I believe that we should take it seriously.

Whilst there are some drafting problems with it at present, I am hoping to introduce a private member's bill which will deal with the situation in which people are habitually taken into protective custody. Bill suggested that it apply to a person who is habitually drunk and virtually ends up in perpetual custody. However, I take the chairman's point that there is a real problem in this area. The law says that people who are drunk cannot be served liquor. The problem lies in determining that a person is drunk. You cannot simply squeeze his arm and determine that by the colour that results. It is a difficult legal matter.

My suggestion applies to the person who is habitually taken into protective custody. Whilst 'habitually' will have to be defined, I am referring to the people who take up so much of the time of the police in Alice Springs and, no doubt, in other communities. I believe that there is a need to make this habitual drunkenness an offence. It should not be punishable by jail. There does not seem to be any point in that and, as pointed out by Mr Ferguson, jail often is no deterrent. In fact, it is often welcomed, particularly in the cold weather in Alice Springs, when it offers at least the prospect of a warm bed, food etc.

I believe that the offence should be punishable by community service orders. Mr Ferguson made this specific when he said that, particularly in Alice Springs, many of the Aboriginal drinkers are outcasts in their bush communities. Of course, the law would have to apply just as much to you and I, Mr Speaker. Sauce for the goose is sauce for the gander. The community service to be performed under the community service orders would be, specifically, the cleaning up of rubbish in the offender's home community. Mr Ferguson said quite firmly that the attitude to picking up rubbish among Aboriginal people is that it is a job for women and for white people. He believes that, if people in this situation were taken back to their home communities - which in many cases are dry - and made to clean up rubbish, it would help to change their attitude to drink.

Of course, there could be some enforcement problems. However, I am aware that Keep Australia Beautiful is working in many Aboriginal communities with Operation Clean Sweep. Perhaps that program could be linked with this strategy of using community service orders. Bill Ferguson believes that, if people were made to clean up in their communities in front

of their own people, that would be a very salutary experience for them and one which could well bring about a change in attitude. There are so few solutions or partial solutions around that I believe this one is worth a try. If it does not work, we can amend it or change it. When someone of Bill Ferguson's integrity makes such a suggestion, I believe that it is worth pricking our ears up and seeing how it might be implemented. He has a wide knowledge of Aboriginal people and, if it helps the communities concerned, it is worth a try.

I appreciate the chairman's report and the comments of honourable members. The problem is a very big one, as I am sure future reports will point out. We need solutions, or even partial solutions, and we will need to look at each proposal seriously and give it a go. If we do not do that, if we just sit here and wring our hands till the cows come home, nothing will happen. We have to take the advice we receive from the community and see how we might implement it in a fair and even-handed way across the whole community. If it works well, or works partially, then well and good.

Mr SMITH (Opposition Leader): Mr Speaker, the most recent figure I have heard, and I am never quite sure whether the member for Araluen has owned up to it, although he has certainly been quoted as giving it, is that alcohol costs the Northern Territory community $2000m a year. That is an incredible amount of money, an incredible waste of resources, and an incredible waste of lives. It is very encouraging indeed that this committee has been established and is starting to work, and that members of parliament on both sides are starting to address the problems. Personally, I find that some of the suggested solutions are rather abhorrent. However, we are certainly at the stage where people should be free to suggest solutions and have them examined in a calm environment, because we have a major problem. I believe that the Chief Minister is coming at the problem from the wrong end, but I do not want to talk about that tonight.

In my view, alcohol abuse is a symptom of a much greater malaise which individuals and communities have. It is a symptom of dispossession and the breakdown of values and traditions. It is associated with a sense of hopelessness and the effort to drown that hopelessness in alcohol. I have no doubt that the long-term solution has to be the removal of that sense of hopelessness and the removal of the inferior living conditions which so many people in our community still have to deal with. I do not think that there is much doubt that the standard of living in many Aboriginal communities is enough in itself to encourage people to take to alcohol as a release. As a number of people have said, we must develop a comprehensive approach, because there is no single way to handle the problem. Indeed, there is no single problem, as the chairman of the committee said in what I thought was a very honest observation.

Part of the difficulty in the past has always been that no one has been prepared to own to it. The member for Flynn made a comment about that. It has always been someone else's problem. For me, it was wonderfully expressed in Pamela Lyons' report, 'What Everyone Knows About Alice'. When talking about Tennant Creek, she said: 'The white-collar people in Tennant Creek thought alcohol was the problem of the blue-collar people. The blue-collar people thought it was the problem of the local Aborigines and the local Aborigines thought it was the problem of all those blow-ins from Ali Curung'. Everybody was passing the problem down the line.

Something I find encouraging is that, at least in certain communities, people are now starting to own to the problem. A good example of a group of people starting to own to the problem is the Tangentyere Council. It has

said that it is its problem and it has to start thinking about solutions to resolve it. As part of that, it commissioned Pamela Lyons to prepare a report. I recommend that every member of parliament should read that report. It is a very readable and very sensible report. I think we could do very well indeed if we looked seriously at the recommendations in the report and picked up most of them because, in my view, they are sensible recommendations. For me, the basic message that comes out of Pamela Lyons' report is that the community has decided to own to the problem. It is from the community, in this case the Tangentyere community, that the solutions have to come. There is no point in us, as legislators, sitting here and saying: 'This is how we will resolve these problems'. The community itself has to come to accept the problem and then attempt to come up with solutions. Tangentyere is making a serious attempt. It has named the problem and it is now looking at solutions. That is a process that we will need to follow Territory-wide.

In one sense, it is easier in respect of the Aboriginal part of the problem because there are identifiable groups like Tangentyere and the councils in Aboriginal communities who can tackle the problem. It is rather harder in white communities because we do not have that collective mentality. We tend to be more individualistic. We tend to hide our problems behind the 4 walls of our houses and we are very reluctant to talk about them. That is why there is a great tendency to say that the Aboriginal drinking problem is far worse than the white problem. Frankly, I do not think, and Pamela Lyon and others do not think, that that is the case at all. We have come a long way in the last few months. It is important that we keep the momentum going, debate the issues and address suggestions that are proposed. Hopefully, at the end, we will have a strategy with which all of us can be comfortable and which can seriously address the problems.

One of the interesting suggestions in Pamela Lyons' report is what is called 'dram shop or liquor shop liability'. It is a concept that is pretty new to Australia, but it is widespread in the United States where 38 states have dram shop or liquor shop liability laws. Those liability laws make servers of alcoholic beverages potentially legally liable for injuries caused by their intoxicated and or under-aged customers. I am certainly not suggesting this but, in some American states, it has been extended to people in any situation who offer alcohol to others. There have been a couple of famous legal cases. In one case, the parents were away and the kids had a party. One of the kids at the party was killed on the way home. The parents of the deceased successfully sued the owners of the house under the liability law that was in place for that state. I am certainly not suggesting that for the Northern Territory but, as part of our deliberations, we could look at liquor shop liability.

For whatever reason, we have a situation where the present liquor laws are not working. No one in the hotel industry has been prosecuted successfully. No prosecution has been launched even against individual hoteliers for serving drunks or under-aged people. That problem is not restricted to the Northern Territory. Research has indicated that, right across Australia, the laws relating to serving intoxicated persons are very rarely enforced. Those laws simply do not work at present. From Canadian experience, we know that successful server liability cases can be prosecuted under common law. There is no reason, in one sense, why server liability cases cannot be prosecuted under common law in Australia. In our increasingly litigious society, perhaps it is only a matter of time before such a prosecution is brought. At least theoretically, that avenue is open to people.

In my view, at present we have a serious problem with the way that the liquor commission fails to enforce that part of its charter which enables it to place pressure on licensees who are not doing the right thing. If its charter is not sufficiently wide, as part of an overall strategy, perhaps we should be considering ways of toughening up that charter. A very effective program that is in place in Canada and the United States is something called SIP: Server Intervention Program. It is a program that hoteliers are required to put in place in order to train their staff adequately to ensure that they do not serve under-aged or intoxicated people. Some might say that that is impossible. The experience in Canada and the United States is that a formal training program for hotel staff is quite effective. Possibly, that could be considered here.

One suggestion is to offset formal training provided by hoteliers against part of their licence fees. In fact, the detailed suggestion is that an assessment could be based on a formula which takes into account policies on staff training, including the employment of adequately trained and licensed security staff, the promotion and serving of alcohol, serving practices, the provision of food, and the provision of low-alcohol and non-alcoholic drinks etc. That seems to be a sensible approach to consider. It has attractions for the hotelier as well.

The experience of our society is that things work best when there is something in it for everybody. Obviously, if we can cut down the number of drunks being served and the number of under-aged people entering pubs, there is a widespread community benefit. In turn, that community benefit should flow into a decrease in community services that we need to devote to treating alcohol-related problems. The benefit for the licensee is a reduction in the licence fee. Both SIP and the liquor shop liability program should be closely examined by the committee in its deliberations. I will take this opportunity to pass on to the committee the information that I have gained on those 2 programs.

To conclude, I welcome the committee's report. I am pleased to see that the committee is tackling these matters seriously and is gaining an extremely good response from the community. I believe it has received 48 written submissions. That is a very impressive record and indicates that a real need is being expressed to see the problems addressed. Quite evidently, the committee and other members of parliament, separately and collectively, have a very clear responsibility to tease out the solutions and put in place a strategy which will help to save lives. There is a need to make people more productive and to help them to feel more satisfied in their lives and so reduce the enormous cost that alcohol presently imposes on the community. Those aspects are being addressed. If we keep at it, I think we can make a significant impact on the problem.

Mr EDE (Stuart): Mr Speaker, I am glad to see this report from the committee. It is excellent to see that the chairman has finally put in a report about something.

Mr Finch: The committee makes the report.

Mr EDE: That might explain it.

Mr Finch: You know what the system is.

Mr Hatton: No, he does not. That is the trouble.

Mr EDE: That might explain it. If the committee submitted the report, it is not the responsibility of the chairman. I was digging through my files and I discovered that, on 4 July, the person who is now the chairman of the committee came back from that famous trip that he made to Canada. As I recall, it was his swan song in the position ...

Mr Collins: What year was that?

Mr EDE: That was July 1989. He was asked questions about what he found there that could be of assistance in combating alcoholism etc. Basically, he did not say anything much although he did say that it would be in his report. I have not seen that report because it has not been presented to the Assembly. Possibly, he has delivered it to the committee and it will be attached as an appendix to the final report of the committee. When that is tabled, we will then finally find out what the then minister, now ex-minister, the member for Araluen, actually learnt in Canada.

At that time, he said also that he did not have a final costing of the trip but admitted that it certainly was not cheap. Apparently, the stop-over in Honolulu on the way back was fairly costly as were the expenses involved with the person with him having to go to a casino conference which involved having a look at quite a few casinos. Hopefully, that report will be included with the final report of the committee.

Mr Speaker, I was glad to note that the committee actually went and talked to the Tangentyere Council. However, I recollect that, on the day, the member for Araluen was not there because, unfortunately, he was caught up in the south of France, at the time. It was the member for Karama who was in Canada at that stage. However, the member for MacDonnell went to the meeting with the Tangentyere Council and, obviously, has been able to pass that wisdom on to the committee.

Actually, the Tangentyere Council has an excellent record for the work that it has been doing over a long period in respect of this problem. I recall the support we received from Tangentyere. We ran an alcohol rehabilitation facility on Emily Gap Road. It gave us positive and practical support. It has great practical knowledge in terms of coming to grips with the consequences of alcohol as it affects its clientele in the town camps and Aboriginal people generally in central Australia.

Recently, it has come up with the concept of the social behaviour project. I think that this is one of those critical concepts which, if it operates, has a very real chance of having more than just a window-dressing or an individual-case effect. Something that always frustrated me with our rehabilitation service when I was with Congress was that you can put an enormous amount of research into a very small number of people. A successful alcohol rehabilitation process is one where, 12 months after the event, 15% of the people are not back on the grog. That is seen to be a successful program. To me, that was extremely frustrating. People would break their drinking patterns, but so many of them would move back into the situations that drove them to drink or in which they were drinking before they went to the centre and, despite their commitment to stop drinking, would soon be back on the grog again. You are always dealing at an individual level there.

This project attempts to look more broadly at society in central Australia to see if there are ways of changing the mind set. Peer group pressure is always seen as a problem in relation to alcohol and drunkenness. However, having acknowledged that it is peer group pressure

that takes people back into the cycle of drinking, we then continue to tackle it at an individual level. It seems to me that there is something wrong with that. We need to look at the peer groups as well as the individuals in attempting to overcome that process. The actual group itself has to start making some decisions as to what is and what is not an appropriate way for the society to operate.

With the exception of a very few cases, there are no people who, in the white world, we would classify as being true alcoholics. I have a real problem with the disease theory of alcoholism because, if we look at it in terms of the disease theory, there is nothing that anyone can put a finger on. We can see the effects of it. We can see what alcohol does, but the concept that alcoholism is a physical disease, which gives this craving and drives people to take in alcohol, is something I have real problems with. I believe that probably it has more to do with a mental attitude and that that is how it must be tackled within that person. However, when talking about the individual in relation to the group, initially, it is the outside pressure that persuades the person that it is acceptable to drink such large amounts.

The social project looks at trying to work on the relationship between Aboriginal and non-Aboriginal people, town and camp, camp and bush, to define the various types of behaviour that are acceptable in different circumstances. People talk about the problems that they have. People from bush areas talk about the problems that they have when they come into town camps or into town for a short time. They describe the pressures that they experience. They may come into town thinking that they will stay for only a short binge, and binge-drinking is the classic drinking style of Aboriginal people. That is completely different from non-Aboriginal drinking patterns where prolonged social drinking, moving towards problem drinking, is the norm. The binge-drinking style is normally typified by people who have binges of very heavy drinking and then periods of absolute abstinence.

Why is it that people who come to town, possibly intending to go on a binge for a matter of days, actually stay for weeks and sometimes months? What are the traps in town? It is necessary to identify those so that we can start removing some of the traps. In that way, while people will not eliminate their binges altogether, which we see to be an impractical target in the early stages, the binge period can be shortened. That could result in people moving more rapidly back into their community and being productive.

What are the factors that affect the depth of the binge that people are on? One of the problems is that there is an effect between constant levels of drinking during a binge and the mind set of people and their hangovers which reflects back into violence, but I do not think I can explain that without a graph. The violence stems from the depth of the binge. What is pushing the individuals in the direction of the binge, which pushes them beyond the bounds of social drinking over a long period, is something that needs to be determined for themselves. The process has to involve the traditional elders and the law man, the people who have the status in the community to be able to talk through these issues and start to come to grips with some of these factors, because they will then have to sell it in the communities.

Having obtained that consensus, the selling has to occur, but it is not practical to think that these things will all be cost neutral. Many of the propositions that people come up with will cost money, and that is where the government really has to come in, not only our government but the federal government as well. When we have those people who are committed to coming

up with community solutions to community problems, we need to identify what we are prepared to provide in terms of financial assistance for identified programs.

A difficulty with this project is that, by its very nature, it is a long-term process. With due respect to the Chief Minister's suggestion that grog be banned and all that sort of thing, it will not work. There is no immediate step which will suddenly solve this problem. It is a long-term process of changing people's attitudes, of changing the depth of the attitude and the way that the peer group actually operates on its members. 'Cohorts', I think, is another term that people use in relation to pressures that are applied. There are some short-term measures that can be applied which, of themselves, may not have a great deal of effect on the problem in terms of what people are doing to themselves, and to their friends and relations, but that can have some effect on the way that the community operates. They can afford short-term relief. They will not stop the drinking, but they can stop some of the effects of the drinking.

Such measures include having more Aboriginal police aides in communities and in urban areas. People must reach a consensus that the grog problem can be tackled through traditional culture. Some people have the idea that it can be resolved through traditional law, but many traditional people have said to me: 'Grog is outside of law. Grog is causing a lot of damage to our law and our ceremonies'. Some people use the grog to avoid their obligations under the law. People get drunk, break avoidance rules and then use the fact that they were drunk as an excuse for their behaviour. Thus, very often, it is not possible to use Aboriginal law to tackle the problems caused by alcoholism because it is a white fellow thing.

Police aides, Aboriginal community corrections officers and other such people must be employed so that Aboriginal people working on that side of the problem can begin to have short-term effects in terms of reducing some of the results of alcohol abuse. There is a necessity for child welfare officers with organisations such as Tangentyere so that, where normal family obligations are not being met, the children are cared for by means of people working within a broader family. It may be a question of locating a grandmother or somebody else who is willing to perform the function of care. This service needs to be located within Tangentyere itself so that the person is closely associated with the community. Women's recreational officers are being considered too.

A difficulty that older Aboriginal women often tell me about is that they are being left with the kids. Young women, often 15 or 16 years of age, are having children and leaving them with the older women or elsewhere. Bonding problems can be caused. I heard that some 30% of Aboriginal kids in central Australia spend nearly 50% of their life from 0 to 4 years of age in hospital. The breakdown in bonding that occurs over that period is quite damaging. Quite often, the mothers themselves were too young to have recognised and accepted the role that they were taking on. In those circumstances, they tend to say: 'The hospital can look after them. There are lovely white nurses there who are nice and clean. They will do a better job of looking after that kid than I will'. More often, what is happening is that it is the grandmothers, the much older people, who are left to care for the children. We should be assisting the grandmothers by providing them with the resources to bring it home to those young people that, when they decide to have children, there are certain responsibilities that are expected of them. It is clear also from all of this, of course, that there needs to be a dramatic increase in people's knowledge of birth control methods. That is abysmally lacking at present. From what my

daughters say about friends of theirs, I understand that knowledge of birth control methods is abysmally lacking in town camps and out bush. People do not seem to relate the cause and the effect yet.

Those are some of the short-term measures. For the longer term, we need 3 or 4 transient camps in Alice Springs. Problems are caused when people come in from bush communities. They are very welcome to stay with friends and relations in the short term. It is great if friends or relatives drop in for a few days or a week, but ...

Mr Perron: It is good to have distant relatives!

Mr EDE: Exactly. It is good to have distant relatives.

When the people come in, they all get on the booze the first night and a great time is had. The second night might be all right but, after that, it gets hard to take. At the moment, it is not possible for people to direct their relations to a transient camp because of the pressure the visit is putting on their lives, their relationships and their homes. Additional camps for transient people are badly needed.

The CDEP which is beginning in Alice Springs town camps is an excellent component of the search for solutions to this problem. Tangentyere had been applying for that for something like 3 years. It has finally come to fruition and at least some places are actually getting it. Training and employment are absolutely essential and training has to be for employment for the people. Jobs form a major part of the long-term answer. They should not be simply a means of obtaining money so that people can do as they wish at the weekend. They should be jobs that people enjoy and regard as fulfilling, jobs that increase people's self-esteem. These are longer-term but fundamental approaches to a solution.

As we have said time and time again, 1 social club in Alice Springs is not enough. If people from the northern part of town start drinking at a social club in the southern part of town because there is only 1 club, problems will arise and critics will say that the social club concept is not right. The concept is not wrong. It is having only 1 club that is wrong. There needs to be at least 1 other club, preferably in the area of Arunga Park, where land is available, so that the northern and southern groups of people can keep apart when drinking. The whole concept of those clubs, which dates back to 1979, is to have space. People need the feeling of space so that they can actually keep away from other people with whom they have trouble when drinking occurs.

Mr TIPILOURA (Arafura): Mr Speaker, I will be brief. I welcome the chairman's statement, which is the first part of a report which the committee will present later in the year. It is good that the committee is adopting a bipartisan approach to looking at this problem of alcohol abuse in major centres and smaller communities throughout the Northern Territory. The committee has visited the southern and eastern parts of the Territory and, perhaps later in the year, it will look at the northern and western parts. Solving the problem of alcohol abuse will be a long-term process. It will not be solved within 1 or 2 years. It will take much longer than that. We are looking at 5 or 10 years or even longer.

I believe that alcohol abuse is an individual problem, but I am sure that members of this House can help by giving the community some ideas to which it can relate, such as television advertisements on Imparja, Channel 8 and the ABC and radio advertisements. Imparja Television is already

screening many advertisements about alcohol abuse and its effects. Some of the advertisements are in Pitjantjatjara and, hopefully, we will see advertisements produced in all the various languages in the Territory in the future.

I would like to take some time to talk about my community of Nguiu on Bathurst Island. We are looking at this problem of alcohol abuse. It is causing many problems. Families are breaking up and we are losing our ceremonies and culture. We are very concerned about it. A month or so ago, we had a public meeting. We also had a referendum. People voted on whether they wanted clubs to be open, whether they wanted opening hours to change, and whether they wanted to continue to drink draught beer or to change to canned beers. The most interesting question related to the age at which people can legally drink beer. In most of Australia, it is 18 but my community decided that it should be 21. The community has said that many of the troublemakers are young fellows aged between 18 and 21. Many of the young fellows get involved in fights and arguments in the club and out in the streets, and raising the age limit will help. However, there is still a problem in that they will be able to go across to Melville Island, do their drinking there and come back. That is another matter that we will need to look at.

The Tiwi people are concerned and they are addressing the problem very seriously. The Tiwi Land Council, the body in charge of the Tiwi lands of Melville and Bathurst Islands, has looked at the problem. The custodians and traditional owners are concerned about the cultural aspects and also the effects on the management of our land. The land council has suggested that maybe we should set up another settlement, perhaps on Melville Island. Bathurst would not be a very good place to do it because there are too many people living on Bathurst Island although perhaps we need another mission at the other end of Bathurst Island.

These are some of the suggestions which have been made by the traditional people on Bathurst Island. They are looking at the problem. It is hard for them because, in their younger days, they had no alcohol problem or petrol sniffing problems or whatever. Back in the old days, it was free. All they did was hunt and fish and so on. They keep on telling us that and telling their young people that they had no problems in their day but they realise the problems that the young people are having today. The land council and the community as a whole have looked at the lack of employment and training. It is another major factor which has been brought up by the people. There are no jobs for the young people, the age group between 18 and 40. Too many people are on the dole and that is causing the community concern. I am sure that many other Aboriginal communities are addressing this matter as well.

In my electorate, the situation at Oenpelli seems to be working all right except that, when the community bans people from drinking, they have access to Jabiru and Cooinda and other places like that. Problems are still being caused by the number of liquor outlets. Minjilang and Warruwi are both dry communities. They consume a lot of kava and petrol sniffing is another problem. The communities are addressing those problems. Maningrida is a big problem area in my electorate, the reason being that about 8 different language groups live in one area and they simply cannot get on together. Many of the outstations around Maningrida have been set up to relieve some of the tension in the community. There are about 60 outstations associated with Maningrida, which is good. Apart from alcohol, petrol sniffing is the major problem in Maningrida.

People on Melville Island seem to be doing all right. Milikapiti and Pularumpi seem to be dealing with their problems. As far as alcohol is concerned, the councils in both of those communities are very strong. I think that is what most Aboriginal communities need - strong councils and strong leadership. The communities need someone very strong who can lead the way. On Melville Island, they have the Rioli family plus old Butcher Tipakalippa. At Milikapiti, they have the manager of the club, Rob Tipungwuti. He is not from that area but he seems to have control of the council. That situation appears to be working well. The councils need to back the people and the people need to back the councils. If that does not happen, breakdowns occur and people do not help each other. In our Aboriginal society, we helped each other. We helped each other with the families, and with hunting and activities like that, and we used to share many things. Nowadays, we have the alcohol problem, the unemployment problem and the health problem, and we are trying to educate our kids.

Communities should be looking at educating their kids. The problem is that there are no jobs for the kids when they finish school. Perhaps the committee should be looking at training and employment in communities. Maybe it could look at something like the Commonwealth government's CDEP programs, which are working in some communities like Milikapiti, Pularumpi, Kalkaringi, Daguragu and Barunga. Perhaps the committee should find the time to talk to the people involved in introducing that type of program to communities so that they could provide employment for many of the young people. That is what the communities are concerned about. Many of the young fellows aged between 18 and 40 are sitting around doing nothing. When it is time for ceremony, they ask: 'What is the use of going to ceremonies?' They go to the club when it is open, or to the nearby pub. They will go there and spend all their money. Unemployment is a big problem.

Maybe we can educate our kids and provide information through television and radio. Perhaps, as the member for Sadadeen suggested, it would be a good idea to get a sporting person or television personality or someone else with a high profile to go out to the communities and talk to them. We need to look at different approaches.

I would like to support the comments of the members for MacDonnell, Stuart and Arnhem, and also the other members who spoke on this subject. Solving the problem will be a long-term process. It may involve advertisements in the newspapers and on television and other ways of making the community aware of what alcohol can do to a person. Pamphlets printed in local languages would be a good idea, and I am sure that the government could put in some money for advertising on Imparja. A representative from each community could speak in his own language. At the moment, the Imparja advertisements are mainly in Pitjantjatjara, and the people of the Top End do not understand them. That is something else the committee could look at.

Mr Hatton: Get them to put it in English.

Mr TIPILOURA: It looks good in Pitjantjatjara. I think the person who does the talking is Bud Thompson. He speaks in Pitjantjatjara and then in English. A similar advertisement could be produced using a person from Walpiri, one from Tiwi, one from Wadeye.

I do not believe that anyone should force a person or a community to stop drinking even though half the people may want the community to be dry and the other half may want to drink. If a person or a community is forced, that will encourage them and make them bolder. Look at the problems at

places like Port Keats which is a dry area. They are flying grog in from Kununurra or driving to Peppimenarti and getting alcohol there.

Mr Hatton: They can fly up to Darwin.

Mr TIPILOURA: They can fly into Darwin and charter a plane. I saw 2 guys come in with a wallet full of money when I was at Air North on one occasion. I knew them from the time that I was in Port Keats. They had about 30 or 40 cartons of all kinds of drink.

That is a problem for communities. People can say that a community is dry. However, people will come in with grog and a person will pick them up and drive them about 3 km or 5 km out of town. How is that to be prevented? Another point is that I think the police escort them out to the bush and leave them there. They are still bringing alcohol into the community.

In my electorate, Maningrida is a dry area and alcohol is brought in by barge. People drive to Jabiru, load up with cartons of beer and return to their respective communities. There is a problem there also. Some of the communities are addressing the issue. It is of great concern to many Aboriginal people throughout the Territory. The women in the Alice Springs area held a demonstration recently. It was very encouraging to many Aboriginal people throughout the Territory actually to see that on national television. It was screened on 60 Minutes. It was very encouraging to see that. In Aboriginal society, the role of women was to look after the house and that was it. Nowadays, many Aboriginal women are standing up and voicing their own opinions. They are saying that enough is enough. That is good to see. The Tiwi women have expressed their feelings about liquor too. They outnumber us. There are more women on the island than men. If they really wanted to, they could have the place run as a real dry area. However, they felt sorry for their husbands. They said: 'We will forgive you. We will let you have the club, provided that you do the right thing and behave yourselves'. Many women are concerned, and they are expressing their concern.

I think the committee is on the right track in talking to many groups and individuals who want to express their feelings about the effects of alcohol. It will be a long-term job. When it presents a full report, I hope the committee will tell us about the concerns that people have. I wish the committee well. I will assist it when it comes to my electorate. I would like to accompany it when it visits communities to talk to people in my electorate.

Mr TUXWORTH (Barkly): Mr Speaker, I welcome the interim report by the committee. I am pleased that it has been able to call at Tennant Creek at this stage and I hope that it goes back there. I am sure that, if it can make a return visit at some stage, additional information will be available from the community as attitudes towards the committee's work begin to change.

Looking back over the last 20 years in the Territory, it could be said that the 1970s was a decade when we were preoccupied with uranium. In the 1980s, we were preoccupied with land rights. I think it is fair to say that the 1990s will focus to a large extent on the problem of alcohol. Perhaps it is a part of the maturation of the Territory community that it now acknowledges alcohol to be a serious problem. It is multifaceted problem and the solutions will be multifaceted.

In watching the Aboriginal community at work, particularly in my own electorate but also in other places, I have been impressed with how they are coming to grips with the fact that their drinking problem is not somebody else's problem and that no one else will solve it. They are starting now to say: 'If we do not drink it, we do not have a problem. The question is, how do we get off it?'. It is important for us to recognise that the Aboriginal community in the Territory is not the first indigenous community in the world to have to come to grips with this problem.

I had the pleasure of travelling to America about 10 years ago with the now member for Arnhem, Johnny Lee, a traditional owner from Nabarlek, and the late Toby Gangali, a traditional owner from Ranger. We went ostensibly to see how uranium mining on Indian lands and national parks in America was handled. During the course of our travels, we observed too how the Indians came to grips with alcohol in their respective communities because it seemed that they had very similar problems to those in the Territory scene. In particular, we went to a place called Spokane in Washington State. It had a very big Indian reservation with a uranium mine on it. The community had a big potato farming operation and a house building venture.

During a lunch with the Indian council, we asked the Chief, whose name was Jim Shot Both Sides, whether there was any alcohol on the reservation. He said: 'Well, yes and no. We have determined that we will not have it. However, if you go over the other side of the hill, in the snow there you will find drunken Indians lying face down and they have pneumonia. It is their choice and there is nothing that we can do for them. It is a very sad situation, but we reached a point where they were causing so much damage to the rest of the community that we just had to cut our ties and let them go. When young people come out of high school, we take them aside and tell them that they have 2 options. If they want to come with us and try the new way, there is no alcohol. If they want to have alcohol, they go over the other side of the hill and they don't have much to do with us'.

That is the way it works in many communities. However, that has never been the way in the Aboriginal community. However, there are signs in recent days that the Aboriginal community is showing a little less sympathy towards some of the people in their immediate environment who impose their alcohol problems on the rest of the family. I guess that is a part of the development.

To recap for a moment, at the end of our trip, we were talking among ourselves about the Indian alcohol problem. I asked one of the Aboriginals what he thought was the difference between the Indians and Northern Territory Aboriginals.

Mr Hatton: Geographic.

Mr TUXWORTH: No. He said that it was about 30 years. I thought that was a pretty succinct assessment of exactly where we are. We are not doing anything new. We are going down a road that many people have been down. It is a matter of how we manage it.

Our committee will probably come up with 50 or 80 recommendations in respect of things that ought to be done or tried in order to overcome our problems with alcohol. There is no point in our kidding ourselves that these are insignificant problems which are being highlighted by the media or by people banging a drum. They are very significant and they are wide-ranging. We will all have to think laterally about the solutions. For a start, we will have to remove our macho image of the beer-swilling

Territorian and what a great thing it is to drink 12 stubbies a day and get drunk at the weekend. If we are serious, we have to work on that type of image.

The education programs on Imparja are very dramatic. They are having an effect. Aboriginal people are taking notice of them. I noted the comments of the previous speaker who thought Imparja was doing a good job. Perhaps we need to expand on the number and nature of the advertisements. It is worth a try.

There has been a suggestion about sending people back to their communities. It is highly unlikely that we will ever get to that, but it is worth talking about. We may have to address the matter that was raised by the Leader of the Opposition - the liquor industry's liabilities. We may have to put more responsibility on the industry.

We may have to reintroduce the 'dog' act. For those members who are unaware of the 'dog' act, it was an act whereby the court banned an Aboriginal from obtaining grog for a period of time, which normally was 6 months. His name was given to the local liquor retailers and put beside the till. When he came in to buy grog ...

A member: Photographs?

Mr TUXWORTH: I do not remember photographs, but I certainly remember the names. The shopkeeper would check to see whether he was on the banned list and, if he was, he would not supply grog to him. Going to that extent sounds pretty fanciful. However, it is amazing how many elderly Aboriginals remember the days of the 'dog' act well and would bring it back tomorrow.

Mr Hatton: With fondness.

Mr TUXWORTH: With fondness.

In the early 1970s, from time to time, I had the duty of putting a few of these people on the 'dog' act when I was sitting on the bench. You would be surprised how many of them came voluntarily and asked whether we could hold a special court the following week so that they could go back on the 'dog' act. You would say: 'Can't it wait until the next week, when the court sits?' The person would say: 'My 6 months runs out on Monday. I do not want to have a week where I am off the act'. In a small town like Tennant Creek, the court would be convened so that these people could be put back on the 'dog' act.

That was removed from legislation, and probably very reasonably so. I am simply making the point that some members of the Aboriginal community regard that as an option that is important to them. Perhaps we should not be so narrow-minded that we disregard it altogether if it is something that they want.

The issue of community licences, tougher rules for dry areas, new industry trading times and regulations, an increase in the price of alcohol to deter people from drinking etc are options that will come up for discussion. I raise them in terms of a proposition that I put to the committee. I raise it with the government again tonight because I think it is important. Whatever may be in the recommendations that the committee puts to the Assembly which the Assembly may or may not adopt, it is most likely that there will be a serious impact on the economics of the liquor industry. It might be that we will have fewer licences or different types

of licences for different products. However, eventually, it will filter back into the economics of the industry. The malaise and lack of profitability in the industry at the moment is a matter of concern. Any major adjustments to the industry will only make it worse than it already is and it is unlikely to improve.

I suggest to the government that it is probably timely that a review of the economics of the industry be started now, perhaps running in tandem with the work of the committee. The review should be conducted by a person such as a judge, with the support of an accountant or a bank officer and a liquor industry representative. The inquiry would conduct a thorough examination of the economics of the Northern Territory liquor industry. It would determine where the dollars came from and where the dollars go, what sort of profitability is in the industry, what pressure the industry can stand in terms of more or fewer licences, different licences and different trading practices. It would be a pity if the committee made recommendations that were practicable and which we wanted to introduce yet, at the same time, they were such that they would create even more difficulties for an already financially troubled industry.

Such a period of research would be well worth while. It would give us a pretty clear picture of the economics of the industry. It would enable us to say to people, as a parliament: 'This is exactly where the liquor dollar is going in the Northern Territory, who it is going to and what benefit it is bringing to whom'. That might be of assistance in the selling of the new programs that will flow from the work of the committee.

I offer the idea to the government in the hope that it might give it some serious thought. There are people who would be well-qualified to examine the economics of the industry and to prepare a report for the parliament. Certainly, anyone who is in contact with the industry would know that it is struggling and experiencing very difficult financial times. The industry is at the point where it is competing for a percentage of the consumer's stomach. Its members are competing very heavily among themselves and they are finding it extremely difficult to make a dollar and survive.

In conclusion, I would like to say that I am pleased with the progress that the committee is making. I hope that it has the time to visit other areas in my electorate, such as Borroloola and Elliott, because those people also have a story to tell.

Mr HATTON (Health and Community Services): Mr Speaker, the debate on the progress report of the committee has moved into some speculation about what should be done to deal with what must be recognised as a significant social problem for the Northern Territory, that of alcohol generally in the community. The general tenor of discussion has been that we should do this, we should do that and we should do something else. It is important to place on the record also what is being done. If we are considering what we need to do, it is important to look at that in the context of what is being done. Often, we can judge whether we should modify or adjust what we are doing and determine whether the programs we are implementing now are appropriate and effective. To that extent, I suggest that our programs generally are effective. There are areas where we can improve and develop our programs. However, we must recognise a couple of things. Firstly, alcohol consumption in the Northern Territory is exceptionally high. It is 72% above the national average and the national average is the highest per capita consumption in the English-speaking world. We have very high alcohol consumption.

However, other interesting data needs to be noted in respect of the report commissioned by Tangentyere - 'What Everyone knows about Alice'. One aspect of that report seems to have escaped people's attention. It says: 'Beer consumption in Alice Springs actually declined about 8.6% from 1980-81 to 1987-88'. At page 3, it states: 'Per capita alcohol consumption in Alice Springs has risen about 18.5% since 1980-81, but this has not kept pace with the population growth of 31.8% and tourism. This means that per capita alcohol consumption appears to have declined. The decline coincides with an overall drop in Territorian and Australian alcohol consumption but, interestingly, it also corresponds with a decline in the number of takeaway licences in Alice Springs'.

The fact is that alcohol consumption in Alice Springs and in the Territory generally has been declining. In Alice Springs, there has been a decline both in the number of liquor outlets and in the number of hours available for trading in liquor. That has happened already. We have heard considerable emotive talk in the last 2 or 3 weeks about this massive increase in licences and the burgeoning alcohol problem, when the evidence produced by the Alice Springs report indicates that we are heading in the direction of reducing per capita consumption. There has been a reduction in the number of licensed outlets and there has been a reduction in the hours available for trade in those licensed outlets. It is important to note that. We have been sitting around watching a burgeoning binge occur throughout the Territory. On the contrary, the opposite has applied.

Considerable criticism has been directed at the Liquor Act as well. Again, I quote from 'What Everyone Knows About Alice', in reference to the Liquor Act:

A piece of social legislation:

> The result was a law that was among the most progressive in the nation. Passed under the direction and with the fervent support of the Chief Minister, Paul Everingham, the Liquor Act gave wide powers of discretion to the Liquor Commission to grant licences and set licence conditions. It also provided for the declaration of dry areas in which alcohol is restricted, a provision designed largely to meet the needs of Aboriginal communities, but which is not restricted in its application.
>
> The law was purposefully loose in its construction. Days and hours of trading were not initially stipulated so that licence conditions could be tailored to meet local needs. Indeed, the Liquor Commission was affirmatively charged with taking into consideration the needs and wishes of the community in granting licences and setting licence conditions. It provided an opportunity for community participation in licence decisions unequalled anywhere in the nation at that time. As the Liquor Commission's first annual report observed: 'The Liquor Act is not only a piece of administrative law; it is a piece of social legislation as well because the commission is obliged to be responsive to public needs and wishes in the field of liquor licensing and to continuously review the consequences of its own decisions and operations'.

Honourable members might note that, last year, the act was further amended to remove commercial considerations from the liquor commission's deliberations. It can take into account only the views of the community. Doesn't that sound surprisingly like what the Leader of the Opposition is

proposing for the ALP to introduce when and if it ever gains government? It is proposing to introduce what is already in place.

Let us get the context right. I would like to turn to what is occurring in terms of addressing this alcohol problem. I would like to outline the range of services being delivered or supported through the Department of Health and Community Services' Drug and Alcohol Program. I shall detail some major new projects that are being implemented and discuss further service and policy development required to meet the challenges posed by alcohol misuse and abuse in the Territory. The overall objective of this program is the development of policies and programs for the reduction of demand and supply of both legal and illegal drugs and the minimisation of harm associated with their use. Strategies to achieve this objective include development of drug policies and legislation, coordination of Northern Territory and Commonwealth initiatives, development of prevention and treatment programs, research and establishment of data collections and analysis of the data.

This program comprises a central policy unit, the Drug and Alcohol Bureau, a ministerial advisory committee and the range of preventive, educational, treatment and rehabilitation services delivered on a regional basis throughout the Northern Territory. Drug and alcohol services in the Northern Territory are provided by a number of government and non-government bodies. In addition to the department, the Northern Territory government bodies providing services in this area include the Northern Territory Police Force, the Department of Education and the Department of Transport and Works through the Road Safety Council. The Commonwealth government provides services through its Department of Community Services and Health, and the Aboriginal and Torres Strait Islanders Commission also provide services or funds them.

However, I would like to concentrate solely on programs provided by the Northern Territory Department of Health and Community Services. These include departmental programs provided through hospitals and the Health Promotion Unit, the community grants program and the National Campaign Against Drug Abuse. In recognition of the importance of preventing alcohol problems, increasing emphasis has been placed on the development of education and early intervention strategies. Current services provided under the programs include school-based and community education, hospital treatment services, community counselling, treatment and support services and employee assistance programs. Problems of public drunkenness are being addressed through the sobering-up shelters.

I would like to provide details of some of these services. Alcohol and drug education is an integral part of the curriculum of Northern Territory government schools. The curriculum has been supported by the provision of resource materials, course development and teacher training. The Department of Health and Community Services, through the National Campaign Against Drug Abuse, provides funds to the Department of Education to undertake this role. It is planned to strengthen the program further by appointing a drug education officer to the Alice Springs region.

The school curriculum is complemented by the Police Drug Abuse Resistance Education Program, known as the DARE program, and the Life Education Centre. To ascertain alcohol and drug use patterns of school children, the Drug and Alcohol Bureau is cooperating with the Anti-Cancer Council in conducting a survey of schools. This is essential for the development of appropriate programs and to evaluate the effectiveness of current courses. School programs have been reinforced through short-term

projects for particular groups of students. These have included the Australian Institute of Sport drug offensive coaching clinics and the Sports Excellence Program which includes alcohol and other drug education and the misuse of drugs in sport.

I turn now to some community programs. Community alcohol and drug education and information needs are being met through the drug offensive programs of the National Campaign Against Drug Abuse. National media campaigns are complemented by Territory specific projects coordinated by the Health Promotions Unit of the Department of Health and Community Services. Recent highlights were the organisation of the Top Health Fair and participation in the Australian Institute of Sport drug offensive sports coaching clinics for young Territory athletes. Both these activities included education and information on alcohol. Information on alcohol and drugs is provided through the Northern Territory Drug Information Centre located at the Drug and Alcohol Bureau via Healthworks at the Casuarina Shopping Centre, and health promotion services in other regions.

The Royal Darwin Hospital provides a comprehensive range of treatment services, including the Early Intervention and Drug Assessment Unit, an 8-bed residential treatment unit and a 12-bed detoxification unit. The early intervention unit assesses hospital in-patients for potential alcohol and other drug problems and provides short-term counselling or referral for treatment. The treatment unit provides a short-term residential program for persons experiencing more severe difficulties with alcohol while the Detoxification Unit provides a supervised environment to assist people with alcohol withdrawal and other medical and social needs. In Alice Springs, treatment services are provided through the Dependency Resource Services. In addition to providing assessment, counselling and information services for individuals and families affected by alcohol problems, this unit has the role of developing more effective alcohol intervention services in the Alice Springs and Barkly region.

Recently, a survey of patients admitted to the Alice Springs Hospital was conducted to establish the nature and extent of their drinking problems. This survey will be used as a basis for the development of an appropriate range of alcohol services within the Alice Springs Hospital. The training of doctors, drug and alcohol workers and allied health professionals has been undertaken through workshops conducted in Darwin and Alice Springs by Australian and overseas specialists in the addiction field. While other Territory hospitals do not have specialist alcohol services, patient needs are assessed and provided on a case-by-case basis. A Territory-wide policy for hospital-based treatment of alcohol and drug problems is currently in preparation. An important aspect of this policy's development is the provision of access to appropriate treatment of alcohol and drug problems for all Territorians.

I would now like to deal with the community grants program. The government has had a long-standing commitment to support community agencies to provide drug and alcohol services. Drug and alcohol problems are community problems and are best responded to at that level. Funding from the community grants program is being provided to the following organisations: the Darwin and District Alcohol and Drug Dependence Foundation, for the provision of assessment, counselling and education including a drink driving program and the provision of support services, including a half-way house for clients discharged from hospital treatment; FORWAARD, an Aboriginal community organisation, to provide a residential alcohol treatment program for Aborigines; and Catholic Missions, for a program at Daly River to support the residential component of the Alcohol

Awareness and Family Recovery Program for Aborigines from remote communities throughout the Northern Territory. The Daly River Institute has also been granted funds from the Commonwealth National Campaign Against Drug Abuse to develop a program for the children who attend the institute.

The community grants program also provides funds to: the Salvation Army, to provide a residential treatment program and outpatient counselling services; the Katherine Alcohol and Drug Association, for the provision of counselling and educational services in the Katherine region; and, Kalano Community Association, for the provision of an alcohol treatment program for Aboriginal communities in Katherine. Support is also being given, through the Drug and Alcohol Bureau, to assist the East Arnhem Substance Abuse Advisory Committee. This committee involves community leaders from all major communities in eastern Arnhem Land for the purpose of mutual support and to explore community mechanisms to prevent problems resulting from alcohol, petrol sniffing and kava abuse.

An outstanding achievement of community agencies has been the management of sobering-up shelters in the Northern Territory. This task has been undertaken by community groups at the request of the government. Shelters exist currently in Alice Springs, Tennant Creek and Katherine. Public drunkenness is a significant problem in the Territory and the shelters, in cooperation with the police, are providing a successful program for the reduction of public drunkenness and the problems associated with it.

The health and welfare of the work force is of paramount importance. The problems experienced by workers can affect both productivity and their personal and family lives. These problems frequently involve alcohol and other drugs. Funding is now provided to the Northern Territory Employee Assistance Service under both the community grants and the National Campaign Against Drug Abuse Programs for the provision of employee assistance programs throughout the Northern Territory. A position has been established in Alice Springs to provide an improved service to the southern region of the Northern Territory.

The total allocation for drug and alcohol programs in 1989-90 was $3.696m. That represents $18 per man, woman and child in the Northern Territory. That compares with, for instance, $3.60 per man, woman and child in New South Wales. Per capita, we are spending 3 to 4 times what the states are spending and that is hardly a small effort.

In the 1990-91 financial year, the Department of Health and Community Services will allocate funds for the establishment of 2 important new services. A grant of $150 000 will be made to the Alice Springs region, under the community grants program, for community-based alcohol prevention and rehabilitation programs. An allocation of $240 000 will be made for the operating costs and equipping of a new sobering-up shelter in Darwin. It is expected that construction will commence in the latter part of this year. The shelter will be opened in the first half of 1991. Commencement of the Darwin shelter will complete the major development phase of the shelter program in the Northern Territory.

A review of the National Campaign Against Drug Abuse Program in the Northern Territory was undertaken. As a result, the following changes have been made in order to enhance the program. Additional funds have been allocated to the Department of Education for the appointment of a drug educator in Alice Springs to enhance the school-based drug education program in the Alice and Barkly regions. Funds have been allocated to the Northern

Territory Employee Assistance Service for the establishment of the position in Alice Springs, previously mentioned.

Alcohol misuse in the Territory is a widespread and complex problem which affects people from all community groups and all age groups either directly or indirectly. Problems related to alcohol abuse and misuse can be reduced only by the continuing development and implementation of broad-ranging and comprehensive services such as I have described, so that the harm associated with alcohol consumption in the Northern Territory is substantially reduced. This will not be achieved immediately, and the economic effects of any reduction will need to be carefully considered. However, our long-term aim must be a reduction in alcohol consumption. Progress to encourage changes in drinking patterns must be continued. Such programs can be very effective, for example, in reducing drink-driving and alcohol consumption during pregnancy.

It is necessary also to take measures to reduce the risk of harm both to and from people who drink too much. The sobering-up shelters are part of that. The government has supported the establishment of community support groups for women and children who are at risk from drunken people. In central Australia, some exciting new initiatives are emerging following the women's march against grog in Alice Springs. Representatives of 43 communities attended that march and consultations are continuing. Health committees are being formed within each of those communities, with the representatives nominated at the grog march playing a major role. A strong feeling of assertiveness is evolving among the women in central Australia, who are taking steps to control the situation.

The member for Stuart addressed this matter. It is vitally important that Aboriginal people start to take control of decisions and the responsibility for their own lives. Whilst there is a great deal more that should be said about the alcohol issue, one point is fundamentally important: we cannot do everything. We are doing a heck of a lot but it will all come to nought unless, as the member for Arafura said, people are prepared to make some decisions for themselves and accept responsibility for their own lives. At the end of the day, we cannot keep saying: 'We will do this for them or that for them'. We can provide the education and training and, in some ways, we can clean up the mess but, in the final analysis, unless people are prepared to accept responsibility for their own lives and for the consequences of their own actions, the problems will never really be resolved.

We cannot keep adopting a paternalistic attitude in relation to alcohol problems. Future programs must be directed to an approach which provides information and the opportunity for people to make decisions, but which leaves them to take those decisions for themselves. They have to live with the consequences of those decisions.

Mr PERRON (Chief Minister): Mr Speaker, in speaking to the chairman's report, I would like to touch on one particular aspect of what is a multifaceted problem. As several members have said, there is no single solution to the problem but, rather, a multiplicity of solutions. We must continue to search for new solutions. Certainly, there is a fairly wide divergence of views as to what those solutions might be, but I suppose the important point is that, if we keep talking, perhaps we will gradually gain some consensus.

As honourable members know, I have been discussing these problems recently with people whom we call the traditional tribal Aborigines in

central Australia. Perhaps this sort of communication is something which the government has not paid sufficient attention to over the years. Recently, it has been initiated by traditional Aboriginals themselves, not only in central Australia but in the north as well, and on various subjects. Approaches have been made by people who say: 'Chief Minister, come and talk to us about some of these problems but do not bring any lawyers or anthropologists with you, and we will not have any there either'. These requests have been initiated by Aboriginal people and I have been happy to go along. Often, the talks take a long time and I am happy to accommodate that too.

I want to touch particularly on the subjects of access to alcohol by Aborigines and the right to drink. As honourable members are aware, I have made some news lately by making some statements and by writing to the Prime Minister, putting forward a view that was put to me by an impressive group of senior traditional men with whom I sat and discussed this problem. I might make the important point that each one of them speaks for his group. Even when a dozen of them sit together, they do not speak for each other although they are all from similar areas. This reinforces my growing understanding of the fact that no one speaks on behalf of Aborigines. They speak for themselves and, by and large, the people who do the speaking do so on behalf of fairly small groups. This presents government with a problem. Far too often, we tend to classify as Aboriginals people ranging from those with Aboriginal blood right through to full-blood Aboriginals. We classify them as one group when we talk about them and we try to find solutions to their problems when, in fact, they are as different from each other as the Germans are from the French or the Poles from the Italians. Their customs differ in some respects and, certainly, different groups are represented by different people.

These old men have said to me that some Aborigines, their people, have demonstrated that they cannot handle alcohol. They have had access to it for a long time and the destruction of tribal ways, the violence in communities, and the starvation and deprivation which occurs where welfare funds are spent on booze is simply awful and has to stop. It is a tragedy, and they recognise that. They are saying to me: 'Take the right to drink away, Chief Minister. We have demonstrated that we cannot handle it. Take it from us'. It is interesting to note that some of these men are drinkers themselves, although not all of them.

The member for Barkly touched on it when he referred to the 'dog' act days. He had experiences in which Aboriginals would say: 'Save me. Do not let me reach a period when my suspension of the right to drink expires. Hasten the process so that I stay on restrictions'. I believe that some of the old men are saying: 'Remove access to liquor from us. Take it away. Help us'. It could be likened to the situation in which a person addicted to another type of drug might, in certain circumstances, put his or her hands up and say: 'Stop me from continuing to destroy myself'.

These people are somewhat bewildered when I say, in the best words I can select for them to understand, that probably I cannot deliver the solution they are requesting. I can only say: 'I do not think that I have the power to remove the right to consume alcohol from you on the grounds that you are from a particular community or on the grounds that you are an Aboriginal. That is because, in this country, we have conventions which flow internationally about the rights of the individual, and we have anti-discrimination laws'. Basically, they are saying : 'We don't understand what you are talking about. Don't talk to us about white man's principles. We are watching people die and you are saying that, because of

a principle, you can't accept our solution to take the right away from us'. This places me in a dilemma. I cannot sit back and say that these poor fellows just do not understand what anti-discrimination is about and they will simply have to live with it. That was why I wrote to the Prime Minister recently. It was a genuine letter. I turned to the Prime Minister and indicated that I have this dilemma. I asked him to suggest any courses of action that the federal and Territory governments might be able to pursue. I hope that he will respond in a genuine way and that we might have somewhere to move.

I do pay particular attention to the comments of people who have particular experience of Aboriginal ways. It is very interesting to listen to the member for Arafura, for example, when he is addressing these questions in the House. We apply our European perceptions to solving these problems. I understand very little about Aboriginal ways, but what I do understand leads me to the belief that, in many respects, we are way off-beam in respect of our treatment of Aborigines. We apply our own judgments to our perception of everything from the time of day to moral questions of what is right or wrong or what is good or bad. With the best of intentions, we and our predecessors have been doing that for decades, but we have not found all the answers.

I applaud the member for Arafura's community. Recently, they debated this matter among themselves. Already they have quite stringent restrictions on the availability of alcohol, particularly at Nguiu. They have now decided to raise the age at which persons may have access to alcohol to 21. That is fine; I applaud it. In central Australia, in the north and elsewhere, people are asking not only for a particular takeaway licence to be removed but also for local licences to be removed totally. I believe there is a move by some Aboriginal organisations to try to buy licences with a view to closing the outlets. They are talking about buying a roadhouse and shutting it down in a genuine attempt to try to deny Aboriginal access. The move to raise the legal drinking age from 18 to 21 is also an effort to deny access.

In a sense, I do not deserve the criticism that I have received for saying that some Aborigines are asking that access be denied totally. It is really an extension of some of these things that are being clutched at by the community at Nguiu which is pulling the rope back in on people's access. We are really talking about how far to go in terms of denying access. Obviously, denying access in a limited fashion is not the total answer because we are all aware the enormous lengths that people will go to provide alcohol to Aborigines or to which Aborigines themselves will go when alcohol is denied to them.

We know of the flights to Port Keats at $100 a carton. Examples have been cited in the past that demonstrate that, if grog was not available at 1 licensed outlet, people were prepared to drive 500 km or whatever to the next one. If they had the money and the transport, it would not matter if it were 1000 km. As long as there is a licence in the Northern Territory that sells takeaway liquor, like bees at a honey pot, people will be lined up and they will take it away as rapidly as the staff can hand it across the counter. They will distribute it from one end of the Territory to the other. Of course, if it is not available in the Territory, people will go over the border to Kununurra or to Mt Isa unless we persuade the whole country to move to prohibition, and that is pretty unlikely.

I am a bit sceptical about these constant calls that the answer lies in reducing the number of takeaway licences even though I have acknowledged

that the government is prepared to examine this matter. When it raises its head to the levels it did earlier this year in Alice Springs, we are prepared to look at removing some takeaway outlets and to judge whether that has an effect. Personally, I do not think that it will have much effect because people can simply go somewhere else.

I want to put on the record today that everyone seems to agree that denying access may be part of the answer, and that some Aboriginal people are putting to me that we should deny access completely. I would like to throw an idea into the ring for the consideration of the committee. In view of the enormous costs to society today of alcohol - we are all aware of it, and it involves everything from road accidents to domestic violence and beyond - I think we should regard the right to consume alcohol in much the same way that we regard the right to drive a car. It is a right that you obtain when you reach a certain age - 18 years at present - but that right can be taken away from you if you demonstrate that you cannot handle it or handle it irresponsibly. If you have a driver's licence, it can be taken from you if you break the laws relating to motor vehicles. Society will state that you have failed in your responsibilities and you will be penalised for a period or even for life.

I am not referring only to Aboriginal people, but to all people. No one denies that the problem is pretty serious in the non-Aboriginal community. The only problem with this is that I cannot see a system working where we are all licensed to drink and have to show our licences over the bar every time we ask for a glass so that the barman knows who is unlicensed. Criteria could be established whereby a person would lose his right to drink as a result of an act of violence, being taken into protective custody 10 times or whatever. The problem, however, is for the licensees to be able to identify which people have lost their right to drink. In areas with small populations, you could revert to the 'dog' act whereby the local licensee would be advised that Joe Bloggs has had his licence removed. Obviously, that method could not be applied in our situation today because of the number of people and the number of licensed outlets. Thus, my dilemma is that I do not know how to put such a system into place. However, as a legislator, I would like to, and I think the idea would receive community support. It may be that the community would require that a very serious and undeniably alcohol-related offence would need to have been committed before a person lost his right to consume alcohol.

Perhaps the committee could ask the odd soul who comes before it claiming to be all-wise - and I hope there are plenty of them - whether there is an answer to the problem of identifying individuals in such circumstances. Perhaps we can come up with something if we all think about it hard enough and long enough. It is a pretty hard question. It may be insoluble but, if there is a solution, it would solve a lot of problems. It would not prevent such people drinking entirely because friends would supply them, but that would not be a reason for not proceeding with that course of action. There will always be problems. We are talking about how to reduce those problems.

I am hoping to commission some research myself through the Chief Minister's Department, and I am waiting for some further advice on that. I do not believe that comprehensive research has been done on the real reasons why Aboriginals, who have had a drinking problem, have voluntarily given up drink. I am pleased to say that there are many Aborigines who can say that they have not had a drink for 5 years, that they used to be like those people in the bed of the Todd, but that they gave it up. They had no assistance through AA programs or drying-out centres or whatever. Such

programs were not available as readily as they are these days. They themselves came to the conclusion that drink was not for them. We could probably explain it away by saying that the person probably became tired of having hangovers or wanted money to buy a car or whatever. Those are European perceptions. I would like to know the real reasons and they would need to be sought by a skilled researcher. There are many tribal Aborigines who have voluntarily given away grog over the years. I would like to commission some research in that regard. If we can find a thread, maybe we can bring some of the hard cases of today to the realisation of what these people came to realise.

The last point is the availability of money. It is very sad to think that almost all the Aboriginal alcoholism, and perhaps the non-Aboriginal alcoholism, we see in the Territory is funded by the taxpayer through moneys provided by our welfare system to sustain a family with shelter, food and transport so that people are able to survive if they are ill or unemployed. That is very sad. On the basis of suggestions that had been put to me, I suggested to the federal government that perhaps it should examine where it sent welfare cheques and the system where an Aboriginal could leave his community for 6 months and pick up his cheque in Alice Springs. I suggested that the cheque should be available only in his community. At least, that would get him out of town for a few days. He may stay with his family or he may turn around and go back to Alice Springs. I cannot recall the exact phrase that the federal minister used in relation to my suggestion, but it was along the lines that I was being racist and was suggesting that Aborigines should be treated as second-class citizens. It is interesting to note that there has been some support around the traps for this move and a change of heart on the part of the federal minister.

Mr Coulter: Especially since the 60 Minutes reporter thought it was a good idea.

Mr PERRON: Yes. I think that 60 Minutes had a great deal to do with the minister's change of heart. There has been a heightened interest in the system of welfare payments in the Territory, and I hope that interest continues to follow through ways in which we might lessen the phenomenal availability of cash to Aboriginal problem drinkers. Let us work out some way to minimise that cash flow without all being charged with being blatantly racist when actually we are searching for answers.

Mr SETTER (Jingili): Mr Deputy Speaker, I had not intended to speak in this debate. However, I was prompted to rise to my feet by comments made by the Chief Minister a few moments ago. Obviously, he is agonising over this problem, but he suggested that perhaps, as one possibility, some form of prohibition order could be imposed on people who are deemed to be habitual drunks or alcoholics in an effort to assist them to break the habit. I can recall that, some years ago, Queensland had that very system in place. I am not aware that it is still in place now. Probably, it is not but I can distinctly recall that, in dealing with habitual drunks and alcoholics who were continually before the magistrates court, the magistrate had the option of issuing a prohibition certificate, copies of which were then posted around the various hotels. There were no takeaway outlets in those days, other than at hotels. The certificate was placed on the wall of the hotel, near the till or whatever, and all the publicans knew that that person could not be served alcohol.

To do the same thing today, of course, would pose a whole range of problems because of the number of persons and alcohol outlets involved. It is very complex from that point of view. However, it is even more difficult

for us because drunkenness has been decriminalised in the Northern Territory. I am not aware of anybody having come before the courts for an offence of drunkenness in the Northern Territory for many years. People might come before the courts for offences which relate to or result from the fact that they were under the influence of alcohol. However, in order to issue a prohibition order on the basis of somebody being an habitual drunkard or an alcoholic, we may have to consider reintroducing an offence of drunkenness.

It is an interesting question, and one which the Chief Minister and the government have been agonising over for some time. I know that the committee has been giving considerable thought to a whole range of issues. I thought those comments were worth contributing to the debate.

Motion agreed to.

ADJOURNMENT

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

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I would like to place on record my thanks to the Minister for Conservation. I gave him a bit of a hard time last night in relation to the heritage area in Alice Springs, and I do not apologise for that. However, he explained something which might have been helpful if it had been included in the original letter which was sent to the people in Alice Springs. Sometimes it is best to take people into your confidence and to tell them what your proposals are. The minister has given the assurance to people in the affected area that they will not be disadvantaged. As I read through last night's Hansard, I believe that that is not too strong a way of putting it.

I am sure that the people concerned will be very relieved. I have already telephoned some of them. I am pleased too that, given the assurances by the minister, I will be able to inform people, in my role as the local member, of the salient points which the minister made and which are recorded in the Parliamentary Record. Basically, my plea was for the injection of some sanity into the situation so that we would not unfairly disadvantage people for the sake of doing something for heritage. I believe now that the problems will be dealt with appropriately and I will send that message to the people who are affected. As I have said, I understand that the minister will do likewise in order to clarify the situation and take the heat out of it.

In 1980, when I was attempting to get myself elected to this House, one of the questions which I asked people in what was then the Alice Springs electorate - and basically it included everything to the east of the highway - was whether they wanted a bus service. I identified 2 groups who seemed to show an interest. One of the groups comprised mothers with young children in families which owned only 1 car, and the other comprised the elderly. In due course, I persuaded the government to trial a bus service. The trial continued for 6 months and something like $20 000 was spent on it. The largest number of people patronised the service in its first week of operation. The number declined in the second week and, at the end of 6 months, in spite of advertising and changes to routes and times, the bus service was clearly a failure. The mayor and I were on the committee, and we had to admit that what we had been told was a need that would be supported, simply was not supported.

Of course, Alice Springs has grown considerably since that time. We have places like the Larapinta Valley, or East Hermannsburg as it is sometimes jokingly called. It really is a bit of a laugh when you think that, no matter where you live in the township of Alice Springs, you are never more than about 10 minutes from the heart of town by car. When the new bus proposal was made and the Minister for Transport and Works suggested that the government would provide a substantial amount of funding, I must confess that I felt sceptical. I said in this Assembly on a couple of occasions that my previous experience indicated that what people said and what they actually did were far removed from each other. I was concerned that the service would not be successful. However, if it turned out to be successful, I was more than prepared to eat my words.

In the initial phase, one would see 6 or 7 people in the bus. However, more recently, the largest number that I have seen was 2, and one of those was the driver who looked totally bored. The 1981 trial cost $20 000, which would be worth considerably more in today's dollar terms, and lasted for 6 months. The only thing I regret is that we did not paint 'town bus' or 'AS Bus' on its side in order to identify it clearly. However, I do not think that would have made all that much difference. It seems to me that the pattern is repeating itself. The mayor would like to think that more and more people would avail themselves of the service and get into the habit of using it, but that does not seem to be happening.

A man called Stan Kitson drove the bus in the 1981 trial. He was telling me of his observations the other day. He said that, even right out in the Larapinta Valley, only 2 people were using the bus to get to the town centre. Usage levels are very low and that is something that we must face. The figure given recently indicated that it was costing the government more than $5 per person, which would make it cheaper to put people in taxis. Of course, the big problem is that a 5-year contract has been let to a subsidiary of Hannons to run the service and that taxpayers' dollars are being used.

Her Worship the Mayor urged me recently to support the service and to demand that the government come to the party with the money because Darwin has a bus service. I am afraid that I do not find that approach very sensible. People are not using the bus service. The dilemma is that a 5-year contract is in place, and only about 8 months of that has expired. Obviously, getting out of that contract might be a difficulty. Clearly, the company operating the buses has invested a fair bit of money and there is the problem of fairness. The service is not working. From my observations and the observations of others with whom I have spoken - although I have not been to the council for official figures - this trial resembles the original trial. It was best at the start and now it is tending to slide away. I believe that the reason for this is that Alice Springs people either get a second car or make the very useful arrangement of travelling to and from work or the shops with a friend or neighbour. This approach leads to good social intercourse and helps to compensate for the lack of extended family.

The other contributing factor is the flotilla of little buses which move around the place all the time. The Aboriginal organisations have mini-buses, as do the Old Timers, the Council on the Ageing, the senior citizens and so on. Honourable members from Alice Springs would know Joe Arrand, who is 81 years old and a grand old gentleman. He often said to me: 'How can we get people to use the Council on the Ageing bus? It is there and available. Fred Smith is keen and happy to pick people up and take them where they want to go and back again'. That was a voluntary

service on Fred's part, but only a handful of people were availing themselves of the service.

This brings me to another point of concern which the Minister for Transport and Works is addressing to some extent. Honourable members will recall that a subsidy scheme for disabled people was trialed in Darwin. People who qualified were able to travel for half the normal fare, and the initial rules were fairly straightforward. The scheme was taken up in Alice Springs. To qualify, a person had to be confined to a wheelchair or restricted to the use of a walking frame. In other words, people had to have a fairly significant disability.

There were some people in Alice Springs who looked at the guidelines, decided that they did not qualify and left it at that. I can think of one lady in particular, who has her not-so-bad days and other days when she has great difficulties. She has various problems such as chalky bones and so forth. She told me that a taxi driver asked her why she didn't take advantage of the subsidy scheme. She said that she did not qualify. He told her that there were people on the scheme who were much fitter than her and he proceeded to name a few. She then started to observe these people, who were receiving the benefit despite the fact that they did not meet the guidelines. I have spoken with various people who shall remain nameless. They said virtually that there were so few people who qualified and so much money was available that they were scared they would lose the subsidy because it had not been used. Thus, a few people who did not really qualify were allowed to use the scheme. It reached a stage where it was being abused. Taxi drivers have told me of instances in which they had driven 4 or 5 people all over the town, ending up at the casino, only to be offered half the fare because one of the passengers had a disabled person's ticket. The drivers were not too impressed by that, and I am sure that most people would consider it to be an abuse of the privilege.

It then reached a stage at which the money was being used up and people such as the lady I mentioned were knocked back. Most people would agree that the government was attempting to help disabled people move around and that that was pretty reasonable. I am not blaming the government for the fact that the scheme has gone off the rails but I understand that all users of the scheme are to be reviewed. When this benefit is taken away from some people who have had access to it, the fertiliser will hit the windmill.

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

Mr VALE (Tourism): Mr Deputy Speaker, in tonight's adjournment, I would like to pay tribute to a long-time, former resident of central Australia who was known to many people in this Assembly and indeed to people right across the Northern Territory. He died in Adelaide on 20 May this year. I refer to Ronald Neville Damien Miller, more commonly known as Damien Miller.

There are many stories in central Australia about all of its characters and Damien Miller was one of those characters. In the mid-1960s, I was Secretary of the then Country Party and Damien was one of its leading lights. A bloke came into my office one day and said he would like to join the party. I was talking to Damien later that night because I was a bit worried about this bloke. I said to Damien: 'I am a bit worried about this applicant. He drinks quite a bit'. Damien, who had a very quick wit, said: 'If that was a debarring factor, we would have no members in our party'.

Some years later, when the CLP was formed in 1974, I was organising a huge corned beef and damper night at Honeymoon Gap. I asked Damien Miller to organise the salt beef and the steaks from the cattle stations. As members of this Assembly - excluding the Minister for Primary Industry and Fisheries - would well know, centralian corned beef is second to none. It really is the gourmet food of the gods. At the end of the big roundup, half the cattle stations had salt beef and the choicest of steaks lined up. I asked Damien where he got it all from. He said: 'Napperby, Alcoota, Narwietooma and Bill Wardby's place'. I asked how much came from Hamilton Downs. He said: 'I did not get any of my own'.

Damien would put the hard word on everyone and anyone for donations. However, what was not generally known - and I guess it was the result of a personal family tragedy - was that Damien donated $100 000 in trust to the Life Education Centre in Alice Springs on its formation. I suppose that epitomised the man. He donated it anonymously. I knew him for many years and I have known many people in central Australia who received assistance from the Miller family.

In 1973-74, my wife and I and our youngest daughter looked after the Miller house when he went overseas for 12 months. It is like a small motel. It is set on 3 large building blocks and it is huge. Among other things, my wife spent most of the weekend cleaning and I spent most of the time mowing the lawns. I could have done with a hay baler. Damien had an old border collie named Ringer. We became attached to each other. If you picked up your keys, the dog would be in the car. When you approached the grids, the dog had the habit of ducking under the dash panel. One day, about 6 months after Damien's return, I called in to see him. Later, I picked up my keys and drove home. When I reached home, the dog jumped off. I went inside and, 20 minutes later, the phone rang and Damien Miller said: 'You pinched my bloody dog'. I had forgotten all about it. It was just that, over the 12 months, we had become very attached to each other. Damien's eldest son, Wing-Commander Andrew Miller, is now living back in central Australia. He is the Officer-in-Charge of the Jindalee radar facility. He has 4 children.

As I said, Damien had a very quick wit. We were out at Yuendumu in 1974. Miller was one of those pilots with whom you always felt very safe. He must be been flying for 40 or more years. We were having lunch with the Flemings and Tom Fleming had an equally quick sense of humour. Tom said to Damien: 'How is the practice going, Damien. Have you learnt to handle that little plane yet?'. He had been flying it for many years.

Damien Miller was born in Caulfield, Victoria, in 1915. He was married for nearly 43 years to Anne Miller, whom he met as a young girl when she was still at school in New Zealand. They had 4 children - Helen, Andrew, Jacinta and Paul - but only Andrew still lives in the Northern Territory. Damien was educated at Xavier College in Melbourne. His lifelong friend, Sam Calder, was at Geelong Grammar when the 2 became firm friends. After school, the young men learnt to fly and, on Christmas morning 1939, when it was 106° in the shade, they arrived in Alice Springs after a 4-day journey by air from Melbourne. Both helped Eddie Connellan to establish his airline business and stayed with Eddie until they were called up the following winter into the war.

Prior to enlistment, they created airstrips out of virgin scrub land with little more than an old Ford truck, mattocks, axes and a great deal of help from the local Aborigines. Over the next few months, 3 airstrips were prepared, the first at Mt Doreen, the second at the Granites and the third

at Tanami. These initial strips were necessary before Connellan Airways could begin its first service to Wyndham in the far north of Western Australia. As the airline expanded, more strips were made by other people and, by the 1950s, over 100 places or properties had airstrips.

In the meantime, Damien had gone to war and served with a squadron of Catalinas based in the Top End. He was awarded a Distinguished Flying Cross for bravery in combat in the Second World War. His war service was interrupted by a brief 3-month stint back in the Territory. Eddie Connellan had to have an eye operation and Damien relieved him until he was able to fly again. During this period, Damien had to make a forced landing en route to Wyndham. At the time, he was carrying a carton of rum as part of his freight. Fearful that it could be days before he was rescued, Damien took the rum and hid it in the bush a good 50 yards away from his plane. He knew that, if he got stuck into the spirits, he could be well out of his mind by the time the rescue came. Damien quite enjoyed telling the story against himself in later years.

Damien brought his young bride to Alice Springs in 1948, flying in a tiny De Havilland Rapide. Through the efforts of the pioneering aviators like Damien Miller, the Territory was opened up. It certainly became easier for station wives who now had access to weekly mail deliveries, fresh fruit and vegetables and, of course, to the Royal Flying Doctor Service. Station life became a little less lonely and a little less dangerous. The rough bush strips were really designed only for dry weather use but, of course, the wet season usually made all the dirt roads inaccessible. To avoid getting bogged, Damien flew over the tiny strips and watched as a station truck drove up and down. If the resulting tyre marks were light, Damien deemed the surface hard enough to land on. If the tracks were deep, it was no go. Obviously, the system worked as the plane rarely became bogged. However, it did on one occasion when I was with him.

The stations maintained their strips as well as possible. It was to their advantage to do so. Many types of aircraft were used over the years. Initially, mail and freight planes were single-engine machines with 3 seats. The Tiger, converted to hold a stretcher, was a particularly useful machine for the Royal Flying Doctor Service as it could get into places where a larger plane would have had difficulty. The De Havilland Dragon can still be seen at the Connellan Museum.

Eddie had an old Spartan which unfortunately crashed. Dragonflies were the first twin-engine planes to be used by Connair and were followed by 4-engine, 16-seater Barons, Cessnas and, for the last few years, DC3s. The planes were used for charter work, freight carriage, the Flying Doctor Service and public transport. Connair was contracted by the Commonwealth government to supply air services to the Northern Territory, and that was just what it did. Damien had no serious incidents during his civilian flying career although he did recall one violent patient who had to be held down by the doctor during the return trip. Unfortunately, the patient had been under-tranquillised.

Damien stopped flying, for health reasons, in 1966. Sadly for Damien, the last 6 years of his life were spent battling illness. Last November, he was sent to hospital in Adelaide and, on 20 May 1990, at the age of 75, Damien lost his final battle and the Territory lost one of its flying pioneers. He was a cattleman, an airman and a very generous Territorian. He will be missed by very many people right across the Northern Territory and indeed across parts of Australia.

From an historic point of view, I would like to record the fact that, if it had not been for Damien Miller and his generosity, to all intents and purposes, Connellan Airways probably would never have flown. While the name Connellan was emblazoned across the fuselage of many aeroplanes in the Northern Territory during the 1930s to 1960s, it was Damien who provided the funds. Damien came from a very well-to-do family in Melbourne. Eddie Connellan had the dream and Damien Miller provided the funding. That was how Connellan Airways was established.

Mr Speaker, a funeral service was held for Damien Miller in central Australia. I am certain that I speak on behalf of all members here tonight when I extend to Mrs Miller and her 4 children the sympathy of all members of this Assembly.

Members: Hear, hear!

Mr SMITH (Opposition Leader): Mr Speaker, I arise to add my condolences to the family of Jim Gallacher. I will not reiterate Jim's history in the Northern Territory because that has been covered very adequately by a number of other speakers over the last 3 days.

Jim was certainly a very important figure in the education world. I first came to know him in the mid-1970s when a group of Young Turks - and probably I was one of them - came to the Territory and were busily trying to reshape the Territory education system in our own collective image. It was people like Jim Gallacher whom we were fighting because we thought they were the people of the 1960s, the people with yesterday's ideas, the people whose time had come to roll over so that the bright young people who had come to the Territory could take their places and get on with the show. Jim Gallacher handled that situation with confidence and aplomb. It was a sign of the man.

Certainly, the 1970s was a very vigorous time in Aboriginal education. Many new ideas were being floated. Jim Gallacher participated fully in that discussion and more than held his own. To a large degree, what we have achieved in Aboriginal education over the last 20 to 30 years is a result of the contribution of Jim Gallacher. In the 1950s, he co-authored with Betty Watts what was to become a major textbook on Aboriginal education and the guiding force for Aboriginal education in the Northern Territory for a number of years.

After Cyclone Tracy, he took over as Acting Director of the Department of Education. The previous director retired around the time of the cyclone and it was left to Jim Gallacher to gather the reins and get the education system back on the road again. He did that in his normal calm, cool and collected manner. I do not think that the Territory has ever quite recognised the debt that it owes Jim Gallacher for the way that he took the education system and put it back together again after the cyclone. It was a very difficult task. Teachers, students and administrators were scattered all over the country. Considerable damage had been done to the school buildings and it is a credit to Jim Gallacher that the system came back into shape very quickly indeed.

I want to pay tribute tonight also to someone who is very much alive and someone with whom people on both sides of the House have tangled during his time in the Northern Territory. I refer to one Peter Tullgren. On Monday, Peter will be leaving after 10 years in the Northern Territory. He is returning to the head office of the Miscellaneous Workers Union in Sydney. He came to the Northern Territory in 1980 as an organiser and a

research officer, just before the 1980 election. He has been here for 10 years. He has been Assistant Secretary of the North Australian Workers Union twice in that time. On both occasions, he was elected unopposed. He was also Assistant Secretary of the Trades and Labor Council and served on a number of committees of that organisation.

While he has been in the Northern Territory, he has been involved in a number of major industrial battles. He was involved in the public sector district allowance case, which the member for Nightcliff will remember with some satisfaction because the honourable member was on the winning side and Peter Tullgren was on the losing side. Peter Tullgren was involved also in the public service dispute, in 1987, again against the member for Nightcliff, and I am not quite sure who won that dispute.

Mr Hatton: An honourable draw.

Mr SMITH: An honourable draw!

Further, he has been involved as part of the negotiating team on public sector award restructuring. He has had his place in most negotiations on the mining and building industries in the 1980s, and specifically the site allowance cases at Yulara and Ranger. He was involved too in the initial commission hearings on the Ranger High Court decision which made it easier for union members to obtain reinstatement after dismissal following industrial action. This is considered to be one of the most important High Court decisions to be handed down on industrial relations in Australia.

Because he is a flamboyant character and very good with words, he tended to represent the unions publicly on many of the major cases. As well, he was a very effective representative of individual union members who needed the union's help. His specialities were, particularly, the hospital system, where he represented and assisted many individual union members, and, secondly - and this always seemed somewhat surprising to me - he became an expert representative of the prison officers. Peter Tullgren and prison officers do not quite go together in my mental set, but he was a very effective representative for prison officers. At a function I attended on Monday night, they showed their appreciation of his efforts by giving him something to remember them by.

He was a very active member of the Australian Labor Party. A member of my staff commented that nobody would ever have thought that I would be standing here today saying nice things about Peter Tullgren. I think that is a fair indication of the relationship that Peter Tullgren and I and others have had over the past few years. However, it must be said that, in the last 3 or 4 years, Peter has ...

Mr Poole: Matured?

Mr SMITH: ... matured somewhat.

Mr Ede: Mellowed.

Mr SMITH: Yes. He has mellowed somewhat. If we look at his efforts for the Labor Party in the Northern Territory over the last 10 years, he has made a major contribution. At times, he has served as secretary of the party and also as assistant secretary. He spent 6 years on the administrative committee and, for the last 2 years, he has been the Northern Territory's representative on the National Executive.

Peter was active in the wider community, being the trade union representative on the University Council. He joined the Community College Council in the early 1980s and continued membership as that organisation became, first, the Darwin Institute of Technology and then the Northern Territory University. He has been a strong contributor to the development of higher education in the Northern Territory. As well, he has served on the Work Health Ministerial Advisory Council.

Peter Tullgren is a very complex character, and one whom it is very easy to dislike because of the way he carries on from time to time. A fact that is not very well known is that he has an abiding interest in Oliver Cromwell and that period of history. He has also an abiding interest, that amounts to an obsession, in the Catholic Church. Ask Peter Tullgren anything about the papacy and he can give you the answer. He knows it all backwards.

Mr Vale: Is he pro or anti?

Mr SMITH: Deep down, I think he is pro.

He has a very thorough knowledge indeed of the operations and intrigues of the Catholic Church over the last 400 to 500 years.

Peter Tullgren has been a somewhat controversial member of our community, but a very valuable one. He has been in the Territory during a time during which the union movement has grown considerably, and developed considerably in maturity, and much of that has been due to his own efforts. We may have disliked him at times, we may have thought that he was bumptious at times, but certainly he has been good at his job. He has a strong commitment to the union movement and I think that he will have that for the rest of his life. I take this opportunity to thank Peter Tullgren for his contribution to the Northern Territory and to wish him well in his future endeavours.

Mr MANZIE (Karama): Mr Speaker, I want to say a few words about a subject that has featured in the media today: wheelie bins. Usually, I do not agree with the comments of the member for Wanguri, but I have to say that he has come good because I agree entirely with what he had to say about wheelie bins.

I have written to the Acting Lord Mayor on the subject and have pointed out the problems that many people in my electorate have contacted me about. In large part, these relate to the increased number of flies that they have noticed around their houses and the problems that they have had with maggots appearing in the bins. In my letter, I pointed out these problems and asked whether it would be possible for the council to look at the possibility of reverting to 2 collections a week. Apparently, the Acting Lord Mayor has said that people should learn how to put their rubbish in their bins, but I can assure all honourable members that the rubbish at our place is wrapped in plastic bags which are then sealed and re-wrapped and placed in more bags and then placed in the wheelie bin. However, despite these precautions, we have had a couple of occasions when the dreaded maggots have appeared in the bin. There are various remedies to the situation, such as parking the bin under a tree and letting the green ants dispose of the maggots. However, the fact is that even someone who takes the utmost care will have problems. This is the subject that my constituents in Sanderson have been most vocal about in the last few weeks and, if only for health reasons, I think it is important that the council look very seriously at increasing the collections of rubbish from the wheelie bins.

The Acting Lord Mayor has said that any increase in the number of collections will result in an increase in costs to ratepayers. However, I think that he should remember that it is only in recent times that rubbish collections moved from 2 to 1 a week and that, originally, our garbage rate covered the cost of 2 collections per week. I would also remind him that I spoke to him on the subject prior to the introduction of the wheelie bins. On a number of occasions, I pointed out the problems that people in Cairns have had with maggots in bins used there, and I suggested that some more research should be done by the council before it introduced the bins in Darwin.

What I believe was a lack of a proper appraisal of the use of wheelie bins in the tropics is now resulting in a situation where the council has purchased wheelie bins, which it has supplied to the community of Darwin. They are proving not to be doing the job, and it will cost money to change the system now. If the council tries to put that cost on the community, it will encounter some serious problems with ratepayers because, as I said earlier, the community is paying already for 2 collections a week. I urge the council to listen to what the Darwin community has to say in relation to the wheelie bins.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise in the adjournment debate today to enlarge on a question I asked the Minister for Primary Industry and Fisheries this morning. He did not really answer the question that I asked him, but that was as expected. I believe that it is more than necessary for him to get that land back for use by the department in view of proposals that I heard about today that are in train for an enlargement of horticultural interests in the department.

Mr Reed: They had better tell me!

Mrs PADGHAM-PURICH: Sometimes, I hear these things before you do, you know. I have friends. They do not always occupy high places, but still they are friends.

Mr Speaker, the history of this matter is that the government, in its wisdom, decided to flog off land as 5-acre rural blocks all across the Stuart Highway frontage of the Berrimah Research Station. Some antagonism to this idea was demonstrated by developers in Palmerston, who were also trying to sell off rural blocks at that time and were not having much success. As a result, the government withdrew its blocks from the market. This was done after removing the Conservation Commission from its area adjacent to the Berrimah Research Station and also pushing off all of those people in the department who were using the front part of the research station for their particular research.

Those rural blocks were never sold and, some time later, the government had another brilliant idea, and that was to establish an international grammar school there. We all know what happened to that. It went phut in a grand way. The result of the failure of that project - and I do not think it reflects very happily on the government - is that that area of land, which runs all along the frontage of the Berrimah Research Station, is still vacant. It is a disgrace. At least the weeds have died now and therefore it is not as bad as it was earlier. Besides the weeds, the area is still full of excavations. If I were working there as a research scientist or as an employee in any other capacity, I would be ashamed of the place. It is very important that employees in any workplace are able to take pride in the place in which they work. They may take pride in the job in which they are

working but nobody could have any pride in the frontage of that Berrimah Research Station.

Coupled with that, I hear that there is to be an attrition of staffing positions in the Department of Primary Industry and Fisheries. I hear it is to be in the order of about 25 positions. That is a result, I would say, of the economy drive that is suddenly sweeping the government because of its straitened financial circumstances. In this atmosphere, I recognise that the department has to tighten its belt as have other government departments. However, in this case, I believe it is a rather short-sighted move. Departments like the Department of Primary Industry and Fisheries are supporting the development of the Northern Territory and that means that they are supporting jobs in the Northern Territory ...

Mr Reed: There are some members in this Chamber who would close down the BTEC section pretty quickly.

Mrs PADGHAM-PURICH: I am not talking about research staff.

I have been told that these positions will not be abandoned. They will stay on the books as vacant positions. One hopes that, at some time in the future when times are a little better, or when the minister can speak with a stronger voice in Cabinet, they will be filled.

To be perfectly honest, the block along the front of the Berrimah Research Station is not very good horticultural land. I have been told that the better horticultural land is towards the back of the farm where stock are held from time to time. I have been told also that there are plans afoot to establish a tropical horticultural research institute with a combination of forces from the Department of Primary Industry and Fisheries, the Commonwealth and the Northern Territory University. I believe that this is only in the planning stages as yet, but that it is being contemplated seriously.

This is not just a building. Land for the growing of crops must be included. This has to be located at the Berrimah Research Station. Not only is it an ideal location for it but it is also a place which large numbers of people drive past every day, especially people from the Darwin rural area who are actively engaged in agriculture. Those people can see what is going on. It should be a showplace for agriculture in the Top End but, over the years, because of the selling off at the farm, it has lost its importance in the research field. This land is definitely needed and I believe it is the duty of the minister to thump his mates in Cabinet hard to get the land back, especially from the Minister for Lands and Housing.

Mr Reed: We bought a research station last year. What are you talking about?

Mrs PADGHAM-PURICH: I know that you are selling off your research stations instead of keeping them.

I do not know what is to happen to this land if the Minister for Primary Industry and Fisheries does not regain control of it. I have heard rumours that the government is thinking of selling it off as industrial land for strip development. If that is the case, the government will strike some problems with the Planning Authority in the rural area and with other people who would oppose such a move.

To conclude on that subject, I hope that the minister will realise the importance of his position, and the importance of research to the development of agriculture, horticulture and other primary production in the Northern Territory and that he will do something about regaining control of this land.

Mr Reed: We are about to lose another one. The ALP supported our paying rent on one of our other research stations.

Mrs PADGHAM-PURICH: That is another story for another day.

The other matter that I would like to address tonight is the situation in respect of some volunteer fire brigades in the rural area. It does not relate to the volunteer fire brigades under the control of the Bushfires Council of the Northern Territory, which is under the control of the Conservation Commission. It relates to some of the volunteer bushfire brigades which are under the control of the Northern Territory Fire Service. They are less than happy with a decree which was issued by the previous director, who left a short time ago. He decided that those volunteer fire brigades under the control of the Fire Service could not attend a permit burn.

I will explain the concept of a permit burn for the benefit of honourable members who may not be familiar with it. If you have a property and you wish to burn off, you must first get your firebreaks in order and do other things pertaining to fire control such as making available trucks or utes with water tanks attached to them and demonstrating a knowledge of how you intend to go about burning off. An inspection is made of your premises to see that you have all the necessary gear and that your firebreaks are in order and, if everything is satisfactory, a permit is issued with certain conditions attached to it.

This is the procedure that I have followed for years in burning off, and other people have done the same. I do not need outsiders to help me because I know what to do and I can get help from family members and other people I know. There are some people who live on the outskirts of the rural area who have no means of controlling the grass on their properties other than by burning off. They may not yet have bores down. They may have just settled on their blocks and they really need to burn off to keep the danger away from houses and outbuildings. Having ensured that their firebreaks and everything else are in order, they apply for a permit to burn. However, because the task is unfamiliar to them, they request the volunteer bushfire brigade to stand by while they burn off.

For the life of me, I cannot see why the Director of the Fire Service issued on edict which prohibited volunteer bushfire brigades under his control from attending permit burns, because the Bushfire Council allows all of its volunteer brigades to attend permit burns. In fact, some of the Bushfire Council's volunteer bushfire brigades use this service to the community as a means of raising money.

The Fire Service called a meeting in the rural area, which I attended. Representatives of the volunteer brigades under the control of the Fire Service attended as well. A couple of those volunteer brigades do not wish to attend permit burns for local reasons, and that is up to them. They have sussed out the local situation and, because permit burns are not relevant to it, they do not wish to attend. On the other hand, there are those volunteer bushfire brigades which, in the interests of educating people to control and manage fire, wish to have permission to attend permit burns.

That has been refused, and the edict issued by the previous direction has not been countermanded to date.

It was said at the meeting that the result of this situation will be that people who want to burn and have a permit will proceed to burn without the attendance of the volunteer bushfire brigade. Such burn-offs may not be done at the right time or in the right way and may turn into wild fires, in which case the volunteer bushfire brigade will be called out to attend a much larger fire than would have been the case if they had been allowed to attend the permit burn in the first place.

To return to the edict issued by the former Director of the Fire Service, I believe that, with a little wisdom and elasticity in policy, a further edict could be issued by the current director to allow the volunteer bushfire brigades to be master of their own destiny. They are local volunteers who know the local situation. They are all good solid citizens. They have given up hundreds of hours of their own time to help control and prevent fires in their local community. They will not do stupid things and they will look after the community interest.

It is a case of horses for courses. It would be very easy for the Director of the Fire Service to say that, if the local volunteer bushfire brigades wish to attend permit burns, they can do so and, if they do not wish to attend, they need not do so. The matter could be left to the discretion of the brigades themselves. They are the people on the ground and it is only by educating people in this way that we will get sensible control and management of fire.

I am not talking about whether it is necessary to burn off or whether it is not necessary to burn off. That is another issue. I am talking about actual permission or lack of permission for these volunteer bushfire brigades to attend permit burns. The bushfire brigades under the control of the Bushfires Council are allowed to do it, and they do it quite safely, making use of their services to raise money for their brigades whilst helping and educating their communities. The other group of bushfire brigades cannot do this. I believe that, in the interests of consistency throughout the rural area, the Director of the Fire Service should take another look at the policy determined by his predecessor.

Mr EDE (Stuart): Mr Speaker, tonight I would like to say a few words about Dr Trevor Cutter, a very good friend of mine who passed away recently after a battle with cancer. Trevor was a young man. He was born in Melbourne and he did not come from a wealthy family. At the very best, his family could be described as lower middle class. His father was a St John Ambulance officer, but Trevor always wanted to be a doctor. His family could not easily afford to educate him. However, he was educated by means of a scholarship that he won. Eventually, he graduated from Monash. Later, he became a Fellow of the Royal Australian College of Physicians, graduating in record time at the top of his class.

Trevor Cutter came to central Australia in the mid-1970s and worked on the establishment of the Central Australian Aboriginal Congress. He was still there when I became the director in 1978. He had an incredible amount to do with the growth and development of that organisation. He did not work only in the Northern Territory. He worked at various times in Papua New Guinea and among the hill tribes and refugee camps in Thailand. He did other work in India and Mexico as a consultant with the World Health Organisation. He worked in Eritrea and was in great demand by international bodies to assess situations and design health services. No matter where he

was working, he would find some way of returning to central Australia, the area he loved most.

He was one of the most terrifying people to drive with. When you were driving with Trevor, you always tried to ensure that you were in the front with him and that there was nobody in the back seat. He had a most disturbing tendency of driving at great speed whilst turning around and talking to the person in the back seat. You would attempt to grab him and force his attention back to the road. On a number of occasions, this habit caused him to run off roads, but he would merely shrug it off and proceed.

He was totally unable to stop talking. He was bursting with ideas about what individuals and governments should be doing to make the world a better place. When I first went to Congress, he was almost impossible to work with. The organisation had some administrative difficulties which I was trying to get into some sort of shape. He would not make appointments. He would burst into your office and demand that everything stop while he told you about an idea that he had. At first, because they seemed like good ideas, I would follow them up. However, he would have 5 or 6 of these in the course of 1 day. Eventually, I insisted that he put them in writing. When he brought an idea back in writing, I would put it at the bottom of a great pile of papers. If he remembered that idea more than a week later, I would then take it out and read it. In this way, I found generally that he sifted the best and more practical ideas out and dropped the rest. He was amazing. I have spent some time in the public service and I know of many people in the public service who have made an entire career out of 1 good idea. He would come up with 1 really top idea about once a month. There are not many people who have the incredible originality of mind necessary to enable them to do that.

We tried to maintain the salaries at Congress in tune with public service standards, but we never quite made it and adjustments would not be paid. On one occasion, he came in and told me that he had received an offer of a 6-figure salary to work as a physician in Adelaide doing 3 days work a week. For a person who was working 90 and often 100 hours a week on a relatively small salary, that must have been a fair temptation. It was the mark of the man that he laughed it off and said: 'No way in the world'.

He was a Labor man of the old school. He was Labor to his bootstraps, but there was nothing trendy about Trevor Cutter. He was a real man of the people. He was dedicated to the belief that injustice and inequality had to be abolished. That passion directed his whole life. His exuberance and his attempts to fit 4 lives into 1 were famous. His nickname was 'Cyclone'. Basically, that was the man - Trevor Cyclone Cutter.

He will be very fondly remembered by all the people who ever came into contact with him. He was not a person whom you could meet and forget. At his memorial service in Alice Springs, I was asked to speak about him. He was a deeply religious man, a great believer in the Uniting Church and a regular churchgoer. I remarked that, even though he had passed away only about a week before, he would have pestered St Peter already about the need to get down to purgatory and do something about the conditions there. With the passage of a couple of months by now, he will have had purgatory sorted out and he will be arguing about the need to do something about the everlasting sentences in hell, such as time off for good behaviour and rehabilitation programs that could be quite effectively organised. That is the way that I remember Trevor Cyclone Cutter.

In conclusion, I would like to pass on my condolences to his wife, Pat, their very many children and their even more numerous friends, not only in central Australia but around the rest of Australia.

Briefly, I would like to go back to some of the remarks that were made by the Minister for Transport and Works in Tuesday's question time. I have had a chance to check them out. He talked about the Territory government's proposal for a new terminal at Darwin Airport. He said that $5m was to be provided to assist the small operators in the general aviation industry and that the idea had been pooh-poohed. I have a copy of the Northern Territory government's airline proposal. The $10m that it proposed putting into it was, as always, the usual 2-card trick. The whole cost was to be $65m and $20m to $40m of that redevelopment was to be financed from the Commonwealth. It is fairly simple now to try to portray it as a time when this extraordinarily generous Northern Territory government would develop this. Of course, as usual, a third to two-thirds of the money was to come from the federal government.

He made another remark that surprised me, because it did not ring true. He was referring to Senator Collins. He said that, when they were opening the FAC building, some people went up to Senator Collins and said: 'This is a fine terminal, Senator Collins, but what about the cost that will be imposed on the general aviation industry in the move to the north side?' He said that Senator Collins replied, 'There will be some casualties', and walked off. That surprised me because it did not sound at all like the Senator Collins that I know. I asked him about it. He was most surprised, and he said that the remark was not made in the context of the general aviation industry at all. He can name the people who were there. The remark was made in respect of the deregulation of the aviation industry generally. There was talk about the number of new operators that would come into the system such as Compass etc. His remark was that there would be some casualties, and I think that ...

Mr Reed: Maybe you had better tell the general aviation people that.

Mr EDE: In response to that interjection, the general aviation people will not figure in the deregulation scene because general aviation is intra-state and is controlled by the Northern Territory government. I have heard of no moves by the Northern Territory government to deregulate that industry. If it does so, there may be some casualties. I do not know. If it is like anything else that the Northern Territory government has touched, I would say that probably there will be casualties. But, certainly, it was not a remark that Senator Collins made. I think that the minister should get his quotes right.

Mr Hatton: 300% increase in charges.

Mr EDE: A 300% increase in charges is not correct. In some cases, people are moving from 670 m^2 to 3000 m^2. In another case, the change is from 1200 m^2 to 7000 m^2. Of course, if people intend to move into much larger premises, they will find that it will cost them more to move to the other area. In some of the cases, where there is to be a substantial increase, it has been as a result of open bidding, where the people wanted a particular site and continued to bid until they reached a particular price.

Mr Reed: They have to pay for their building and then give it away.

Mr EDE: I think that honourable members ought to get it right. I saw Ossie Osgood's statements on the front page of the paper yesterday. I was

talking to Senator Collins about this and we both had a bit of a chuckle. Ever since I have known Ossie Osgood, he has been predicting his own imminent demise and that, for some reason or another, he was about to go broke. Given the tenacity the man has, it is probable that he will be around for many years yet. He claims always to be about to go broke for one reason or another. I can remember some fairly bizarre reasons that he has given to me to explain why he was supposedly going broke. However, he is a survivor.

I am meeting with Senator Collins again tomorrow to push the case in relation to road freight. As I have said before, we cannot afford even the revised increases that have been discussed. In case honourable members are concerned, I have checked this morning's news item, which said that the final report was to go to Cabinet today for a decision. The report was absolutely wrong. What is going to Cabinet today is a series of reports which was requested simply in order to assess what stage had been reached. Those reports, together with a host of options, will be put to the meeting in September. There is no way that a decision is being made by the minister, much less federal Cabinet.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

MESSAGES FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have message No 14 from His Honour the Administrator:

> I, James Henry Muirhead, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act of 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to appropriate certain sums out of the Consolidated Fund for the service of the year ending 30 June 1991.
>
> Dated 9 August 1990
> J.H. Muirhead
> Administrator.

Mr SPEAKER: Honourable members, I have also message No 15 from His Honour the Administrator:

> I, James Henry Muirhead, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act of 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to amend the Supreme Court (Judges Long Leave Payments) Act which in part provides for a long leave payment to judges in circumstances which are not presently provided for, and thus increases the potential liability of the Consolidated Fund which, by virtue of section 6 of the principal act, is to be appropriated to meet payments under the act.
>
> Dated 20 August 1990
> J.H. Muirhead
> Administrator.

Mr SPEAKER: Honourable members, I have received a further message, message No 16, from His Honour the Administrator:

> I, James Henry Muirhead, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act of 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to amend the Supreme Court Act which, in part, provides for the payment of salary allowances and benefits payable to the Master of the Supreme Court of the Northern Territory to be appropriated from the Consolidated Fund.
>
> Dated 20 August 1990
> J.H. Muirhead
> Administrator.

DISTINGUISHED VISITOR
Ms Carolyn Hirsh MLA

Mr SPEAKER: I draw the attention of honourable members to the presence in the gallery of Ms Carolyn Hirsh MLA, Government Whip and member for Wantirna in the Victorian Legislative Assembly. On behalf of honourable

members, I extend to Ms Hirsh a warm welcome and hope that her stay in the Northern Territory will be a pleasant and informative one.

Members: Hear, hear!

PERSONAL EXPLANATION

Mr BELL (MacDonnell)(by leave): Mr Speaker, in question time this morning, the Attorney-General suggested, to use his words, that I had made statements that did not contain the truth. I attempted to draw a point of order on that issue and the ruling was that his remarks were not contrary to standing orders. I do not wish to reflect on your decision, Mr Speaker. Had I wished to do so, I would have had to have done so by dissenting from your ruling. Because of today's budget and the importance attached to it, I did not want to delay the proceedings of the Assembly.

However, I do wish to place on the record of the Assembly that I bitterly resent the accusation that I do not tell the truth in debates as I honestly and conscientiously believe it to be. In his answer to questions, the Attorney-General and Minister for Lands and Housing did a shameful job in failing to produce 1 shred of evidence that I or any other member of the opposition had done so. He deserves the stoutest rebuke possible from this Assembly.

TABLED PAPER
Subordinate Legislation and Tabled Papers Committee
Seventeenth Report

Mr SETTER (Jingili): Mr Speaker, I lay on the Table the Seventeenth Report of the Subordinate Legislation and Tabled Papers Committee.

APPROPRIATION BILL 1990-91
(Serial 297)

Bill presented and read a first time.

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

This budget will be balanced. There will be no deficit or public service sackings. However, I stress at the outset that aspects of our financial plan for the year ahead will be hard because we have had to trim some services in order to maintain funding to those areas where government activity helps to create real wealth and new private sector employment. We will also require greater efficiency from the public sector so that services will be maintained, but at a lower cost.

Mr Speaker, I am thankful that I am not the Treasurer for Victoria, Western Australia or Tasmania. In those first 2 states, the legacy of years of financial mismanagement has added torture to the budget process and, in Tasmania, economic decline has led to mass retrenchments in the public sector. Territorians with friends and family in those states would be aware of those difficulties. They will be aware of the massive losses of public money and the disastrous corporate failures which have shaken faith elsewhere in the integrity of the public sector. They will be aware of the debt that other Australian taxpayers are being called on to service. More than 15% of Victorian and Tasmanian revenues are now consumed in the repayment of debt. That is double the interest payments position in the

Territory. Another visible measure of public financial management is the last budget outcome. In the Territory, we achieved a surplus.

I turn now to our relations with the Commonwealth. Tonight, the federal Treasurer will bring down his budget. Like the Territory's, it is framed against a national background of high inflation relative to our trading partners, wage and salary cost increases, high interest rates, high federal taxes, galloping foreign debt and an escalating current account deficit. These are all factors in the national economic policy mix which impact on each of us. In dollar terms, it means that the Commonwealth takes more from the taxpayer, but gives less back in real terms, not only to the Territory, but to the states as well.

This year again, Canberra's central funding power has been wielded to cut our share of national tax revenues for the sixth consecutive year. Over that time, the Commonwealth has reduced the Territory's funding allocation by 26% in real terms, compared to 13% for the states. In contrast, the Commonwealth has maintained its own outlays in real terms. In that context, several years ago, Canberra accepted the contention expressed by some Territory Labor politicians that the Territory was over-funded. The reverse is true. It should be plain to everyone that many Territorians, especially those in remote communities, do not yet receive standards of service which are anywhere near the accepted Australian level, in basics like housing and telephones for instance.

We have fought this false notion implanted in Canberra every inch of the way. There have been some successes - on the electricity subsidy for example. However, we have a situation where federal ministers visit the Territory and condemn this government for not doing enough to assist Aboriginal Territorians, and yet cut our funds year after year. These same politicians are more than happy to accept the benefits generated by the Territory's huge export earnings, but they deny the funds to help us generate new, productive economic activity and, by a stroke of the pen, they shelve vital projects like Coronation Hill.

In logic, where is the national interest and the Territory interest being served in all of this? Once more, I urge all honourable members to put the Territory first. I urge them to read and digest Budget Paper No 3 which details the technical rationale of the financial argument my government and my Treasury officers have been putting to Canberra. We owe it to the Territory public to put aside party politics and to speak with a united voice on this most crucial of issues.

Another important aspect of our relations with the Commonwealth, which also demands a united front from all Territorians, is clarification of our respective roles. I am delighted that the Prime Minister has indicated his willingness to review the situation as part of his agenda for the new 'federalism'. For my part, I will approach the review task with an open mind because I am aware that compromise will be necessary on both sides if we are to realise the benefits that are possible. This may well mean that we will need to give up some powers to the Commonwealth in areas which have a national impact, but this must be a 2-way street. There are numerous examples of duplication, for example in housing, where a massive amount of wasted effort and cost exists at the state and federal levels under the current arrangements. There has to be a better way and a rethink in the area of tied grants. I look forward to the time when we can realise the benefits that could result from this new approach.

Financial management and the surplus: This will be the second year that the budget structure allows this Assembly to appropriate moneys by activity rather than by category of cost - a feature that enhances accountability and helps to focus our attention on objectives and achievements rather than the mechanics of budget funding. Over the years, refinements in financial management, including improved computer technology, have allowed the government to respond rapidly to changing circumstances as the year proceeds. Examples in the past year include the reallocations from the December mid-year budget review and the cooperative restraints by the public service towards the close of last financial year when the inevitability of further harsh treatment from the Commonwealth became apparent. Had it not been for that restraint, there would not have been even the modest surplus that we managed to achieve. Also, substantial restraint was exercised during the full course of the last financial year. Territorians will recall the immense drain on public resources necessary to save tourism industry jobs during the intractable airline dispute. We had to find more than $11m to keep the industry alive.

The budget estimates: The bottom line to this budget is that, when inflation is taken into account, we will maintain expenditures in real terms, and that will be welcome news for every Territorian who is reliant on the government for services, for employment and for contracts. Total expenditure will be $1861m, a net increase of 6.6% or $115m.

Receipts will rise by 5.9%, but we have also the benefit of the cushion generated by last year's surplus. In every budget, there are cost rises over which we have no direct control. For example, the almost 16 000 Territorians employed currently by the government will share an extra $47m this year in additional salaries and allowances as a result of national wage increases and award restructuring. There is another $56m of expenditure in the budget which is also non-discretionary. This includes automatic increases in rentals for government office space - which ploughs millions of dollars into the local economy - interest payments and the prudent need to allocate, as we do every year, funds into the Treasurer's Advance to meet unforeseen contingencies.

The Commonwealth imposes non-discretionary obligations on every state and territory government. In our case, those increases amount to $25m in 1991 for Commonwealth or jointly-funded programs delivered by us, including Legal Aid, the Aboriginal Education Program, TAFE and the BTEC program. When these non-discretionary increases are added to last year's budget outcome, the total funds needed would grow to $1876m or 7.3% above last year's final result. To find a budget of that size would have involved unwarranted impacts on the Territory community. The budget Cabinet resolved instead to apply cost-cutting measures across the board, delivering savings of $30m. These include a return on past investment in computers, communication facilities and equipment, which has greatly enhanced the productivity of the public sector. Honourable members will be aware that my government has been at the forefront in the use of modern technology and in encouraging up-to-date management techniques. We are now saying to our managers: 'We have given you the tools to achieve efficiencies. It is now time to deliver a productivity dividend in the form of lower costs of administration'.

Like any government responsive to changing and growing community needs, we need to fund discretionary but nevertheless, in this government's view, necessary program variations. In 1990-91, in net terms, these will add about $14m to total expenditure.

On the revenue side, apart from the increases I will announce shortly, there are increases in receipts which will generate $73m over the year, even though our electricity subsidy and our borrowings are both down. Major items include the opening balance in the Consolidated Fund - the result of years of prudent budget management - $44m extra in general and specific purpose Commonwealth grants, higher internal funds within the Power and Water Authority and the Darwin Port Authority, and the normal effects of growth and inflation on Territory royalties and other collections.

The receipts picture - that is, the increase plus last year's base - produces, however, only $1830m, which is very much short of the target amount needed to produce a budget which would continue economic stability and employment security for Territorians. The measures to close this gap will include some asset sales, modest increases in revenue from tobacco, mining fees, petrol and vehicle registrations, and higher TAB contributions to the Consolidated Fund as well as a draw-down on cash assets of $14m. The combined effect of these measures will produce the $31m needed to balance the budget without resorting to deficit financing or retrenchments.

Revenue initiatives: I will now highlight some of the specific measures to be taken. It is proposed to sell some assets including Sturt House in Casuarina and the Darwin Port Authority building. Sales are expected to generate a net amount of $5.5m in 1990-91.

Taxes and charges will be increased in a number of areas, which I will now detail. Tobacco business franchise fees are currently set at 40% of the value of wholesale sale. It is proposed to increase the fee to 50%, which is expected to generate over $2.5m in 1990-91 and $3.5m in a full year. This will make the Territory fees the same as those in Western Australia and Tasmania, which have the highest level in Australia. The change will add about 20¢ to the price of a packet of cigarettes and will be effective from today.

The current petroleum products business franchise fee is 4¢ per litre and there is a rebate of 3¢ per litre to off-road users of diesel fuel. It is proposed to increase the fee by 1¢ to 5¢ per litre. Already, Tasmania charges over 7¢ per litre. It is proposed also that the rebate for off-road diesel be reduced from 3¢ per litre to 2¢ a litre. These measures are expected to raise over $5m in 1990-91 and nearly $7m in a full year. This measure will also be effective from today.

The Territory currently has among the lowest motor vehicle registration fees in Australia. It is proposed to increase these fees by 15% to produce about $1m in 1990-91 and nearly $1.5m in a full year. This will mean that the annual cost of registering a medium-sized vehicle will increase by $15 to $112. Balanced against this, the third party insurance premium for the average car will be reduced by $10 to $155 from 1 September. Therefore, the net cost of registering a vehicle will remain about the same. It is worth observing that the $155 third party premium will be just $1 more than it was 11 years ago, and that is testimony to the efficiency of the Motor Accidents Compensation Scheme established by this government at that time. Also, this budget includes provision for $600 000 in hospital costs to be met directly by the Motor Accidents Compensation Scheme administered by the Territory Insurance Office. This will be achieved without increasing premiums.

Mining fees have not been changed since 1 July 1982 and are now well below state levels. It is proposed to increase all fees to a state-like

level, which will produce an extra $500 000 in 1990-91 and $800 000 in a full year.

Under present government policy, 70% of TAB revenues are distributed to the racing clubs and the balance goes into the Consolidated Fund. As TAB turnover has been significantly higher than anticipated, it has been decided that more of the revenue can reasonably be paid into the Consolidated Fund. This will increase receipts by about $500 000.

Mr Speaker, notwithstanding these increases, the Territory will still have lower taxes and charges per capita than the average of the states. Of course, Territory revenue continues to be affected by the Commonwealth's refusal to allow 100% of uranium royalties to flow to the Territory Consolidated Fund. Had we been treated on a normal state-like basis, we would not have needed the new tax measures in this budget. This anomaly has lost us more than $100m in the last 8 years.

There is good news in this budget for families, the aged, and private sector job creators. We have held the line on most taxes and charges, particularly those which have a direct effect on the household budget. Housing Commission rents will not rise. Water and sewerage charges will not rise. Public bus fares will not rise. Land tax will not be introduced. A fire services levy will not be introduced. Stamp duty on home purchases will not rise. The freeze on electricity charges, dating from 1986, will continue. This means that, in real terms, Territory consumers are paying 30% less for electricity today than they did 4 years ago. Our charges are no longer the highest in Australia.

The government has also decided to exempt Commonwealth Social Security payments, including pensions, from the financial institutions duty, and we will continue to hold payroll tax rates at 1985 levels. Our maximum rate of 6% contrasts with that of some of the states where the levy has now risen, or is shortly to rise, to 7%. I foreshadow legislation to tighten the tax net in the area of loan securities. Measures have been designed to combat avoidance of duty payable on these documents in line with practices interstate and will be progressively implemented during 1990-91.

Expenditure: The program priority review, part of every budget process, has allowed us to provide for some new and essential initiatives and to expand some priority programs without materially affecting current services. The Capital Works Program for 1990-91 will be $347m, which comprises $167m of new works and $181m of works in progress. We have managed to maintain almost the same level of cash to that program as in 1989-90. Total cash expenditure will be $209m compared to $212m last year.

Major projects in this year's program include: new police stations at Alyangula and Batchelor, at a total cost of over $1m; expansion of the Ron Goodwin Power Station in Alice Springs, with a major augmentation of switchgear at a cost of $2.1m; substantial augmentation of Power and Water Authority services in remote communities, at a cost of nearly $20m; $2.5m towards development of infrastructure to service planned tourist facilities at Kings Canyon; a total of $49m in new works for housing in urban and remote areas, the bulk of which is related to the provision of land and housing for Territory Aboriginal people; construction of a students' amenities building at the Northern Territory University, at a total cost of $1.5m; $1.3m for upgraded student facilities at Nightcliff High School, and $640 000 at Taminmin High School; $3.6m for earthworks and detailed design at Palmerston College; 2 major Commonwealth TAFE programs to expand teaching facilities at Casuarina and Batchelor, at a cost of $7.5m; $3m for

a new high-security facility for mentally-ill offenders in Darwin; continuation of the upgrade program for rural health centres, at a cost of $1.4m; $530 000 to complete road works and visitor facilities at Gregory National Park; stage 2 of the Darwin Urban Enhancement Program, at a cost of $1m; further development of the highly-successful Territory Wildlife Park at Berry Springs to the extent of $2m; $2m to commence works on the new Alice Springs Prison; and $2m to complete the Don Dale Juvenile Detention Centre in Darwin.

There will be many new road projects, most of which attract Commonwealth funding. These include: $4.4m for the Barkly Highway near Tennant Creek; $12.5m for the Victoria Highway, as part of a major program to improve the road from Katherine to Kununurra; $2.3m to complete the entry from Tiger Brennan Drive to the Darwin central business district; $5.2m for the Kakadu Highway, to provide all-weather links between Katherine and Jabiru; $4m to improve the Litchfield Park loop road; $1.5m for stage 3 of the Wallara to Kings Canyon road; and further work, to the extent of $5.9m, to expand facilities at the Marrara Sporting Complex.

I would like to make special mention of the Alice Springs flood mitigation dam. My government proposes to commence work on the project this financial year. This will be a major commitment of public funds and follows exhaustive preparatory work and consultation. We are prepared to make this commitment because of our conviction that this will bring security to the people of Alice Springs by protecting property and saving lives.

I will now outline details of other significant program expenditures, commencing with Police, Fire and Emergency Services. The allocation is $62m which is a net increase of over $2m. Programs include: provision of $230 000 for the recruitment and training of an additional 10 Aboriginal police aides to be stationed at various communities throughout the Territory; an accelerated replacement program for police vehicles; and, an additional 4 staff to be provided during 1990-91 for expansion of the Neighbourhood Watch Scheme. This program will be extended progressively this year to Wulagi, Wagaman, Tiwi, Alawa, Moil, Jingili, Northlakes Marrara, Millner and Coconut Grove.

Total expenditure by the Power and Water Authority will rise by $14m or 5%. A significant part of this increase is due to the first full-year expenditure associated with the privately-owned 132 kV transmission line between Darwin and Katherine. The new line will enable increased security of supply in both Darwin and Katherine and increased opportunity for new electricity sales. This will allow deferment of major capital expenditures at both Channel Island and the Katherine Power Stations.

In March 1990, the government introduced a greening subsidy for the 6 major local government councils. The subsidy will apply to water used to irrigate parks and restore median strips. An allocation of $500 000 has been made for this subsidy in 1990-91 and will continue for 3 years.

Mines and Energy will spend a total of $16m this year. This amount includes further research on the nature and extent of the Territory's mineral resources, providing essential information for future mining operations. Members will be aware that a detailed feasibility study for the development of an offshore oil industry supply base in Darwin will be completed in 1990, with possible commencement in calendar year 1991.

Total expenditure for Industries and Development for 1990-91 will be $38m and will include the creation of a Centralian perspective display to

promote development opportunities in the Centre. Emphasis will be on measures to support expansion of Territory business and new industry within the $14m directed to programs to advance the Territory's economy. $19m has been allocated to the Trade Development Zone in 1990-91. This is consistent with the government's objectives for zone expansion and it demonstrates my government's continuing commitment to the TDZ. I would also note that some of the factory space necessary to expand the zone will be provided by the private sector.

Lands and Housing: As well as expenditures outlined in the Capital Works program, in 1990-91, the government will invite private developers to take up development of the coastal subdivision at Gunn Point.

The allocation to Education is $293m which is an 8% increase over 1989-90. Of that increase, 3% is due to a new $11m Commonwealth program for Aboriginal education, which is funded through my government. That aside, the education budget increase is slightly below inflation. Some new initiatives, however, have been taken. These include interest and capital subsidies for new boarding facilities at St John's College for an additional 60 students and full year implementation of teacher's award and restructuring and the Master Teachers Scheme. The Northern Territory University will spend $35m, and second-year engineering will be offered for the first time.

Health and Community Services: A total of $221m has been allocated which is an increase of 9% on 1989-90. This translates to an expenditure of approximately $1400 per Territorian, which compares to a 6-state per capita average of about $700. An additional $1m has been allocated to new programs in the vital areas of rural primary health care, women's health and staff development. An additional 15 positions have been created to implement new primary health care measures in remote areas to further our long-term policy of preventive health care in those communities. Women's health clinics will be extended to all major community health centres. We will contribute over $500 000 to the National Women's Health Program and the National Breast Cancer Screening Program. In Alice Springs, essential equipment in the hospital's radiology department will be upgraded at a cost of $600 000. The renal dialysis unit in Nightcliff will be extended at a cost of $177 000.

Conservation: In addition to major capital works items, $36m is allocated in the budget. $18m will be spent on improvements to parks and $8.9m on the protection of wildlife and the environment. The programs for the Territory Wildlife Park, the new 10 000 km^2 Gregory National Park and Litchfield Park will be continued during 1990-91. The commission will continue its development work on recycling and waste management initiatives and the Greenhouse Effect and, together with other government agencies, will be implementing the new ozone protection legislation.

Primary Industry and Fisheries: $43m is allocated to this area, which is a 10% increase on 1989-90. This includes provision of $15m within the total $44m for the BTEC program. During 1991, the intention is to extend the provisionally free area for tuberculosis to include the Gulf region, southern Arnhem Land, more of the Victoria River district, and most of the east Darwin district. The department will maintain its support for plant and animal industries. It will continue its long-term work to establish viable commercial enterprises in crops like cashew nuts in the Top End and the date industry in central Australia, and in developing a kenaf-based pulp industry.

Some exciting prospects are emerging in aquaculture. A great deal of work has gone into barramundi breeding techniques with considerable success. These techniques have shown that extension of the breeding season is possible, which should enable the ultimate production of consistent supplies of brood stock throughout the year, a necessary prerequisite for large-scale commercial farming. The next step will be to encourage the establishment of a pilot commercial grow-out operation.

Tourism: This remains our leading growth industry. More than 10 000 Territorians are engaged in tourism-related activities. Over 1700 of these jobs exist because of the Yulara Resort and the Darwin and Alice Springs Sheratons. This budget reaffirms the government's commitment to this vital industry with a continuing allocation of $20m.

Repercussions from the pilots' dispute still exist, but the Northern Territory has recovered better than expected. However, aggressive marketing will be essential in the ensuing year and, to this end, the national marketing allocation will be $5.1m to reinforce the diversity and variety of holiday experiences available within the Northern Territory. The international marketing budget will be $2.3m.

Mr Speaker, in conclusion, my government has held the trust of Territorians for 4 successive terms in office because our budgets, which put financial flesh on our policies, give people security and a better future. Under our stewardship, there has been a 42% increase in population and a 54% increase in the number of people employed. Territorians still want the controlled growth that our policies have been delivering. They want their political leadership to be sensitive to their needs for services, their need for jobs and the enhancement of the best lifestyle in Australia.

This budget continues to fulfil those needs. It provides opportunities for the individual and the family. Territorians will welcome the decision to plan, once again, a balanced budget through judicious and prudent management of our resources. My government has never, and will never, mortgage the hope for the years ahead through spending more than we can afford. In each and every year that the Country Liberal Party has been in office, the trust given to it by Territorians responsibly to manage their money has been honoured. The budget this year further demonstrates our respect for that trust. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

STATEMENT
Vietnam Veterans Memorial Day

Mr SPEAKER: Honourable members, when the Assembly rises for lunch, a short ceremony will be held in the entrance foyer of the building at which the President of the Vietnam Veterans Association of Australia, Northern Territory Branch, will present to the parliament a replica of one of the 500 flags carried at the welcome home parade for Australian Vietnam Veterans in October 1987.

I remind honourable members that last Saturday was Vietnam Veterans Memorial Day and that a memorial service was held at the Cenotaph, where I laid a wreath on behalf of members and officers of the Northern Territory parliament. I ask all honourable members to stand in silence for 1 minute as a mark of respect for those servicemen who fell in Vietnam.

Members stood in silence for 1 minute.

Mr SPEAKER: I thank all honourable members.

MINISTERIAL STATEMENT
Freedom of Information and Privacy

Mr PERRON (Chief Minister): Mr Speaker, the purpose of this statement is to advise the Assembly of the current status of the government's position on the issues of freedom of information and privacy, and whistle-blowers' legislation. Following the conclusion of the Fitzgerald Inquiry, I made a statement to this Assembly in the August sittings last year. I advised honourable members that the Northern Territory government was examining a number of matters raised in the Fitzgerald Report. Among those matters were freedom of information, privacy, and a related matter of whistle-blowers' legislation. I will deal later in this statement with whistle-blowers' legislation, but first I wish to make honourable members aware of the government's position on freedom of information and privacy.

Whilst the concepts of freedom of information and privacy do have a link, in fact they are quite separate. Often, the 2 are confused in people's minds. Freedom of information gives a general right of access to the public at large to information held by governments. Certain documents are exempt from the general rule, including Cabinet documents and documents that relate to law enforcement. Privacy, or information privacy as it is known, is a concept of balancing the protection of personal information against the interests of governments, business and research organisations that most often hold such information. While the concept of freedom of information gives a general right of access to information, the principles of privacy protect the rights of individuals whose personal information may be made available to the public. I will discuss those protections later in this statement when I deal with the principles relating to privacy.

As honourable members will be aware, some states and the Commonwealth have freedom of information legislation. Other states are examining the proposal. After my statement to the Assembly on the Fitzgerald Report, a high level, interdepartmental committee was formed to consider both freedom of information and information privacy, and to formulate options for a course of action. The committee, chaired by the Deputy Secretary of my department, included also the Secretary of the Department of Law and the Deputy Secretary of the Department of Labour and Administrative Services. That committee has researched in some detail the issue of both freedom of information and information privacy, not only in Australia but also overseas.

There are 4 major objectives of freedom of information procedures or legislation. These are: first, to give to the public a general right of access to governmental information; secondly, to give the individual a right of access to and examination of information and, if necessary, to correct information pertaining to that individual; thirdly, to recognise the legitimate interests of information holders; and, fourthly, to provide appeal mechanisms.

As I indicated earlier, the matter of information privacy is linked to the concept of freedom of information. The committee considered also how the privacy aspects of information are considered in other jurisdictions both in Australia and overseas. There are some basic principles which lie at the foundation of privacy, and I will now discuss some of those principles.

Personal information is not to be collected unlawfully, unfairly or unnecessarily. Agencies collecting personal information are to advise the person, who is the subject of the information, of the purpose for which that information is required, whether it is authorised or required by law and the agency's usual practice in relation to disclosure of information. Agencies are not to collect inaccurate, irrelevant or out-of-date information. Information collected is to be stored securely and not misused. The person who is the subject of information is to have access to those records of personal information. Agencies with personal information about a third person should correct inaccuracies, irrelevancies, incompleteness or any misleading impressions which may be given. Personal information should be used only for a relevant purpose. The information should be accurate, complete and up to date.

An agency should not disclose personal information about a third person unless there has been express or implied consent, unless the information disclosed is necessary to lessen or prevent a serious and imminent threat to life or health, unless the disclosure of such information is necessary for medical, criminological, statistical or authentic research purposes, unless the information is required by law, or unless the disclosure is reasonably necessary for the enforcement of the criminal law or the protection of the interests of government. Firstly, any researcher should take reasonable steps to ensure, in any product of research, the anonymity of the person who is the subject of the information provided to the researcher.

The research of the committee focused very much on the advantages and disadvantages of enacting legislation to cover both freedom of information and information privacy. In addition, the committee considered the practices already adopted in the Territory. As regards information, the Northern Territory government, indeed this Assembly, already has a well-known information distribution mechanism in place. After each Legislative Assembly sittings, the government publishes in the daily press a brief description of all the acts and bills dealt with during that sittings. In addition, certain pieces of proposed legislation are brought to the attention of specific interest groups.

Another method of providing information to the public is the tabling in the Assembly of draft legislation. Any group or individual within the community has the right, and indeed is encouraged, to submit ideas, opinions and comments on such tabled papers. As honourable members would be aware, this process is widely used by the government on topics of great importance to the Territory. Such a process allows the community to have input at a very early stage both in defining the parameters of a subject and in the development of that issue.

As was recommended by the committee, there is scope for further information to be made available. Indeed, I am pleased to advise that Cabinet has agreed that a high level, interdepartmental committee investigate further extension of processes allowing for the release of public information. The committee will include representatives from those departments whose functions require that they have personal information banks, as well a the Local Government Association. The committee is to consider in detail possible structures, guidelines, exemptions, mechanisms, appeal processes, fees, charges and costs in implementing an extension of existing systems. Honourable members should note that the terms of reference do not preclude the committee recommending the introduction of freedom of information legislation. I feel sure that that will be one of the many options to be considered by the committee.

In relation to the issue of privacy, honourable members will know that the Commonwealth parliament enacted the Privacy Act in 1988. That act includes the right of individuals to access information as well as setting down the principles of information privacy that I dealt with in some detail earlier in this statement. As might be expected, advice received suggests that legislation is not the only option for dealing with privacy. The committee's research included consideration of the method being adopted in South Australia. In that state, Cabinet has issued an administrative instruction entitled, 'The Information Privacy Principles Instruction'. That instruction sets out clearly the principles that govern privacy of information.

As the government, we are wedded to the principles of privacy protection. Rather than rush in where angels fear to tread, the government has decided that, as a first step, an audit should be conducted of the current practices in relation to protecting personal information employed by all Northern Territory departments, authorities and agencies. Once this comprehensive audit is completed, administrative instructions applicable to Territory departments and agencies will be prepared and implemented. It is envisaged a report on the operation of the administrative instructions will be made 2 years from the date of commencement of instructions. Such a report will consider whether it is appropriate to introduce legislation governing privacy in the Northern Territory, or whether the then established administrative approach, with or without modification, is appropriate. I would add that the results of the audit of existing practices and recommendations for the instructions are to be presented to Cabinet no later than January next year.

Having regard to the complexity of freedom of information and privacy, the course of action proposed by the government in both instances is both logical and sensible. We must ensure the correct balance between general access to information and protection of an individual's rights and interests in relation to personal information. We must ensure that whatever system we introduce is cost efficient and takes into account the Territory perspective. What we clearly must not do is blindly follow the system used in another jurisdiction without first considering its effectiveness, efficiency and application to the Territory.

I wish now to advise honourable members of the government's attitude to whistle-blowers' legislation. Again, as previously mentioned, my government recognises the desirability of whistle-blowers' legislation. As honourable members would be aware, such legislation is enacted to protect any person making bona fide statements about misconduct, inefficiency or other problems within public instrumentalities. It provides also for penalties against people for knowingly making false public statements.

As I indicated to this Assembly when I made my statement on the Fitzgerald Report, it is the view of this government that the most sensible approach is the adoption of uniform legislation throughout Australia. To that end, the Attorney-General has already placed this issue before the Standing Committee of Attorneys-General for consideration. It is hoped that there will be some degree of consensus on the issue of whistle-blowers' legislation in that forum. However, should there not be such agreement in the national forum, the expected direction of my government will be the introduction of whistle-blowers' legislation along the lines of the Whistle Blowers Protection Act 1989 passed in the United States legislature. Of course, in drafting such legislation, account will be taken of the Territory perspective.

As honourable members will have noted from this statement, the Northern Territory government is making great strides in tackling the issues of freedom of information, privacy and whistle-blowers' legislation. I move that the Assembly take note of the statement.

Mr SMITH (Opposition Leader): Mr Speaker, it is with some interest and with some confusion that I respond to the Chief Minister's statement. As the Chief Minister said, he made a statement in the August sittings of the Assembly last year regarding matters raised in the Fitzgerald Report. He raised the topics of freedom of information, privacy and whistle-blowers' legislation. I agree that, while these matters are interlinked, they may require separate consideration. Labor in the Northern Territory has made a number of public commitments to freedom of information, privacy principles and protection for whistle blowers. We take both a more specific and a broader view of the principles which underline these types of initiatives. Firstly, let us look at freedom of information.

The general principles underlying freedom of information are fundamental to democratic government. Generally stated, the principles encompass open and accountable government, the public right of access to information, the protection of public interests and the right of the individual to privacy. Freedom of information legislation imposes binding obligations on governments to establish integrated, efficient and secure systems of information as well as the need to educate the community about the collection, storage, use and security of that data. In essence, freedom of information imposes on government obligations for open, honest and accountable government. It exposes government to public scrutiny in a way that encourages reasoned, rational decision-making on the basis that, if public servants know that their decisions could be examined, they are more likely to take care with what they write and take more time deliberating over decisions.

As the Chief Minister said, restrictions need to be placed on the availability of some documents such as those of Cabinet, those relating to law enforcement, and information which would infringe the rights and privacy of others. The operation of freedom of information legislation places a considerable onus on government. It requires government to put substantial information before the public. For example, the public needs to know: whether records are kept about particular matters; what records are kept, for what purposes, and for how long; what the exact functions of government agencies are; what the powers vested in those agencies are; what the decision-making processes are; what processes there are for consultation and participation in policy and administrative functions; what the procedures are for gaining access to information; where information can be accessed, and at what cost; what information is exempted and why; and, what the appeal procedures are. Discretion is, of course, necessary. However, it should be exercised as far as possible in the public interest.

The Chief Minister has said that, following an earlier statement in the Assembly, a high level, interdepartmental committee had been formed to consider freedom of information and information privacy, and to formulate options for a course of action. However, his statement to this House does not give us much information on what the recommendations of that committee were. The Chief Minister seems to be saying that there are options regarding freedom of information and that these are to do nothing or to make more information available.

He informs us that, after 12 months of canvassing issues and formulating opinions for a course of action, Cabinet has agreed to a

high-level, interdepartmental committee investigating further processes allowing for the release of public information. However, the terms of reference do not preclude a recommendation for introducing freedom of information legislation. No reference is made to providing access for individuals to examine information held about them. There is simply a reference to an extension of public information.

The Chief Minister is able to say that the terms of reference do not preclude freedom of information as a possible recommendation. It is something of a mystery that he feels sure that this will be one of many options to be considered by the committee. Does the committee have terms of reference or not? Is there a serious attempt to be open about government, and is there a serious attempt by this government to provide for freedom of information?

Turning to privacy, the Chief Minister said that his government is wedded to the principle of privacy protection. He announced an audit of the current practices used by departments to protect personal information used by government. Apart from outlining the principles related to privacy, the Chief Minister did not indicate what information would continue to be collected and the reasons for that, how people will be notified about data collections, what the uses of data are, and what arrangements exist for the destruction of information. A report on the audit is to be made by January 1991 and then a system will be established which will operate for 2 years pending evaluation and consideration of further directions, with one possible option being to legislate for privacy.

The Chief Minister appears to be saying that the government will look at protecting the personal information already held. However, there is no clear statement of intention to examine all of the issues related to privacy and to proceed on recommendations. On the issues of both freedom of information and privacy, the Chief Minister is keen to keep a Territory perspective. I agree that it is wise to look at the experience in other places rather than blindly following other jurisdictions in deciding the most appropriate mechanisms. However, I am not clear as to just what the Territory perspective can be on the need to address people's basic rights and to provide open, honest and accountable government.

On this side of the House, we have already made a firm commitment to the introduction of freedom of information legislation. Part of the process of introducing our legislation will be an examination of the privacy principles of the OECD. Whistle-blowers' legislation is the important component of open and accountable government and ensuring protection for honest, public officials. Until such people can be confident that they will not be prejudiced, then we all have good reason to understand why they will not come forward. I am pleased that, at least, the Chief Minister has given a clear commitment to introducing whistle-blowers' legislation. This will provide an opportunity for demoralised and conscientious public servants, who are aware of maladministration or misconduct, to report their concerns to someone who can do something about it. The key part of any such legislation will be prohibiting anyone from penalising a person who makes accurate, public statements about inefficiency, misconduct or other problems in public instrumentalities.

Mr Perron: Will you have an offence for making false statements?

Mr SMITH: Yes. Clearly, such legislation would need to include penalties for knowingly making false public statements.

There are existing obligations on employees which preclude them from disclosing information learned as part of their employment and the prospect of prosecution for a whistle blower. Other risks, such as the possibility of dismissal, failure to gain promotion, compulsory transfer and the like, currently face prospective whistle blowers. Clearly, this situation is not as it should be in regard to individuals who believe particular information should be made public nor, indeed, is it in the public interest.

The United States has had experience with whistle-blower protection since the late 1970s when administrative procedures to protect whistle blowers were introduced in the Civil Service Reform Act of 1978. The Whistle Blowers Protection Act 1989 has provided a useful means of enabling civil servants to make information available, either directly to the public or by anonymous complaint to a special council whose responsibility it is to relay the complaint to the head of the instrumentality concerned for investigation. The whistle blowers who go public first must establish the accuracy of their allegations before being able to avail themselves of the protections offered by the special council. Those who go through to the special council can limit their personal risk by waiting for allegations to be investigated and substantiated before making public statements. The scheme relies on the special council's protections to the whistle blower, and there has been some criticism of the exacting standards of proof relating both to the alleged wrongdoing and allegations of retaliation taken against whistle blowers.

In 1986, the Law Reform Commission in Ontario recommended whistle-blowers' legislation based on the United States' legislation, subject to an overriding condition that disclosure must be in the public interest and that protection of the whistle blower be available only where the officer reasonably believed in the accuracy of the allegations. Those criteria appear to be reasonable. Clearly, the design of any legislation must be based on the public interest and the reasonable protection of individuals. I assume these will be taken into account.

I emphasise my concern that, as I understand the Chief Minister's statement on the government's position on freedom of information, privacy principles and whistle-blowers' legislation, freedom of information and privacy principles are still some time off. Whistle-blowers' legislation will be introduced regardless of the degree of consensus at the Standing Committee of Attorneys-General. I commend the foreshadowing of whistle-blowers' legislation, but express some considerable disappointment at the Chief Minister's failure to guarantee to the people of the Northern Territory either freedom of information or clear government direction in relation to people's privacy.

I feel some degree of disappointment, but no great surprise. It is ironic that this government, which has been in power in the Northern Territory for 12 years, does not take freedom of information and privacy matters seriously until some months before an election. Quite clearly, that indicates the contempt that this government has for the basic rights of people in the Northern Territory to access information held on them by the government itself. A person cannot have a much more basic right than that. We have an unfortunate situation at the moment whereby even basic information is not available to people. There have been examples where people have asked to check their hospital file and that has been denied them. On this side of the House, we work on a very clear principle that individuals have the right to access information held on them by government and that it is an obligation of government to justify the withholding of information where it desires to withhold it. That is very different indeed

from the existing position held by this government. That position is that it is the right of government to hold and to keep secret information on individuals in the Northern Territory. It has no regard whatsoever for the rights of individuals.

I want to deliver to the public of the Northern Territory the very clear message that, under a Labor government, that principle is to be reversed. Something that people can look forward to under a Labor government in the Northern Territory is access, under certain limitations, to information on their files held by government. It is part of a program that this party has to be open, honest and accountable in government - a concept that members opposite have had 12 years to put in place but, obviously, they do not understand what the words mean.

Mr TUXWORTH (Barkly): Mr Speaker, I welcome the Chief Minister's statement this afternoon. I think it is a very important advance on the debates that have occurred in the House over the last couple of years in relation to freedom of information legislation and, latterly, such concepts as whistle-blowers' legislation. What I think is really important, and I commend the Chief Minister for it, is that he has acknowledged that there is an issue to be addressed, and has said that the matter will be examined and that, at some stage hopefully, legislation will be the result.

There is no doubt that, in this day and age, there is a very good argument for people who have information about themselves on government files to be able to have access to that information. It would seem to me to be a courtesy, if nothing else, for people to have access to it. More importantly, there are times when people feel that the government is holding information that is important to them on their file and they would like to obtain it to benefit their own situation. It is not unreasonable that they be given access to it. After all, it is information about them and it is on their file. It does not affect anyone else.

I would like to reflect for a moment on a case that related to this. I refer to the case of the late Graham Aked who was the subject of a few debates in this House. He was seeking assistance from the government and was ultimately given an examination by government doctors. You would recall, Mr Speaker, a former Minister for Health and Community Services in this House saying that, according to the information that government doctors had provided to the minister, Mr Aked was receiving the wrong treatment, doing himself a great disservice and causing himself an injury. This was news to Mr Aked who immediately responded to the minister indicating that it was a matter of concern. He asked for the information so that he could provide it to his doctor. The minister flatly refused to make the information available.

Some time later, Mr Aked died. Probably that was not, in any way, a result of the minister's action. However, it highlights the fact that it would not have been unreasonable, under the circumstances, to supply the information to Mr Aked. He had a very serious disease and was being treated by his doctor in the best way that the doctor knew how. Subsequently, he was advised by the minister that, according to government doctors, he was receiving the wrong treatment. When he sought information about it, he was told that it was private government information and he could not have it. Apart from the lack of good manners, that type of attitude seems to be bordering on stupidity. If there is anything we can do to put an end to that type of action, we should do it.

In the past, it may have been reasonable for governments to withhold information for whatever reason. However, the banks of information that are now held by government departments on individuals are enormous and the capacity for information so recorded to be wrong is fairly significant. Under those circumstances, it is fair and reasonable for citizens to seek to know what information is held concerning them and at least to ascertain whether it is true.

The whistle-blower legislation referred to by the Chief Minister is an interesting innovation and is well worth looking at, particularly in the context of information which I have become aware of in relation to 2 cases, each involving public servants. In this first case, a public servant felt that he was being asked to do something illegal by his superiors. Whether the instruction came from the highest levels of government or not, I do not know, but he felt he was being put in a very unreasonable position. Having been asked to do something that was, in his view illegal, he felt that he had no recourse in terms of being excused from the job or having the matter clarified to his satisfaction. He felt very strongly about it and he wanted to go public on the issue. He did not think it was reasonable that his superiors should be able to ask him to do something illegal and then threaten him with all sorts of action if he did not do it. In such a situation, I believe that a person has a fair right to complain.

The second case involved a public servant who was aware of the decision of Cabinet in relation to a matter. He was preparing to carry out the decision of Cabinet when a superior officer said to him: 'Don't do that. I will tell you what to do. This is what you will do'. The fact that his instruction was in contravention of the Cabinet decision did not seem to worry the superior officer at all. The officer, who felt that his position had been prejudiced, believed that he was entitled to complain. He believed that he was working for the government of the day and carrying out the government's policy as enunciated in Cabinet decisions. To have his superior officer tell him to ignore such a decision and to do something quite to the contrary was not, in his view, reasonable. However, if he wanted to challenge the instruction, he risked incurring the wrath of the service and his superior officers.

Perhaps whistle-blowers' legislation has a proper place in such circumstances. The Leader of the Opposition referred to the situation of public servants who felt that they were involved in or knew of unprofessional or incompetent acts of government and felt that they had an obligation to complain. I am not sure that whistle-blowers' legislation would cover that particular situation but, certainly, it is very common for such matters to be addressed by throwing relevant material off the side of a truck. Perhaps a more professional way of dealing with the complaints of public servants is through whistle-blowers' legislation, but I am happy to be convinced of that one way or the other.

The important thing is that the Chief Minister has acknowledged that there is a need for this matter to be addressed and that steps have been taken to do so. I am sure that the matter will be progressed, probably over a couple of years, and I am hopeful that the final legislative result will be as positive as I believe it can be.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I would like to comment briefly on the statement made by the Chief Minister. I recall that this all started with the opposition jumping on the band wagon of the Fitzgerald Inquiry and attempting to convey the impression that the Northern Territory was in some way tainted with the

Queensland brush. The Leader of the Opposition has concentrated on freedom of information and whistle-blowers' legislation. He has not put forward anything in terms of what he would do in relation to the privacy of individuals. He has never been very good at advocating the right of privacy. He has always been much more concerned about the right to know rather than protection of the interests of the individual.

It is not possible to have ad hoc freedom of information without being concerned for the principle of the rights of the individual. The Territory government has always been very careful about the individual's right to privacy and even the comments of the opposition would indicate that that is the case. Whilst it may sometimes be difficult to obtain information, probably that is a good thing. It does not mean that information is not available. Information is available. It has always been available to the people who have to know and need to know and, certainly, to the individual involved. In 7 years as a member of the Assembly, I have never received a complaint from an individual claiming not to be able to gain access to personal information which the government held about them. I do not know how many members have received such complaints, but they are very rare indeed in my experience.

Members interjecting.

Mr McCARTHY: The Leader of the Opposition went to great pains last year to gain some political mileage out of a circular issued by the Public Service Commissioner in regard to information and the leakage of information from government. That circular, which I will table, was issued in response to a court case in which the privacy of individuals was alleged to have been violated by the actions of a public servant. This was a direct consequence of private information about individuals being leaked outside the public service, something that, quite clearly, is not on. Nevertheless, the Leader of the Opposition made mileage out of the fact that the Public Service Commissioner outlined to all public servants, through a circular, what their obligations were under both the Criminal Code and the Public Service Act to ensure that they knew where they stood. He pointed out that public servants cannot take information from personal files and leak it for their own benefit or for the benefit of others.

The Leader of the Opposition went to great pains to claim that the Public Service Commissioner was trying to suppress freedom of information. Should private information, held by government on individuals, be available for members of the public service to leak to other individuals? Quite clearly not. Nevertheless, it was fairly clear from the comments made by the Leader of the Opposition last year that he supported the right of an individual to release such information because he did not support the circular issued by the Public Service Commissioner outlining the responsibilities of our employees to ensure that that sort of information is held sacrosanct. I would have thought it impossible for the opposition not to be appalled by that sort of information being leaked, yet its leader went to great lengths to make a point about that circular.

The government holds a variety of confidential information, as every government must. However, it is nowhere near the type of information that is held by the federal government. The federal government holds tax file numbers, social security files and a whole range of information to which I have never had access. It is necessary for governments to have some personal files which contain information about individuals. Among those are police files which contain information on crimes committed, witnesses to crimes and information relating to minor offences. Such information is

necessary for the proper running of a modern police force. It must have the ability to hold information and yet, if that information were to be released, it could have catastrophic results for the individuals affected.

The Department of Lands and Housing holds information on income levels of people who are applying for housing. It is information that the department must have to ensure that housing is available to the people who need it most. If that information were made readily available, it would be very embarrassing to individuals. The Department of Health and Community Services holds information on the physical and mental health of people and the records of patients. That is information that should be available only to the individual involved, and I have no doubt at all that any individual who really wants to obtain access to that information can gain access to it. It will not be readily available, nor should it be, but it would certainly be available if, in fact, it were required. Certainly, it could be obtained if a person were to go to the right source.

Each year, I have read the Ombudsman's report. I cannot recall a plethora of cases in which the Ombudsman has had to investigate a lack of information being made available to individuals. From the way members opposite talk, one would believe that it is the norm in the Territory for information to be denied to individuals. It is far from the norm when the Ombudsman does not hear about it. Should Correctional Services files be available to everybody? Obviously not. Should tender documents from the Department of Transport and Works be readily available? Not necessarily, and yet all things would be blowing in the wind with a Labor government. It is amazing that they should even consider it.

Personnel sections of all departments hold information, but every individual in the public service has the right to access his or her own file. They do that, and so they should. There is no thought of hiding that information from individuals, but it is quite ludicrous to consider for a minute that those files should be open to public scrutiny. Why should they be open to public scrutiny? Certainly, I would not want any file on myself to be open to public scrutiny but, quite clearly, the opposition would be fairly happy with that. Scrutiny by any unauthorised person would be an embarrassment at the very least and, quite possibly, much worse than that. That is why we have tough provisions in the Criminal Code and in the Public Service Act to ensure that that information is held sacrosanct. It is important information that has no place in the public arena. It is information that has an impact on individuals. It has an impact on people in the community who do not want that information made readily available. Certainly, they should and can have access to it themselves.

Members of the opposition have consistently attacked the government's stand on the privacy of the individual because it stands in the way of freedom of information. As the Chief Minister pointed out, we believe that people should have access to information that affects them. When we decide to move beyond the existing system in relation to access to information, that will be done with the fullest consultation. Everyone involved will have the opportunity to provide input, as we are doing at the moment in respect of the equal opportunity legislation.

Last week, the Leader of the Opposition tabled in this House draft equal opportunity legislation without any consultation with Territorians, not even with the unions. I have first-hand advice from the unions that they were not even aware of the draft bill that was tabled last week by the opposition. They commend strongly the action of the government in presenting a discussion paper. The opposition would rush in and enact

legislation without any input from Territory people at all. It seems that the idea of the opposition about honest and open government is open slather on information. Honest and open government does not mean open slather on information. Open and honest government means that the administration of government for the people and by the people. That is what this government does, and it involves people in the decisions it takes.

One of the prime reasons the Territory government has taken a considered approach to the matter of freedom of information and whistle-blowers' legislation is because such issues are important to people in the community. They are not matters that are simply on the minds of half a dozen people sitting on the opposition benches. They are in the minds of many people. As the Chief Minister pointed out, the Northern Territory government believes that people who have a grievance against government ought to have the ability to come forward without fear. However, they need to be sure that the information they are expressing is truthful. That is more than members of the opposition do. As an example, last year, the Deputy Leader of the Opposition made statements in this House that he could not prove in relation to people involved in the BTEC program. That is not freedom of information: that is slander. It could not be proven and was never proven. That is the type of thing that one can expect from the opposition.

Mr EDE: A point of order, Mr Deputy Speaker! If the honourable minister wishes to accuse me of slander, he must do so by means of a substantive motion. He cannot do it in this way.

Mr DEPUTY SPEAKER: I ask the minister to withdraw.

Mr McCARTHY: Mr Deputy Speaker, I withdraw the word 'slander'.

When the Deputy Leader of the Opposition makes accusations in this House that he cannot prove, that is his idea of freedom of information.

Mr Bell: Which accusations?

Mr McCARTHY: Mr Deputy Speaker, I am talking about accusations in relation to the BTEC program - and other accusations. He has even made accusations that there are blue cows along the coast. That is the type of man that we have over there.

We know what the federal government is like when it comes to freedom of information. Only a few weeks ago, a senior public servant commented about the activities of government and the direction of government. He was hauled over the coals and told that, if he did not pull his head in, he would not get a plumb job that he had been offered. That is the way honest and open government works under a Labor government in Canberra and it is likely to be the way that honest and open government would work under a Labor government in the Northern Territory.

I do not have any faith at all in the way this opposition wants to do business. I believe that people would much prefer the way the Northern Territory government handles these matters. A few days ago, at an industry meeting in Darwin, the Deputy Leader of the Opposition said in front of a range of people that they did not have to take any notice of the ALP policy and platform because it would act differently in government. Those were his words.

Mr Ede: That is absolute rubbish.

Mr McCARTHY: Those were his words, and there are witnesses to prove it. There are media witnesses to prove it, but they probably would not come out and say so.

Mr Ede: You will eat your words.

Mr McCARTHY: Mr Deputy Speaker, that is the honest and open government that those people would have. They will not have an annual conference. They will leave the old policy and platform in the hope that people will forget about it and they will introduce what they like later. That is the way they work. Honest and open government, my foot! Freedom of information, my foot! No Labor government in this country has ever been that honest. I can assure members that a Labor government under the present Leader of the Opposition would be no more open and honest than any other Labor government in this country.

Mr Deputy Speaker, I strongly support the Chief Minister's statement and the direction that he is taking. I believe that, when we act in this regard, it will be after thorough consideration and it will have the support of all Territorians.

Mr BELL (MacDonnell): Mr Deputy Speaker, we have had 2 speeches from the government that, even by the government's abysmal standards of relevance, have scraped the bottom of the barrel. I will not waste too much time on the Minister for Labour, Administrative Services and Local Government. I notice that he did not table his document relating to instructions to public servants. As the opposition said at the time, that instruction flies in the face of any purported support for whistle-blowers' legislation. They are in clear conflict and no amount of blustering by the Minister for Labour, Administrative Services and Local Government will obscure that fact. I become a little sick and tired of his imagining that, if he shouts long enough and loud enough, that is an argument in itself.

Let me put it in a simple nutshell. If the Public Service Commissioner directs public servants not to release any information whatsoever on pain of losing their job, or of criminal prosecution, and then the minister and the Chief Minister say that they provide freedom for those people to blow the whistle on malpractice within the public service, there is a clear conflict. To use the type of comment that we get from the Attorney-General, it is about time the Minister for Labour, Administrative Services and Local Government displayed a little honesty in debates of this kind.

His absurd comments deriding as slander the assiduous research that the Deputy Leader of the Opposition carried out into the application of Commonwealth and Territory funds into disease control in the Northern Territory will be treated by the media with the contempt they deserve, as they are treated by the opposition. The Minister for Labour, Administrative Services and Local Government had less to say than did the Chief Minister.

I can visualise the genesis of this statement. I can almost hear the Cabinet room debate. The minister's press secretary or perhaps Mr Murphy or Mr Coward would have said: 'Marshall, we have trouble here. The opposition is scoring points on this freedom of information deal. They are making the running on this whistle-blowers' legislation. You have to do something'. The reply would have been: 'But, Andy, we don't want to do anything. We don't like it. It means that people would know more about what we do. We just don't want to do it'. His officer would have said: 'You don't have to do anything. I have prepared a statement. Read it in the Assembly and you will get a headline. People will say the government is doing something'.

What has it done in relation to the 3 areas? What is it actually doing? Absolutely nothing. It is providing terms of reference to a committee in respect of freedom of information. I will come back to that. Bear in mind that I will be referring to debates on this subject that date back 2½ years. What do we have in relation to privacy? The course of action proposed by the government 'is both logical and sensible'. It has decided 'that, as a first step, an audit should be conducted of the current practices in relation to protecting personal information employed by all Northern Territory departments, authorities and agencies'. This is after it has told us that it already has a committee examining this. I would have thought the committee would have done that already. I will bet pounds to pennies that it already has done it, the government has seen it and it is simply re-announcing it in order to convince people it is doing something.

As for the so-called initiative of the whistle-blowers' legislation, the Attorney-General is to attend the Standing Committee of Attorneys-General and see what other Attorneys-General think about it. Very brave! There would not be any legislative reform anywhere in the western world if that was the approach taken by governments. This is a do-nothing government and that is a typical do-nothing statement from it.

Let me come back to the freedom of information aspect. The opposition introduced initiatives nearly 2 years ago. There was a debate in this Assembly on Wednesday 30 November 1988, led by the Leader of the Opposition, announcing opposition initiatives in that regard. I think it is worth while reading that motion into the public record. On that day, the Leader of the Opposition moved:

> That this Assembly:
>
> recognising that every individual has the right to know what information the government holds concerning her or him;
>
> recognising that every person has the right to evaluate what the government has done;
>
> and recognising that every citizen has the right to participate in what the government proposes to do,
>
> urge the government, as the first step in attaining these rights, to give every person a legal right to gain information held on them in documentary form which is in the possession of ministers or of the departments and statutory authorities of the government.

And what do we have from the Chief Minister 2 years later? He will refer it to a committee. That is terrific! The government staunchly opposed that motion.

In fact, 2½ years ago, I sponsored a motion relating to freedom of information. I was very cautious and very sensible. I did it after I had consulted with a number of people with expertise in administrative law. What did the government do? It referred it to the Law Reform Committee. It was buried, never to be seen again. The Attorney-General deserves the utmost condemnation of this Assembly for having effectively misled the Assembly by saying, 2½ years ago, that the government would obtain advice from the Law Reform Committee on the question of review of administrative decisions.

Let me give some background to this question of review of administrative decisions. The review of administrative decisions proposal is connected with this freedom of information area and would enable Territorians to obtain from decision makers in the public service reasons for decisions they make. This has been found to be a cost-saving measure in a number of other jurisdictions, particularly in the Commonwealth where, if people are aggrieved by administrative decisions, they are able to obtain the reasons for the decisions. Of course, this has an effect on the public service decision makers involved, because they know they are subject to this provision and, as a consequence, are more careful in taking their decisions.

I believe that that was also a positive proposal, but of course the government pooh-poohed it at the time, saying that it would be dealing with it in the Law Reform Committee. Absolutely nothing has happened. That was 2½ years ago, and the Chief Minister has the gall to tell us today that he is interested in the issue. He is not. This is simply a pre-election ploy to try to convince Territorians that he is taking the issue seriously. He does not convince the opposition and he will not convince Territorians.

There are a large number of issues that I could raise in the context of this debate, but really the thinness of this statement does not demand any greater expatiation. For example, we could talk for a considerable time about the misapprehension of the Minister for Labour and Administrative Services when he talks about any freedom of information being an offence against privacy. He is saying that any concessions as far as freedom of information is concerned or any provision in respect of whistle-blowers' legislation will threaten the privacy of individuals whose records are held by government. That sort of absurd overstatement would take a long time to remove, particularly from the mind of that honourable minister. It is not a task that I intend to take on this afternoon.

Suffice it to say that, for a number of years now, the opposition has been involved in conscientious, thoughtful deliberation and contribution in this Assembly, and I believe that this Johnny-come-lately nonsense that we have heard from the Chief Minister is worthy only of contempt.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in rising to speak to this statement, I note that there are 2 distinct parts to it, and I would place more emphasis on their division than did the Chief Minister in making his statement. There is definitely a distinction between the subject of freedom of information and the matter of privacy of information gathered by government. I agree with the intent of the statement, which we hope will lead to legislation in the future. I agree with the previous speaker that it has been a very long time in coming, and also with his remark that, to paraphrase the words of Bert Kelly, he could feel an election coming on.

I have a great animosity to the information-gathering propensities of government. I believe that much of the information that is gathered, officially and quite legally, is completely unnecessary. It takes up far too much time, costs far too much and is not used by anybody except for useless purposes. I will not say it is used nefariously, but I believe much of the information that is gathered about individuals is collected completely unnecessarily. We are always told that the intention is to upgrade information files on general subjects and, therefore, the information contributed by the person is not really the end in itself. The information gathered about the person is tacked on to information gathered about other people to make up a glorious patchwork of information that is stored away somewhere.

I must say that one of the advantages of living in a place like the Northern Territory is that the necessity to provide people with access to their private information held by government is not nearly as pressing as it would be in the southern parts of Australia. I have said this before. If one pays attention to life as it occurs, one gathers a great deal of information and one learns also where to obtain information, and it does not necessarily have to be through official corridors. Sometimes I have caused a bit of trouble for people, but I have done this positively. I have refused to provide information when I believed it was being gathered unnecessarily. I have encouraged other people to do likewise - and not in any sense of encouraging them to break the law because that certainly is not the job of an MLA - but because, whilst I am not a red-ragger in relation to civil liberties, I have a great belief in the individual's right to privacy.

Other honourable members who were here after Cyclone Tracy would recall the many questionnaires and requests for information which confronted people in Darwin at that time. It was quite frightening. This is probably where I learnt my lessons in keeping information from the authorities. At that time, many women and children were evacuated from Darwin. As a family, we made an undertaking that we would all stay in Darwin together regardless of what government decision was taken. At the back of our minds was the 1942 decision to send women and children south. There was no way that we wanted that to happen to us. To that end, I encouraged the family to refuse to supply information which would in any way compromise and perhaps separate us. I do not really know whether that did any good, but we all stayed together as a family and we are all here still.

There are 2 conflicting situations relating to information from the Department of Health and Community Services and, try as I might, I cannot equate them in my own mind with justice. The situations relate, firstly, to AIDS and, secondly, to notifiable diseases. If one seeks information about AIDS cases, the incidence of AIDS in various centres in the Northern Territory, the state which the unfortunate AIDS sufferers have reached in their disease or any information relating to the disease in the Northern Territory, one meets a blank wall. On the other hand, we have the situation in respect of notifiable diseases. If one contracts a notifiable disease and visits a doctor, the information is then sent to a central register in the Department of Health and Community Services. I believe that the individual's name and other personal information are withheld, but the information about the disease is forwarded. In the case of cancer victims, however, I believe that personal information is forwarded.

I objected strongly to this provision when it was first discussed and I continue to do so. Whilst it may be argued that people who die of cancer are not here to argue the toss in relation to that personal information, their relatives are liable to be concerned. Information held in official files on cancer victims is very prolific. It includes name, age, ethnic origin, place of origin, location of the cancer in the body, progress of the disease and so on. There is a huge difference between the government's attitude in respect of AIDS and its attitude in respect of cancer. For the life of me, I cannot see why we treat AIDS with such sensitivity and will not provide any information to the community about it whilst, on the other hand, the information in relation to cancer and other notifiable diseases is there for everyone to read.

In his statement, the Chief Minister said that the government has a well-known information distribution mechanism in place. It is true that, after some time has elapsed, the government publishes in the press information relating to legislation which has been debated and accepted or

rejected in the Assembly in previous sittings. I agree that this is an admirable way of keeping the public in touch with legislation which affects their lives in terms of acts passed and legislation which is to be debated in the future.

I have found that it is not particularly difficult to obtain information from government departments for particular reasons. With a single notable exception, I have found that public servants are only too happy to impart information, not about people, but about matters under their control. If people giving information have requested that I treat it confidentially, I have respected that request. On the other hand, perhaps I have given some choice pieces of information to those same people from time to time. There is always a quid pro quo.

Before the Chief Minister considers the introduction of any legislation, and before we even talk about the right of privacy in respect of information about individuals, we must focus on the actual reason for the initial gathering of this information. I can recall a situation which occurred some time ago when public servants were requested to gather completely useless information which had nothing to do with the matter in question. At the time, my husband was acting for the Assistant Administrator. It was so long ago that it does not matter if the details are divulged, Mr Deputy Speaker.

A particular pastoralist wanted a reassignment of his rural loan. Under the legislation which applied at that time, before self-government, financial particulars, details of the extent and duration of the loan etc had to be provided by the pastoralist. I can understand the need to collect that type of information in that case, but the extent of the personal information - information which passed across my husband's desk - was quite amazing. It was assumed, of course, that the person taking out the loan was a man and, in this case, that was true. The information that he was requested to provide included his age, place of birth, mother's maiden name - of course, he was expected to carry the same name as his father - number of children in the family, ages of the children, places of birth of children and so on. He was also requested to provide extensive information about his wife. This information had nothing to do with the sum of money sought. The wife's age was requested, her date and place of birth, her maiden name and details about her parents.

I have always remembered that episode. It was a case of completely extraneous information being gathered, with public servants taking time and effort to gather it. It was a gross intrusion into the privacy of those people who would have felt bad enough about having to expose their financial affairs. Whilst one expects to have to do that when seeking to borrow money, I believe that the personal details of those people should have been kept private. I do not believe that it was necessary for them to be provided to the government.

I look forward to seeing the legislation which is to be introduced. However, before any legislation is drafted, I would like the government to give very serious thought to the necessity for the gathering of information about individuals in the first place.

Mr EDE (Stuart): Mr Speaker, I would like to say a few words in response to some rather extraordinary remarks made by the Minister for Labour, Administrative Services and Local Government. The honourable minister is the member for a large rural electorate. It is not as large as my own but it is reasonably large, and it contains a considerable pastoral

industry. The only thing I can really say to him is that it is no wonder he is moving out of that electorate. For him to say that he has received no requests from persons in relation to information on file is more of a reflection on himself than on his constituents. I would like to inform him that one of the fundamental aspects of the entire BTEC program that has raised the ire of pastoralists has been the lack of access to information held on government files.

Mr McCarthy: I have a better relationship with the pastoralists than you have.

Mr EDE: I point out to the honourable minister and to the member for Katherine who is sitting next to him that, if the government were to put in place a system whereby people could be aware of what is on file in respect of their BTEC program and established a feedback system so that people are assured that the information is true and accurate, there would be much less confusion and aggravation about the whole campaign. The point is that, when many pastoralists have undertaken the lengthy process of gaining access to their files through the courts, they have often found that what was on the files was not a true reflection of the views that they were trying to put across to the government. They have found that copies of letters were missing, that other letters had been interpreted out of context and that various file notes had been added referring to conversations which supposedly they had had with public servants, but which did not accurately record what had transpired. It became clear to many of the pastoralists that that was one of the major sources of confusion. They said that, after reading those files, it was no wonder that the minister or the chief inspector had taken a set against them because the information they had been supplied with was not accurate.

As I said, a system of access and feedback in respect of the information on file would have taken us a long way. However, it is not only the pastoralists who have had difficulty, and I say this because of some of the remarks made by the honourable minister in his speech. He does not seem to recall that, when I first started checking through the BTEC scandal, the second request ...

Mr McCarthy: What scandal?

Mr EDE: ... that I made ...

Mr McCarthy: I did not know that there was a scandal.

Mr EDE: The second request that I made was to see the files, wasn't it? Exactly so, Mr Deputy Speaker, and that has kept him quiet for a second. The second request that I made was to see the files.

From recollection, I think the honourable minister responsible was reasonably open to the suggestion, but then the Chief Minister jumped in over the top of him. The Chief Minister, who is now talking about openness, told him that no way in the world was I to see the files. If even members of this parliament cannot obtain the information, is it any wonder that people are demanding a process by which they can obtain information relating to themselves and their doings? Unfortunately, the honourable minister has learnt the lesson that the Chief Minister conveyed to him when he told him not to supply me with information because he is refusing further access to information now.

Mr Reed: You are in the area of untruths again.

Mr EDE: Untruths? I will take that up because the honourable minister will eat those words in a minute.

As has been said in previous debates raised by the member for MacDonnell, who has been pursuing this matter for a number of years in an attempt to gain openness, members opposite have always referred to the wonderful access that members of this parliament have to information. The final point that was always stressed was that we could submit written questions. For the record, I would like to read an answer to a question that I placed on notice to the Minister for Primary Industry and Fisheries. This is an example of the kind of answer given by the honourable minister. I will read the first paragraph:

> The information sought by the honourable member is contained in departmental records. It is not my intention, however, to redirect valuable departmental resources into preparing the detailed response that the question called for.

Mr Reed: That is right - 580 questions.

Mr EDE: I can tell you, Mr Deputy Speaker, that there are far more than 580 questions unanswered about BTEC. However, the answers will emerge. He continued in that vein in answer to the questions. That attitude on the part of the honourable minister, the minister sitting next to him and other ministers is fundamentally the reason why they have lost contact with the people of the Northern Territory. It is why they have been unable to take advantage of the opportunities that have occurred for the Territory, and it is the fundamental reason why they will be languishing on the opposition benches after the next election.

Mr HATTON (Health and Community Services): Mr Deputy Speaker, it is pleasing to see members opposite sustaining their normal standard of debate. It gives me confidence in the result of the coming election campaign and indicates that we will be retaining our same positions in this Chamber. I cannot believe some of the arguments that I have heard this afternoon. I will not even bother about the side issue of what the member for Stuart did or did not do with respect to the BTEC program because this statement is about something far more fundamental than that.

What I did find surprising and rather annoying was to hear the member for MacDonnell mouthing off again in a strange way. He seems to have difficulty with the fact that the Public Service Commissioner produced instructions for the public service reminding public servants of the current legislative requirements quite appropriately and regularly and that, subsequently, the government made a policy decision with respect to freedom of information and whistle-blowers' legislation and indicated that it will move down this road. That does not change the existing law, nor does it change the obligation on the Public Service Commissioner to ensure that public servants are aware of the law as it exists. There is no conflict between those 2 points. The fact that there was a significant time gap between the 2 and that it is certainly not the first time such a circular has been issued in the Northern Territory only adds weight to the evidence that nonsensical logic is being adopted by the member for MacDonnell as he tries desperately to find some way in which to undermine what is clearly a positive and responsible initiative introduced by the Chief Minister.

Let us review what the Chief Minister has said. First, he has demonstrated very carefully and logically the need to develop a balance between the right to information by the general public - that is, freedom of

information to the community - against the individual's right to privacy. It is a complex balance that needs to be achieved. The procedures to develop that are set out. We are working through what we are doing now, what information is available and what is appropriate to be released, and we are balancing that against what is appropriate in terms of the protection of the individual.

The opposition would sit down in a back room somewhere, draft a cute piece of legislation, push it through the House and issue a fancy press release indicating what a wonderful job it had done. It would give no consideration to the complexity, the complications or the famous unintended consequences that Labor governments are well known for inflicting on the community as a result of their failure to step carefully into very complex and sensitive areas. This procedure of consultation, interdepartmental examination and auditing of existing procedures is essential to do the job properly. I commend the Chief Minister for taking that course of action. It is the only way that we can hope to achieve a fair balance.

Similarly, there has been castigation of the fact that the Chief Minister has suggested that the Attorney-General go to the Standing Committee of Attorneys-General to examine the option of developing uniform legislation. Members opposite do not seem to consider it may be relevant or that, as a result of the Fitzgerald Inquiry, it may be appropriate for all governments to develop whistle-blowers' legislation and that, therefore, it would be logical to ensure that there is uniform legislation throughout Australia. In many areas of government, the development of uniform legislation is an appropriate response. Quite properly, the Chief Minister is suggesting that the Attorney-General take this up with the appropriate ministerial standing committee.

The Chief Minister said also that, if that cannot be achieved through the Standing Committee of Attorneys-General, the Northern Territory government will go it alone. He indicated the basis on which we will move towards whistle-blowers' legislation. He referred to the Whistle Blowers Protection Act of 1989 introduced in the United States legislature. There is a guideline for the procedures to be adopted. It is a complex matter and it is important that it be approached carefully to obtain the right balance. What is important for the community to know is that this government has been moving for several months on developing appropriate legislative and or administrative responses.

It would be very simple for a government to rush through freedom of information legislation without thinking it through. Then it can stand up and boast what a wonderful, open government it is. But, when you look at the administrative procedures behind it, what do you find? Firstly, there are little pieces of yellow paper that can be torn off and thrown away. That is how the real advice would come to the minister, not on the official files because they would be frightened it might come out in the open. Any confidential or serious information would be either verbalised to the minister or scribbled on little bits of paper. Great government! That is obtaining effective, honest and forthright advice from public servants! What you would do is frighten them from putting their real thoughts on paper.

What if something does become public? I will give the classic example. A couple of years ago, we had an argument about the appropriate declaration of World Heritage listing of Kakadu Stage 2. Under the Commonwealth Freedom of Information Act, we applied to the Commonwealth for all the research information available on why it wanted World Heritage listing of Kakadu Stage 2 so that we could develop a position on it. It

would not give it to us voluntarily. That is open, honest government. We received an enormous pile of paper that was absolutely incomprehensible. Two-thirds of every page was whited out because the information was too confidential and private to be made available. We could not find anything of use in this freely available document.

Mr Collins: Why don't you table it?

Mr HATTON: I think that was done some 2 or 3 years ago.

It is outrageous because there is no genuine commitment within the system. The balance has not been sorted out. The community must have appropriate and open access to information. Individual privacy and security for the community at large must be protected. Government must also have a system that ensures that it does not undermine proper advice for the community. It will not happen quickly.

It is a complex task to bring this together and I commend the Chief Minister for the approach that he is adopting. In the end, that has to be the appropriate way to achieve major social legislation. We can look at mistakes that have been made elsewhere, hopefully correct them, and develop legislation that takes into account the Northern Territory environment. As much as the member for MacDonnell and the Leader of the Opposition might bleat and try to make headlines, we will do this properly. We will not be rushed into inappropriate legislation in relation to this very complex area.

The member for Koolpinyah raised the matter of access to information on medical records. She referred in particular to notifiable diseases such as cancer and AIDS. In respect of cancer registration, all personal information is kept confidential, as are medical records generally. Under medical ethics, that is important. However, we do publish broad accumulated figures and the data from cancer registrations. As my predecessor, the late Don Dale, said at the time of the introduction of that legislation, it is important to collect information on cancer for epidemiological research.

Mrs Padgham-Purich: Do the same with AIDS.

Mr HATTON: I am advised that the information on AIDS is treated on the same basis as information on cancer. It is a notifiable disease. It is not publicly-released information, but it certainly does provide a base for epidemiological research.

Mrs Padgham-Purich: You are handling it with kid gloves.

Mr HATTON: I understand that the information is available for those purposes. However, the personal information is kept confidential as are everybody's personal medical records. It is the broad epidemiological information and the broad numbers that are made available.

Mr BAILEY (Wanguri): Mr Speaker, I have listened with some interest to a number of speakers from all sides of the Assembly, and I have been quite surprised by the approaches that some members have taken. The Minister for Labour, Administrative Services and Local Government seemed to pursue an almost totally illogical and hysterical line of argument in discussing the ALP's approach to freedom of information. He went on quite wrongly about how Labor would release personal information about people. In fact, Labor has always pursued strong privacy controls within freedom of information. However, what we do advocate very strongly is access to information that is

relevant. There is a series of different kinds of information that this government currently seems not to want to make available to those people who feel they have a right to know or a need to know in their day-to-day work. Information not presently available includes PERs, which contain material relating to the possible environmental effects of particular projects. The state of the environment is an issue which affects all people in the Northern Territory but, at present, PERs are not publicly available, either to individuals who may be directly affected by the projects or to groups with a broad concern about environmental issues.

Recently, when I visited the toxic and hazardous waste dump with the Minister for Labour, Administrative Services and Local Government, he stated that public servants who had genuine concerns about issues which might be of public importance were not allowed to comment publicly on information which they may have become aware of in the course of carrying out their duties. That is what the circular from the Public Service Commissioner was all about, in addition to the leaking of private information relating to individuals. That is why the Ombudsman is not approached about these issues. The law protects the government by not allowing individuals to disclose information which is of concern to them.

Information is often withheld for many months because ministers of this government are not prepared to release it. For example, the honourable minister talked about the Mangrove Management Plan today. Ministers of this government quote from that plan and discuss its implications. However, the plan is not available to the public or even to members of the opposition.

Mr Manzie interjecting.

Mr BAILEY: The Minister for Lands and Housing interjects. This is the minister whose concern for secrecy is so great that he sent a letter to 3 executives of his department advising them that they were not permitted to talk to me in relation to any issue. That constitutes political interference in the day-to-day operation of the department.

Mr Manzie: I will tell you exactly how it works in a minute.

Mr BAILEY: The letter did not direct the executives not to speak to me in relation to political issues. It directed them not to speak to me at all about matters which are available to the public. Again, we have an example of this government involving itself in secrecy.

Mr Manzie: You are a slow learner.

Mr BAILEY: If the minister denies that, he should feel free to table the letter he wrote to the departmental officers concerned.

Mr Speaker, to give another example of the way secrecy creates problems, I refer to the major economic operation now occurring in the Barkly region, where lancewood and gutta percha are being harvested. That may well turn out to be a very significant development. However, when people ask for information about the environmental impact and about exactly what is occurring, they are told that all that is confidential. How does the government expect people in the Northern Territory to support developments when they are unable to have access to information about such developments?

The Minister for Health and Community Services argues that one of the reasons why freedom of information legislation is not in place is that it

forces ministers and their departmental officers to stick little bits of yellow paper on documents to indicate that they should not go on file. In order to avoid that happening and to avoid having little pieces of yellow paper used, the minister argues that we should not allow the public to have access to any information at all. That is the basis of his argument against freedom of information in such circumstances.

It is rather disappointing to find that this government's major contribution to freedom of information is the production of Hansard which it seems to regard as the means by which everyone can find out what is occurring within this government. If that is the level of freedom of information which this government considers appropriate, I would suggest that the great strides it refers to in this statement will fall well short of achieving any real progress in providing genuine freedom of information.

Mr MANZIE (Attorney-General): Mr Speaker, I did not intend to speak but the rubbish for which the member for Wanguri has become so well known cannot be allowed to pass without comment. Every time he stands up to speak in this House, his utterances bear no relation to the facts. The honourable member said that he was quite surprised by the way members of the government had approached this debate. One cannot be too surprised by that observation because he does so little research. It has been noted before in this House that he is a Johnny-come-lately to the Territory and all things that occur in the Territory, including the government's attitude to such matters as freedom of information. He has no knowledge and he does not wish to gain any.

The member for Wanguri talks about the environment, the need for freedom to access to environmental impact statements and so forth. I presume that he is aware that the platform of the Northern Territory Branch of the ALP does not contain even a section on the environment. The opposition has no policies and even though members opposite pretend that they can make policy on the run, there is a specific provision in their party platform which states that, as parliamentarians, they have no ability to make policy and to lay out directions for the party to follow and, of course, that includes the Leader of the Opposition. Policy can be made only by the party conference and such policy is articulated in the party platform. If a matter is not covered by the ALP party platform, all the utterances of members opposite have no bearing on that matter whatsoever. Their own rules prevent them carrying out policies which are not part of the platform.

Of course, the member for Wanguri does not like to follow the rules. He talks about not obtaining any information from my department. For his benefit, I will explain very slowly that I have specifically instructed officers of my department that he is to be given no more information than any member of the public would be given.

Mr Bailey: Table the letter you wrote to your officers, Daryl. Make it publicly available.

Mr MANZIE: Following a briefing by officers of my department, the member for Wanguri made up some extra information on the run, subsequently causing a great deal of distress to a number of people in my department. We are all aware of occasions on which he has done this and other ministers may follow my example. Realising that the member for Wanguri cannot be trusted, and that he causes distress by spreading misinformation, I have denied him the benefit of services which I allow my department to provide to other members of parliament. The member for Wanguri now receives the same

services as any other citizen, but nothing extra as a member of parliament. I find his attitude quite disappointing because none of his colleagues have had any problems in their dealings with my department. I have been on the public record in relation to that matter.

Mr Bailey: Will you table the letter, Daryl?

Mr MANZIE: The member for Wanguri talked about lancewood. Mr Speaker, do not ask me where he got this from, but he said that we are exporting lancewood from somewhere in the Territory and that no information is available about that.

Mr Hatton: With Commonwealth environmental approval, I might add.

Mr MANZIE: I was going to say, Mr Speaker, that the matter required the approval of the Commonwealth. All the environmental details had to be presented and approved by the Commonwealth. All that information is available on the public record as per the Commonwealth Freedom of Information Act, but the member for Wanguri is too lazy to make any inquiries. That is the problem that he has. He is lazy, lazy, lazy. He wants somebody else to do everything for him. He is so lazy that he cannot look up a name in the telephone book, let alone use the freedom of information legislation of his own federal colleagues in order to find background information on the export of lancewood and the environmental situation. Perhaps he might get someone to do some of that research or maybe he does not even know how freedom of information operates, despite the fact that he stands up here ...

Mr Bailey: But you do not have any.

Mr MANZIE: Mr Speaker, I shall not repeat the information. He can read Hansard to find out where he would be able to obtain it.

It is important to realise that there are problems in relation to privacy. If Territorians had to rely on the ALP to guarantee their privacy, it would be a pretty sad and sorry situation for everyone. I will read what the opposition's party platform says about privacy. It says that an ALP government would 'amend laws which violate the principle that no government has a role in legislating with respect to the voluntary and non-profit-making conduct of adult citizens in the privacy of their own homes and beyond public view'. That is all it says. Honourable members would not have much difficulty in imagining some activities which can occur beyond public view and in the privacy of homes which must be covered by legislation. For example, the activities of paedophiles are one of the subjects of a phone-in which is being conducted today. A government must have the ability to legislate in these areas.

During the Wanguri by-election, the Leader of the Opposition made great play about the need for authorities employing people in child-care centres to be aware of any criminal offences involving children committed by applicants for positions in such centres. I agree with that concept. However, personal information would have to be made available. The privacy question must be researched before these matters are dealt with.

Much play has been made about the ability of public servants to report matters. We have made it very clear that we intend to proceed with whistle-blowers' legislation. As has been said, I have raised the matter myself at meetings of the Standing Committee of Attorneys-General. The Queensland government is carrying out a detailed review in the wake of the

Fitzgerald Report, and it has been accepted that the Queensland Attorney-General will report back to the standing committee so that a national approach to this question can be adopted. If that does not occur within a reasonable time, this government will proceed with its own whistle-blowers' legislation.

In this context, it is very important to point out that there is an established procedure for the reporting of matters by public servants. Public servants can go to their supervisors, divisional CEOs, departmental heads, ministers, the Public Service Commissioner or the Ombudsman. I am sure that honourable members have read the Ombudsman's reports. He is employed by this parliament and he reports to this parliament. I am sure that, after reading those reports, everyone is aware that the Ombudsman has no fear of criticising any arm of government, nor should he have, when he believes an injustice has occurred. Public servants have the ability to go to the police and to the press also.

Mr Bailey: Not to the press.

Mr MANZIE: I would like to know of anyone who has been punished because they have taken any of those routes.

In respect of freedom of information legislation that is currently in operation in Australia, the Commonwealth and Victoria introduced legislation in 1982. The ACT and New South Wales introduced legislation in 1989. Other states have not introduced such legislation yet, and they are all good Labor states. I think Tasmania is in a situation where it has so many problems that it has not even thought about it.

It is worth while looking at some of the problems that have arisen. Any member who has ever taken advantage of freedom of information legislation presently operating in other parts of Australia would realise that there are problems. It sounds very good on the surface but, when you get the information, it has been censored and all the information you want is not available. Those who were aware of the information we requested on the Hill Report into the railway in the Territory would know that all the information that would have signified anything was removed completely from the report. From personal experience, I can say quite clearly that the Commonwealth Freedom of Information Act is useless.

I believe that similar problems have occurred in Victoria, although there are appeal provisions. I know that the New South Wales act does not provide for appeal against a decision made by the minister in regard to what is made available and what is not, but the provisions in the Victorian act allow that to occur. However, it is a fact that the freedom of information legislation has not provided the ability for people to find out what is going on behind the scenes. It is all pretty pictures. It is all nicely painted up, and a great deal of fuss is made about it by people like the member opposite, when the reality is that no more information is available than was the case previously.

Some comments were made by a committee of the Senate. The committee that inquired into the freedom of information legislation and how it was working actually reported:

> The Senate committee acknowledged that much of the data on which it relied was anecdotal rather than empirical. It nevertheless considered the act was of net benefit to Australians because much

information had been released as a result of the FOI which otherwise would never have reached the public.

The committee said that this was a quantum leap indeed and stated, at page 23 of its report:

> While much of the information now provided under the Freedom of Information Act was made available prior to the introduction of the Freedom of Information Act, pre-FOI Act disclosure policies were frequently imprecise and inconsistent. The statutory access created by FOI has established the rules for all parties involved and introduced a degree of certainty.

However, the committee said also that:

> One cannot judge whether or not the amount of information sought and disclosed has increased since the introduction of FOI because it is not known what the annual rate of applications lodged and applications approved was pre-FOI. One can only confidently state that more government information has been made accessible.

In other words, the Senate committee could not establish whether more information was made available as a result of the FOI legislation than was made available previously. All it could say was that people had access to it. If it is anything like the access that we had to the Hill Report, my experience must back up what has been said. The access was there, but the information was not forthcoming.

Mr Speaker, I move that the question be put.

Motion agreed to.

Mr SPEAKER: The question is that the Assembly take note of the statement.

Motion agreed to.

MINISTERIAL STATEMENT
Annual Report of the Parole Board and Juvenile Justice Boards of Management

Mr REED (Correctional Services): Mr Speaker, I would like to give the House some background to reports being tabled here today pursuant to statute. These reports are the Annual Report of the Parole Board of the Northern Territory for 1989 and Board of Management Reports under the Juvenile Justice Act for the year ended 30 June 1990. As well, I have asked for the publication Standard Guidelines for Corrections in Australia to be tabled in the interests of community information.

I am taking the opportunity to acknowledge publicly the work of the Northern Territory Parole Board, a group of people from the community which has the task of making decisions greatly affecting the lives of other people. That is a grave responsibility and, on behalf of the Territory community, I thank the Chairman and members of the Parole Board for their care, concern and dedication. As the report indicates, on average, the Parole Board makes 40 decisions a month, mainly in relation to the release or non-release of prisoners on parole, revoking parole and monitoring of the progress of offenders during parole.

The other 2 reports being tabled pursuant to statute are Board of Management Reports under the Juvenile Justice Act. These cover the year ended 30 June 1990. I draw the attention of honourable members to those reports because of the unjustified criticism levelled at me by the member for MacDonnell during the May 1990 sittings of this Assembly, well before the end of the 1989-90 year.

There are 2 Juvenile Justice Boards of Management in operation, one for the Top End and the other for central Australia. The functions of these boards are prescribed in the Juvenile Justices Act. They are to examine and evaluate juvenile justice programs, including new or proposed programs and diversionary programs. Diversionary programs are those aimed at diverting young offenders from detention or ongoing involvement with the criminal justice system. A second function the boards have is to observe and report to the minister on programs within detention centres, and the third covers other matters in relation to the act as the minister directs.

The boards came into being as a result of amendments to the Juvenile Justice Act which became effective on 8 March 1989. Inaugural meetings of the boards took place in August, and so the reports now being tabled are reports on the first year of operation of each board. This is in accordance with section 13 of the Juvenile Justice Act which requires each board to furnish me with a report on its activities during the year ending on 30 June. I now table the reports in pursuance of section 13.

Both Juvenile Justice Boards of Management have been busy during their 10 months in operation. Each has met 8 times, and initial efforts have focused on becoming familiar with juvenile justice philosophies, practices and programs in the Territory. The Department of Correctional Services has provided a range of statistical and other background information in response to requests by the boards of management. The 2 boards agreed to keep in touch with each other's activities by exchanging minutes of meetings.

Of particular interest to the Darwin board of management were community profiles for Port Keats, Groote Eylandt and Katherine, together with discussions with juvenile justice officers working in those areas. As well, the board examined the relationship between staffing levels and absconding from juvenile detention centres. A new member was appointed to the board in December last year to replace a member who resigned to work overseas.

In Alice Springs, the Juvenile Justice Board of Management undertook 2 surveys into, respectively, young offenders convicted of their first offence, and involvement of alcohol in offending. The board's findings are shown in the report. A concern of the Alice Springs' board was the future of the Giles House Detention Centre when the Don Dale Centre opens in Darwin. In a personal meeting with the board, I gave an outline of the future role for Giles House and asked if the board had any issues that it would like to raise in relation to the future of Giles House. The board is also watching with interest the community aid panel set up in Katherine to resolve issues associated with offending by young people there.

Apart from their reports, I am already quite familiar with the work of the 2 boards through attending their meetings from time to time and through monthly reports that I receive from board members in their capacity as official visitors to juvenile detention centres under sections 71 and 72 of the Juvenile Justice Act. It is the job of official visitors to inquire into the treatment, behaviour and conditions of juveniles in detention centres and to give me reports on their findings. Each detention centre has to be inspected at least once every month.

Preliminary work is well advanced on the Don Dale Centre, the new juvenile detention centre being built near the Berrimah Prison. Both boards of management have made a critical examination of the design of the Don Dale Centre and have made some valid suggestions. For instance, the new centre will now have its own domestic-style kitchen and laundry so that inmates can learn those types of life skills. The prison will provide meal and laundry services to the Don Dale Centre so that we benefit from economies of scale. As well, I understand that, through design efficiencies, the Don Dale Centre might also have a gymnasium at little extra cost. Next dry season should see the Don Dale Centre in operation, with Malak House closed and a thing of the past.

I think that puts to rest the question of reports by Juvenile Justice Boards of Management. The position is that one report is due from each board, and these are now to hand. Before I close on that point, I would like to acknowledge the value and importance of the work these boards carry out in an unpaid and voluntary way. The boards are an example of community interest and involvement in tackling the social problems associated with young people coming into conflict with the law.

Turning to the publication, Standard Guidelines for Corrections in Australia, the preface refers to the essential purpose of the guidelines when it says: 'The guidelines do provide a basis for protecting human rights in corrections in Australia'. The guidelines are not intended to be law or to be treated as absolute. They are for guidance. Guiding principles are intended to show the spirit in which correctional programs should be administered and the goals towards which correctional administrators should aim. The standard guidelines have been endorsed by ministers responsible for corrections throughout Australia and New Zealand, and they are being adopted in the Northern Territory as standards to be aimed at in all areas of corrections - prisons and community-based corrections facilities.

The Territory is fortunate in that, with minor exceptions, our policies and practices are already in keeping with the standards set out in the publication. In many cases, our programs and policies exceed the desirable standards. The standards are a matter of community interest, and I commend them on that basis.

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

Mr LANHUPUY (Arnhem): Mr Deputy Speaker, I thank the minister for tabling these 2 reports and the Standard Guidelines for Corrections in Australia. I too would like to acknowledge the contribution of the Northern Territory Parole Board. As the minister said, members of the board take on serious responsibilities for the community, and we thank them for that. I have not yet had the time to read these reports in detail. However, I look forward to an examination of the reports of the boards following the first year of their operation.

The minister's statement included a reference to community profiles, for example, at Port Keats, Groote Eylandt and Katherine, and he indicated that some discussions with juvenile justice officers in those areas would be taking place. However, his statement did not address the levels of juvenile crime in these areas or report in any way on the direction his department plans to take to deal with these serious issues.

The minister referred to concerns expressed by the board in Alice Springs about the future of Giles House and said that he had addressed these

in a personal meeting with the board. Too often, we have heard of the difficulties that young people in Alice Springs have had in relation to detention in Giles House, especially young people from remote areas, and I would like the minister to make a statement to this House in the very near future indicating that he intends to take this matter further. He may not realise that members of the House would be interested to hear about the future of Giles House. I am sure that the members for MacDonnell and Stuart would very much like to hear what the Minister for Correctional Services has in mind in relation to Giles House, and what his department intends to do about the overcrowding there and the difficulties that have arisen in Alice Springs.

The treatment of juveniles at detention centres is of vital interest, and it is interesting to learn that a kitchen and laundry will be available to juvenile offenders in the new Don Dale Centre under construction near Berrimah Prison. This centre was welcomed by the opposition at the time of its announcement and certainly we look forward to its initial operations.

We will be pleased to see the end of Malak House which has not had a very happy history, and I do not need to repeat that history. I note that there is a possibility that the new centre may have a gymnasium, and I encourage the minister to provide this facility for the young people who will be using this centre. We are all aware of the contribution that physical fitness and competence can make to general health and self-esteem, and both those factors impinge on juvenile offenders.

In relation to the guidelines for corrections tabled by the minister, it is pleasing to note that the emphasis on human rights has been stressed by the minister. I ask the honourable minister to consider seriously using these guidelines not so much as standards to be aimed at but rather as goals which could be achieved within a particular time frame in the Northern Territory. Similarly, with the minor exceptions to which the minister referred, perhaps he could consider these as changes appropriate to meet these standards.

Mr BELL (MacDonnell): Mr Deputy Speaker, the tabling of these reports and the statement that accompanied them is nothing but a sham. As the honourable minister pointed out quite correctly during his statement, during the last sittings, I did raise the subject of the dereliction of this government with respect to the deliberations of the boards of management under the Juvenile Justice Act and of their predecessors. This is not an i-dotting or t-crossing exercise. This government is proposing to make parents responsible for the crimes of children and, in that context, the deliberations of these boards of management are crucial.

What the minister said in his statement, and it was cute indeed, was that neither he nor his predecessors had been in dereliction of their duties because those boards of management were created only in March of last year and they had had time to produce only 1 immaculately published report each. That ignored entirely the fact that, for 3 years prior to that, he and his predecessors did nothing. That is not good enough in the context of a government that is seeking re-election, that is seeking to present itself as being responsible and that is seeking to make parents responsible in a totally unprecedented way for the offences of their children. Not to allow these boards and their predecessors to deliberate and report to this Assembly is an absolute dereliction of duty. If the Minister for Correctional Services, who is, I think, unfortunately responsible for the Juvenile Justice Act ...

Mr Coulter: It is a model for the rest of Australia.

Mr Reed: They are all following it. The states are adopting it.

Mr BELL: I believe that he has failed quite dramatically. I believe that a very sensible distinction has been made between the exigencies of juvenile justice processes and of corrections for adults. I believe that the community expects this distinction to be made and it is inappropriate to have the same minister responsible for both these areas. I believe that responsibility for the Juvenile Justice Act should remain with the Minister for Health and Community Services ...

Mr Reed: Why?

Mr BELL: Because I believe that the view of the community is that a special effort must be made in respect of the rehabilitation of juvenile offenders, and I do not believe that rolling them together with adult corrections makes this possible. At that policy level, I disagree with the approach taken by the minister.

Obviously, it needs to be reiterated that the fact that the Juvenile Justice Boards of Management have not sat for 3 years and have not deliberated for 3 years is a dereliction on the part of this government. The Juvenile Justice Act was enacted in the Northern Territory in 1983, before the present minister became a member of this Assembly. I well remember my former colleague, Pam O'Neil, then the member for Fannie Bay, stressing the need to ensure that the boards of management or their predecessors, the name of which escapes me at the moment, should deliberate to consider the general operation of the Juvenile Justice Act. At that stage, that was regarded by both sides of the parliament as an important provision. This government has neglected its responsibilities. It seeks simply to leap on a band wagon about making parents responsible for the offences of children although it has not fulfilled even its own statutory responsibility.

Every now and again, the Attorney-General stands up in this Assembly and says, in an extraordinary tone of piety, that he must fulfil his statutory responsibilities. You will recall, Mr Deputy Speaker, that he ran this line for us in the crimes compensation debate. For the benefit of the Attorney-General, I point out that there is a distinction between a discretion and a responsibility in the case of the crimes compensation legislation. I do not want the Attorney-General to imagine for one moment that the opposition has forgotten about his undertakings in that regard - undertakings that are now more than 12 months old.

Mr Coulter interjecting.

Mr BELL: Yes, I would make a note of it if I were you.

There is a distinction between a discretion and a responsibility. In this case, there is a responsibility that has not been fulfilled. As the member for Arnhem, the opposition spokesman on correctional services, has pointed out, the plight of juvenile offenders is particularly pressing in central Australia, as has been evidenced by the difficulties that have been experienced with Giles House. Difficulties have been experienced within his own electorate, at Groote Eylandt, and these have been the subject of considerable public comment. This government has failed in its responsibilities.

Mr Reed: What particular difficulty?

Mr BELL: I have already said it twice. For the benefit of the Minister for Correctional Services, who is obviously pretty slow, I will say it for a third time. In 1983, the Juvenile Justice Act ...

Mr Reed: No, you were talking about Giles House.

Mr BELL: I was talking about the Juvenile Justice Act, and I will reinforce that. If there are particular points that the honourable minister believes that I should be aware of in respect of Giles House, he is more than welcome to raise them in his reply. However, the fact is that the Juvenile Justice Act was introduced in 1983. In December 1984, the now Leader of Government Business became the Minister for Community Development with responsibility for the Juvenile Justice Act. I do not know what was going on in the mind of the then member for Berrimah ...

Mr Coulter: Not many people do.

Mr BELL: That is probably pretty fortunate, Mr Deputy Leader.

Obviously, his responsibilities under the Juvenile Justice Act passed without concern because, within 18 months of his becoming the minister responsible, the act had ceased to function. There is no report for 1986-87. There is no report for 1987-88.

Mr Reed: Why not?

Mr BELL: There is no report for 1988-89. There were 3 years for which there were no reports.

Mr Reed: Why not?

Mr BELL: Certainly, for some of that period, the Leader of Government Business should be able to indicate exactly whose responsibility it was. Given his interest in this issue when he was the responsible minister in 1985, I would have thought he might have pursued it. I trust that the Leader of Government Business will not indulge in any emotional blackmail about who was the minister of the day because it will not wash. There are 3 years in which these reports were not presented. This government has been derelict.

As for the member for Braitling, who is asleep on the backbench, I would have thought that it would have been appropriate for him to contribute to this debate because he took an interest in 1985-86, as I have mentioned in this House before, in the issue of juvenile crime and its effects in central Australia. He tabled a report, and there has been no follow-up on the results of the recommendations in that report.

Mr Vale: Rubbish!

Mr BELL: Nevertheless, the government has the gall to tell us today that it is proud of its record. What nonsense!

Mr Coulter: You sit down and I will tell you what we did and how proud we are.

Mr BELL: I am quite sure, Mr Deputy Speaker, that the Leader of Government Business will rise with hand on chest, but he will not be able to explain why reports are missing for those 3 years.

In the southern region, there are issues of concern to the board. These relate to the proposed new juvenile detention centre, the Giles House program and activities, alcohol in central Australia, proposed legislative amendments to the Juvenile Justice Act, the community aid panels and a paper prepared by the Australian Institute of Criminology called 'Offending by the Young'.

In the northern region, the Juvenile Justice Board of Management took into consideration a wide variety of issues. It conducted its monthly meetings. It familiarised itself with current juvenile justice programs. Its members acted as official visitors to centres. It compiled statistics and decided, at an early stage, that minutes of its meetings would be exchanged with the board in the southern region. It requested various information.

The reason that I refer to those actions is because the 1985-86 annual report - and I happen to have read the 1985-86 annual report of the boards' predecessors - states that that committee was looking at the question of parental responsibility for the actions of juvenile offenders. There is no mention of that here. It is a dead issue. What happened in the 3 intervening years? That is what I want to know. As for the minister's pretence that he can simply table some reports, accompanied by a statement, and believe anybody will ignore the dereliction of this government, that passes all understanding.

Mr COULTER (Mines and Energy): Mr Deputy Speaker, what an absolute load of garbage this Assembly has had to endure from the honourable member over the last 10 minutes. If there is one thing that this government can be proud of, it is its record in correctional services. Let me indicate a few things that this government has done in regard to correctional services. It was the first government in Australia to introduce compulsory blood-testing on imprisonment to detect AIDS and other communicable diseases. This was the first government in Australia that had the guts to make decisions and take action in relation to an issue which the rest of Australia is still fumbling with today. We were hailed by Professor Pennington, the head of the AIDS Council, as being leaders in the field.

We pioneered the Community Service Orders Scheme which has led to a 20% reduction in prison numbers, and all the states have followed our lead. We were the first to set that in place. We introduced home detention as a first sentencing option for Northern Territory courts, and the piloting of electronic surveillance options for those sentenced. We were the first in Australia again and the states are still trying to come to grips with it now.

We established the wilderness work camp for juvenile offenders as an alternative to normal detention facilities. That was the first in Australia and it was hailed by the Couchman Report as the only model in Australia that was working at the time. People will remember that great national television debate which Couchman hosted. The Northern Territory system was the model for accommodation of juvenile offenders. I brought that back to Australia after visiting 38 prisons throughout Canada and America. I picked that up from a place in Florida called the Last Chance Ranch. We introduced the idea into Australia. Once again, it became the model for the rest of Australia to follow. Then, we introduced the station placement program for

juveniles on approved cattle stations. There are a number of them in the Centre. Queensland followed our example in that regard.

We moved juvenile justice from the community welfare area to correctional services, and the states are now following us. They are moving away from the social welfare institutional programs and moving back to correctional services. That did not result from a will-o'-the-wisp brainwave. It was done after extensive study tours conducted by myself and the then head of Correctional Services, Terry Fegan. It was done for a very good reason.

The absence of the reports relates to the fact that a review panel was set up at that time. There is a very obvious reason for the absence of reports during that period. I congratulate the member for Arnhem because, during that period, he was addressing those problems with the Groote Eylandt Task Force on Crime. He was then a member of that task force. The incarceration rate for Groote Eylandt was 33 times the Australian average. Thus, there was a hiatus during that period, but many things were happening in the Northern Territory as a result of the review that was being conducted. I pay tribute to the member for Arnhem for his contribution to the efforts of that task force and the meaningful results that occurred as a result of the dedication and hard work that occurred. It was actions and not words. I cannot remember the name of the representative of a national organisation who trapezed into Groote Eylandt and highlighted all these statistics. Then he left, and we never heard from him again.

People like the member for Arnhem played a major role in relation to juvenile crime in that area. It was not easy. I took with me to America a magistrate, Mr Tim Hinchcliffe. He told the story of what happened on Groote Eylandt in respect of juvenile crime. He threatened a particular offender 7 times. Eventually, he said: 'If you do not stop stealing cars, I will send you to jail' and, finally, he sent that offender to jail. He was sent to Berrimah Prison in Darwin. He returned to the island when he was released 3 months later. Next day, 17 cars were stolen because this fellow told everybody how good it was over in Darwin. Thus, there were specific problems that had to be addressed. A different technology and a different mentality was needed to address these problems.

In relation to Giles House, there was a wonderful lady who devoted her life to the juvenile justice system. How we miss her and the way in which she conducted her business at Giles House. She was a leading light for the rest of Australia and, indeed, the world in the way that she addressed some of the issues that she was faced with in relation to the incarceration of Aboriginal offenders. The member for MacDonnell rants and raves because no paperwork was done during that period. During that time, she was the most effective juvenile justice supervisor, if I could use that term, in all of Australia. I believe the member for Sadadeen would back me up on that.

Mr Collins: To the hilt.

Mr COULTER: Mr Deputy Speaker, we were the first in Australia to have Aboriginal community correctional officers nominated by the community to supervise community service orders and advise circuit courts on cultural issues and the suitability of sentences for Aboriginals. These were all milestones for Australia. No other place in Australia was setting these standards.

Let me just run briefly through them again. We were the first to have compulsory AIDS testing. We were the first to move juvenile justice away

from the social welfare-type administration area back into correctional services. We were the first to institute community service orders. We were the first to have home detention. We were the first to set up wilderness camps. We were the first to introduce station placement programs, and the first to have Aboriginal community correctional officers advising us on cultural matters. That is an impressive record, and it is insulting to have to sit here while the member for MacDonnell berates this government. He is totally insensitive and he has no understanding of correctional services. His contribution was an insult to all officers working in Correctional Services and an insult to the officers working in the juvenile justice system. He should be ashamed of himself, because the record of this government has been acclaimed as the model for the rest of Australia to follow. I am disappointed in the comments of the member for MacDonnell today and in the way in which he has presented his case.

Mr Speaker, no doubt the minister will advise the House in relation to the situation which applied between 1986 and 1989. There was a very legitimate reason for that situation which was largely the result of the reviews which were carried out during that period. Those reviews have provided us with the very high standards and the models which we have set for the rest of Australia to follow.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, the member for MacDonnell could not help himself. He is not interested in what has occurred. He is not interested in facts. He is not interested in recognising achievements. All he is interested in is trying to belittle people's efforts - not the efforts of members on this side of the House, but the efforts of Territory public servants, specifically Territory Correctional Services officers and people employed in our juvenile justice system. Those are the people whom he is knocking.

The Deputy Chief Minister has described the record of this government very clearly and concisely in this House. That record is second to none. It is an example to the rest of the country. Many honourable members would recall seeing a television program on juvenile justice. That program included interviews with juvenile offenders who pointed out, time after time, that the punishments they had received, the namby-pamby treatment by the do-gooders and the hand-wringers, had been of no avail whatsoever. They were all determined to get out and continue destroying and stealing people's property and assaulting people. Their experience in the juvenile justice system had made no difference to them, except in one place - the Northern Territory.

Who could forget seeing a number of young people who had spent some time at the Wildman River Wilderness Camp? They explained what it had done for them and how it had changed their lives. They said that they would not offend again, and that they were trying to look forward to a life in which they would contribute to society and achieve things for themselves. In that program, which included overseas examples, the Northern Territory juvenile justice system was without peer. In spite of that, the member for MacDonnell stands up and criticises this government, and people working in Correctional Services, for their treatment of juveniles. I say shame on him. The whole community should say shame on him for his pathetic performance.

The member for MacDonnell spoke about what he regarded as this government's 'audacity' in putting forward legislation containing a requirement that the courts assess parents' ability to pay for offences committed by their children. He said that it was unprecedented

legislation. I will remind him that it is not unprecedented at all. In 39 states in the USA, parents can be held responsible for the actions of their children.

Mr Bell: They thought about it a bit more than you blokes did.

Mr DEPUTY SPEAKER: Order! I remind the honourable member that he should not interject whilst not in his correct seat.

Mr MANZIE: Mr Deputy Speaker, the member for MacDonnell does not like people pointing out where he is wrong. He does not like being taken to task because he is incorrect. He does not like being belittled by people pointing out the facts when he has so obviously been wrong. However, if he opens his mouth, he has to receive some medicine.

Our legislation is not unprecedented. The United Kingdom has similar legislation. The Western Australian government has a bill. The South Australian government intended to introduce a bill. In each of these cases, the principle is identical to the principle in our legislation. That principle is that somebody has to take responsibility for the actions of young people, and that parents have a role to play. Part of that role is the acceptance of responsibility for the acts of their children.

Copies of the legislation have been sent to school councils throughout the Territory, community groups and youth groups. It has been circulated very widely. It has been sent to any organisation or group which has requested it or which has been thought likely to have some interest or need to know about it. I have attended a number of public meetings concerning the matter. I have spoken to a number of groups, and some of them oppose the concept of requiring parents to accept responsibility for the acts of their children. Not one individual has opposed that principle. People foresaw problems with the mechanics of the bill in a number of areas and some people have considerable concerns in relation to that. However, the bottom line is that, at the end of the day, everybody has agreed that parents should accept responsibility.

The member for MacDonnell should talk to some of the people in his own community. He should talk to people who own property which has been destroyed by juveniles, people who have had their houses broken into by young people and had their walls painted on, their kitchens destroyed and their bedding messed up with faeces by young children. Let him find out how such people felt when they were told that action could not be taken because the offenders were 13 or 14 years of age. Let him talk to people who have been confronted by offenders who have laughed at them and said: 'See if you can make me pay. I have no money'. Let him talk to people about how their motor cars have been stolen and damaged and let him hear what they have to say. I call on the member for MacDonnell to stop worrying about his own little private concerns. He is elected to represent people in the community and he should get out there and see how they feel about these things. If he wants to put something constructive forward, let him identify any problems in the legislation and point out solutions to those problems.

As I have indicated, legislation of this type is operating in 39 American states and in the United Kingdom. Most certainly, it can operate here. We do not have perfect solutions and we have never claimed to have them, but we are trying very hard to meet the wishes of the community. There may be amendments and there may be modifications made to the bill before it is passed but, believe me, we are following the community's wishes in putting forward this legislation. I ask the member for MacDonnell to

start doing his job of representing those who elect him, rather than the special interest groups and hand-wringers who seem to provide him with much of the advice he receives.

I have looked at the ALP platform to see what it says in respect of these issues. What does the Northern Territory Branch of the Australian Labor Party have to say about juvenile justice, correctional services and so on? I looked for 'juvenile justice' or 'juveniles' in the table of contents but found neither. I looked under Correctional Services, the area which the member for MacDonnell argues is inappropriate for juvenile justice matters and, lo and behold, there are a couple of small items. One says that it is ALP policy to 'ensure no juvenile offenders are housed in corrective institutions with adult prisoners'. The other is a lulu: 'In the case of juveniles who have served the bulk of their sentence in an approved institution, with the discretion of the minister ... waive the requirement to complete their sentence in a prison upon the attainment of their 17th birthday'. I would hate to see what happens when an offender who has been convicted of murder at the age of 16 turns 17. I presume that the ALP would suggest that he be released. That would not surprise me because everything in the opposition's platform is anti-social. If it were implemented, we would be living in a hell on earth rather than the paradise we know.

The comments of the member for MacDonnell regarding the actions and achievements of Correctional Services officers have been abysmal and he should be censured by his colleagues for his attitude.

Mr EDE (Stuart): Mr Deputy Speaker, I move that the motion be amended by omitting all words after 'that' and inserting in their stead:

(1) the following matter be referred to the Standing Committee on Subordinate Legislation and Tabled Papers - the failure of the minister to satisfy the requirements of section 13 of the Juvenile Justice Act; and

(2) the committee report back on that failure within 7 sitting days.

Mr Deputy Speaker, the point made by the member for MacDonnell was accurate and very clear. The fact of the matter is ...

Mr DEPUTY SPEAKER: Order! Would the honourable member please submit his amendment in writing.

Mr EDE: Certainly, Mr Deputy Speaker.

Section 13 of the act is quite definite. I will read it out in full so that the context of my remarks will be perfectly clear. Section 13(1) states: 'The committee shall, as soon as practicable after 30 June in each year, and in any event not later than the next following 30 September, furnish to the minister a report on the activities of the committee during the year ending on that first mentioned date'. Section 13(2) is also relevant. It states: 'The minister shall cause a copy of each report referred to in subsection (1) to be laid before the Legislative Assembly within 3 sitting days of the Legislative Assembly after its receipt by him'.

Mr Deputy Speaker, that section of the act has been breached. We do not know as yet whether it has been breached by the committee or by the minister. The wording of the act is quite clear. It says that the

committee 'shall' and that the minister 'shall'. There is no use of the word 'may'. The act places a requirement on the committee and a requirement on the minister. The fact is that the last report of the Juvenile Justice Review Committee, the 1986-87 report, was tabled on 1 March 1988. Since then, we have not seen a report for 1987-88 or 1988-89. Both are required by the act but neither has been forwarded, and the matter should be dealt with by the Subordinate Legislation and Tabled Papers Committee in terms of whether the blame rests with the minister or with the committee. I believe that it is the proper function of that committee to carry out such an investigation so that members of this House, who are charged with the responsibility of receiving and reviewing these reports, can determine where the blame lies and take steps to ensure that such omissions do not occur again, not only in respect of this legislation but in respect of all legislation which requires the tabling of reports.

I have been concerned for some time about the myriad reports which are required under various acts. The member for MacDonnell has spoken about this matter previously because, in terms of the restructuring of portfolios which will occur when we are elected to government, it comes within his purview. It is quite within the ambit of the Subordinate Legislation and Tabled Papers Committee to take action.

Mr REED (Correctional Services): Mr Deputy Speaker, the member for MacDonnell is correct in his suggestion that the legislation was passed in 1983. That established the Juvenile Justice Review Committee which was chaired by the Chief Stipendiary Magistrate. The committee met, and I understand that it reported.

One of the matters that the committee reported on was the difficulty that it had in meeting the requirements of the act. Indeed, one of its recommendations was that that committee be disbanded. In fact, the committee recommended that Juvenile Justice Boards of Management be established to replace the committee. That occurred and, in 1989, Juvenile Justice Boards of Management were established in the north and south respectively. The subject of the statement that I made earlier was the reports from each of those boards of management, which first met in August 1989 and are now reporting on the last 12 months of their activities in accordance, as I said in my statement, with the act.

I believe that the reports on their activities over the last 12 months are comprehensive. They provide considerable detail, and I would like to take this opportunity again to commend the members of those boards. They operate and provide their services on a voluntary basis. I have met with each board and I must say that their members are very sincere. They approach their duties and responsibilities in relation to the boards in a very responsible way. They apply themselves very seriously in relation to the requirements that are placed on them by the act, and that is reflected in the reports that we have before us today. I see no value in or substance to the amendment that the member for Stuart has moved. The boards in question have reported, as required, on the last 12 months of their activities.

Mr Speaker, I move that the motion be put.

Mr Bell: Division, Mr Speaker.

Mr Vale: You can call for a division. You do not shout out like that.

Mr Bell: Oh, up your bum!

Members interjecting.

Mr SPEAKER: Order! I ask the member for MacDonnell to withdraw that last remark unreservedly.

Mr Bell: I withdraw unreservedly, Mr Speaker.

The Assembly divided:

Ayes 16	Noes 5
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Tipiloura
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Motion agreed to.

Mr SPEAKER: The question is now that the amendment be agreed to.

Amendment negatived.

Mr SPEAKER: The question is now that the Assembly take note of the statement.

Motion agreed to.

DISCHARGE OF ITEM FROM NOTICE PAPER

Mr COULTER (Leader of Government Business): Mr Speaker, I move that government order of the day No 19, relating to a draft bill on consumer affairs, be discharged from the Notice Paper.

Motion agreed to.

CONSUMER AFFAIRS BILL
(Serial 282)

Continued from 10 May 1990.

Mr BELL (MacDonnell): Mr Speaker, I think that there are serious problems with the process that has been gone through in respect of the Consumer Affairs Bill. I hope that I am able to demonstrate that by comments in this regard. I preface that by saying that the positive approach taken by the government to this issue is to be welcomed, but I believe that there have been some serious problems with the process of moving from the draft bill that was tabled in this Assembly during the

February sittings through to the presentation of the bill as it is before the Assembly today. I will be able to indicate the opposition's concerns in that regard. I indicate also that the opposition has circulated an amendment schedule relating to a variety of clauses of the bill, and I will be explaining the reasons for those amendments.

It is worth while to pause for a moment to look at the history of consumer affairs legislation over the last 100 years of intervention of legislatures in the contracting process. We have moved from a situation where the capacity of individuals and corporations to contract was relatively unfettered by legislation 100 years ago to a situation where there is a quite complex legislative pattern. Somebody remarked to me recently, quoting Mr Justice Kirby, formerly if not presently of the Australian Law Reform Commission, that the movement towards consensus in the European community has been quite remarkable. There has been a move towards considerable consensus among what have been, in the past, warring nations in relation to sensitive issues of trade and cross-vesting of jurisdictions in various courts etc. He said: 'By comparison, look at Australia. We cannot even agree on the time of day. Between about October and April every year, we have about 5 different zones'. The point is that, in various areas, legislative patchworks have been placed over the basis of the common law and this has become particularly dramatic in respect of consumer affairs legislation. Basically, I view the comments made by the minister in his second-reading speech as somewhat overblown, to say the least.

The interest that legislatures started to take in the capacity of individuals and corporations to contract started with the Sale of Goods Act in the last decade of the 19th century. Of course, that is recent history. I suppose that the first intervention in the common law process should appropriately be considered to be the Statute of Frauds which was 17th century legislation of the parliament of the United Kingdom. Honourable members may be interested to know that amendments to the Statute of Frauds still apply in respect of the Northern Territory. I will not digress in that regard.

The recent legislation has been the Sale of Goods Act which, as I said before, was enacted in the last decade of the 19th century. More recently, in the 1950s and 1960s, concern developed about the capacity of people to negotiate hire-purchase contracts and, in the 1960s, legislatures right round this country enacted hire-purchase legislation which placed legislative bars on particular types of hire-purchase contracts.

More recently again, in the early 1970s, the Territory came to be affected, as did all the states, by the Trade Practices Act of the Commonwealth that was enacted by the Whitlam government. That occurred in spite of considerable concern, I might say, and it is something of which I am proud as a Labor Party member. Among the big issues of the day were resale price maintenance and the activities of cartels in maintaining artificially high prices, to the detriment of consumers. The Dunstan Labor government in South Australia tackled those issues head-on in 1972 with its Consumer Transactions Act and its Consumer Credit Act. The Whitlam government then took up the matters which the Gorton and McMahon conservative governments had not had the fortitude to tackle. In fact, the bill before the Assembly today largely reflects the enactments of the Whitlam government in 1974 and subsequent amendments. Clearly, this bill has been preceded by a significant patchwork of legislation.

With a dramatic flourish, the minister said in his second-reading speech: 'The Northern Territory is on the threshold of ushering in major

changes for consumer affairs. The bill represents the most far-reaching and comprehensive reform of consumer law undertaken in the Northern Territory'. When he tabled the draft bill in February, he said: 'The consolidation of legislation will achieve consistency of definition, administration and enforcement for the more effective and efficient operation of consumer affairs'. To be gentle with the minister, those claims are overblown, to say the least. The fact is that, across Australia, there is a great need for review in this area. If there is an area which needs model legislation and not simply legislation mirroring Commonwealth legislation, this is it. That need is particularly pressing in the Territory, where consumers frequently visit or come in from other jurisdictions and where many trading entities trade beyond the Territory's borders. I believe that, in that context, there is a need for a more uniform set of arrangements.

I contrast that with the approach taken by the minister in this bill, which basically includes sections of the Commonwealth Trade Practices Act. He has included an amended version of aspects of the Motor Traders Act and he has introduced some new provisions in respect of travel agents. Whilst I do not hold the South Australian regimen to be the embodiment of all virtue, I am saying that, in comparison with the situation in South Australia, the statutory landscape is in one hell of a mess. With its Consumer Credit Act and Consumer Transactions Act of 1972, that state repealed various pieces of legislation. The Consumer Transactions Act of South Australia repealed the Hire-Purchase Agreements Act. In the bill before the House, I believe that we are leaving the Hire-Purchase Act intact. There are many contrasts in the laws operating in different places. This legislation repeals the Consumer Protection Act, the Door to Door Sales Act, the False Advertising Act, the Motor Vehicle Dealers Act, the Unordered Goods and Services Act and the Trading Stamps Act which was remnant South Australian legislation. I think that I have demonstrated that there is considerable confusion about which contracts are affected and which contracts are not affected by the different consumer protection legislation in the various states.

I have to hand a copy of a letter from the Trade Practices Commission to the Northern Territory Commissioner for Consumer Affairs, dated April 1990. It refers to the current Standing Committee of Consumer Affairs Ministers which is reviewing post-sale consumer protection and it congratulates the Territory government on introducing legislation to mirror the consumer protection provisions of the Trade Practices Act. However, given the confused nature of the legislative landscape and the fact that the Commonwealth Trade Practices Act already applied in the Territory, I do not believe that the overblown claims by the minister in respect of this bill are justified.

I crave the minister's indulgence. He will not mind, I trust, if I comment on the speech he delivered when he tabled the draft bill in February.

Mr Hatton: I did not mind in February. I will not care now.

Mr BELL: The minister commented on the proposal to include within the ambit of the proposed bill classes of people who are not usually regarded as consumers. I presume that the minister has received representations from the small business community in respect of the difficulties which small businesses have had with suppliers. That is a worthwhile concern. When tabling the draft bill in February, the minister said:

> The commitment to fair trading is demonstrated by the redefining of the current narrow definition of 'consumer' to make the services and remedies of consumer affairs more accessible to

> farmers, pastoralists and small businesses. In normal circumstances, these groups are often in much the same position as traditional private consumers when it comes to the resolution of problems met in the buying of goods and services. No longer will they be denied access to legislative protection for their non-business transactions, as is the current situation.

The minister referred to 'the services and remedies of consumer affairs'. Of course, consumer affairs is a latter-day creation. I believe that it would be instructive if, instead of talking in terms of consumer affairs, the minister started to talk in terms of the classes of contract in which he wishes legislative intervention to occur. The big problem in this debate is that there has been a shift in government thinking in terms of which class of contracts the minister is seeking to protect. This shift has occurred between the tabling of the draft bill and the legislation now before the House. The draft bill mirrored the provisions of the Trade Practices Act much more closely than this bill does. Unfortunately, the minister did not mention these difference in his second-reading speech.

One of the key differences relates to the definition of 'consumer'. Whilst I do not want to become bogged down on points of detail in a second-reading debate, I invite honourable members to look at the references to 'customer' in clause 43 of the bill. The Trade Practices Act refers to 'consumers'. If the definition of 'consumer' in clause 5 does not refer to the segments lifted out of the Trade Practices Act, it is difficult to see what it actually does refer to.

Apart from the substitution of 'customer' for 'consumer' and 'supplier' for 'corporation', clause 43 of the bill is a copy of section 52A of the Trades Practices Act. This exemplifies my point about the consideration of a different contractual situation between the 1974 Trade Practices Act and the bill before us. The minister has not made clear exactly what difference he envisages. Section 52A of the Trade Practices Act refers to 'consumer' and therefore I can see why the act contains a definition of 'consumer'. I can see that that section has been copied, with some amendment, in this bill. The problem is that the definition of 'consumer' in this bill is not used. At best, the definition of 'consumer' is otiose. The definition of 'consumer' in the Trades Practices Act has a reference in section 52A of the Trade Practices Act. The definition in clause 5 of the bill before us has no reference that I can find in the equivalent clause.

To return to the general issue of the legitimate desire on the part of the government to include a wider class of persons and entities within the definition of 'consumer', I am sympathetic to that. However, I am not satisfied that the government has it right and that we have a coherent bill before us in that regard. I accept that, as the minister said, in normal circumstances, these groups are often in much the same position as traditional private consumers when it comes to the resolution of problems met in the buying of goods and services. There is a great deal of merit in that proposal.

However, he went on to say that 'no longer will they be denied access to legislative protection for their non-business transactions, as is the current situation'. I would have thought that, in particular, their non-business transactions would fall within the ambit of the current Trade Practices Act. The minister's words are recorded at page 8752 of the Parliamentary Record. I do not believe that that is the current situation. I believe that, in their non-business transactions, those people are

protected by the provisions of the Trade Practices Act. If they are not, I would like the honourable minister to explain to me exactly why they are not.

I will not dwell on the other comments in respect of the reform of the Small Claims Act to increase the maximum level under the act. At this stage, I am not clear to what extent that reform supports this package of reforms. In his tabling speech in February, the honourable minister said: 'Two specific review recommendations which support this package of reforms have already been acted on. I refer to the reform of the Small Claims Act, which came into force in June 1989, and the proposal to establish a vehicle encumbrance register', and I have some comments to make about that. The Small Claims Act was amended to provide relief by increasing the maximum from about $2000 to $10 000. If the honourable minister is saying that that supports the review recommendations, I point out that that maximum did not apply for 12 months, until July 1990.

Mr Hatton: I got it done though.

Mr BELL: The honourable minister should not be too smug about the fact that it took 12 months from the time that this legislature passed the bill for the maximum to be included. The honourable minister is looking at me quizzically. I would have thought that it should have taken less than 12 months for important legislation like that to come into effect so that the small business community and individuals within the community could take advantage of the Small Claims Act and amendments thereto. I would have thought the fact that it took 12 months was something that he would not be proud of. The proposal to establish a vehicle encumbrance register has taken too long as well, and we are to have the advantage only of encumbrances on vehicles in New South Wales. I believe that that is a matter of concern.

The proposal to include the licensing of travel agents is a matter that I am sure is important. I am sure it will provide comfort to visitors to the Territory and to people from the Territory who travel elsewhere. However, if one were seeking to determine which area of the tourist industry required greater intervention for the protection of the consumer, I would not have thought that it would be the travel agents. I would have thought that recalcitrant tour operators were the ones who needed to be pulled into line. I recall incidents where Australian travellers in far-flung corners of the globe have found that their tickets were worth nothing more than the paper that they were written on because the travel agent had absconded with their funds. I am aware that there have been concerns about travel agents, but I am not aware of the actions of the states in that regard. They may very well have legislated, and I am sure the honourable minister will be able to inform us about that.

Nevertheless, if I were looking at the tourist industry in the Northern Territory, the area where I would be looking to use a bit of stick would not be in respect of travel agents but in respect of irresponsible operators. I have heard some horror stories, but I do not want the minister to rise and say that I am criticising tour operators as a group. I am not. I know a great many of them, indeed, many of them are my constituents, and they are responsible people. However, there are fly-by-nighters who affect the repeat business in the tourist industry which is central to the industry. Word-of-mouth advertising is of great importance. I have heard horror stories about elderly ladies being offered nothing more than a cold can of beer for morning tea on a Palm Valley tour. The current sanctions being applied against operators who do not do the right thing by the travelling public in the Northern Territory are not up to scratch. If the minister is

interested in intervening in the tourist industry by way of legislation, that would be a more important place to look than at the travel agents in the Territory about whom I am yet to hear concern expressed.

I note that the minister has circulated 2 schedules of amendments. As far as I can see, most of those amendments deal with the motor vehicle traders area of the bill. Given their comprehensive nature, these are not simply amendments that have been proposed to pick up drafting errors or technicalities. These are substantive amendments that have resulted from the minister's continuing consultation with motor vehicle traders in the Territory. I trust that the honourable minister will explain the policy changes involved in those schedules of amendments.

I wish to comment in general terms in respect of contracts of employment. This area has come to my attention as a member of the Legislative Assembly over the years. Most people accept the fact that consumer affairs legislation deals with contracts for the sale of goods and for the provision of services of various sorts. What people are less likely to understand is that, also, it affects contracts of employment. I note the provision in the bill prohibiting misleading conduct in relation to employment, and I think that it is worth while to mention a couple of cases that have been drawn to my attention in this regard.

A substantial proportion of people in the work force are members of trade unions. However, there are also many employees who are not members of unions. I can think of examples where people are misled as to the nature of their contract of employment. These are frequently middle-management people and, sometimes, ticketed tradesmen. For whatever reason, they are not trade union members. I urge people in those circumstances to become members of a trade union because it is the strongest form of support that they can have.

I refer, for example, to an incident in relation to - and I do not have the details with me - a man who worked for many years for various building companies around Darwin. At one stage, he was employed by a construction company owned by Mr Jim Bell, who is well known to many members here. When the particular incident that I am about to relate occurred, he was not in a company owned by Mr Jim Bell. He was working for another construction company which was obviously in financial difficulties. That was obvious to senior management in that company but it was not obvious to the company's employees. This employee was summarily sacked one day and was left being owed some $2000 in holiday pay. He was never able to obtain that money because the company was placed in receivership and other creditors had first call on the liquidation of the assets. I believe that to be unconscionable conduct on the part of an employer. The employer would have known for some time that this employee was likely to suffer in this way.

I believe that it is appropriate for there to be some protection. I note that this bill provides a remedy, as does the Trade Practices Act, in relation to employment, but it refers only to future employment. The provision states: 'A person shall not, in relation to employment that is to be, or may be, offered by that person or another person, engage in conduct which is liable to mislead persons seeking the employment ...'. It refers only to employment that 'is to be' or 'may be'. It refers only to future employment. It does not refer to existing or past employment. It does not refer to a point in time where an employer knows that he is in financial difficulty and an employee is likely to suffer. That employee should be provided with information so that he does not suffer.

I can think of an equivalent example where a middle-management employee of a liquor trading firm suffered the same fate. I am aware also of misleading information being provided to a tradesman employed by the Sheraton Hotel in Alice Springs, and the member for Sadadeen will be aware of the circumstances in which that employee had to go to the Small Claims Tribunal to obtain some sort of recompense. In his particular case, the recompense was relatively paltry for the uprooting of his family from Brisbane in response to what were false representations in respect of circumstances in Alice Springs by the Sheraton management.

I see my time is drawing to a close. Other points that I have to make may arise in the committee stage but, as I say, I believe that there are particular problems with the process that has been followed in relation to this bill and I have yet to be convinced that the minister should not leave the legislative framework as it exists in the hope of working towards model uniform legislation so that consumers, corporations, suppliers, traders, call them all what you will, function in a certain framework right around the country.

Mr FIRMIN (Ludmilla): Mr Speaker, I am a little at a loss as to where to start my response. The member for MacDonnell led off his debate today by saying that there have been serious problems with the method of moving from the draft bill to the current bill and that he would go on to demonstrate the nature of those serious problems. In the 45 minutes during which I followed his debate, I did not hear the honourable member raise any serious problem in respect of the movement from the draft legislation to the bill before us. The only exception possibly could be that some amendments have become necessary as a result of further consultations that have occurred since the draft legislation was tabled. This possibility was foreshadowed quite clearly by the minister in his tabling speech, when he stated that the draft was tabled precisely for that purpose.

The debate by the honourable member seemed to range philosophically over who should claim credit for what over a long period. He went on to make a considerable number of points about the hire-purchase contracts that were introduced in the 1960s, parts of the Trade Practices Act that was introduced in the late 1970s and the resale price maintenance problems of South Australia which caused the Consumer Transactions Act to be enacted in 1972 by the South Australian government of that time. He went on to claim that he had demonstrated that we were introducing a patchwork of legislation by introducing a compendium of legislation and claiming it to be a model piece of legislation. The greater part of his debate seemed to be that the minister was making overblown claims by lauding the present bill. As I said, it is very difficult to find much substance in the honourable member's comments. I have looked at a couple of the matters that he alluded to in his speech and I really cannot find anything that causes any concern to me.

Mr Speaker, if I can return for a moment to the history of this legislation, in 1984 or thereabouts, a working party was formed to undertake a review of all forms of consumer legislation. The working party was established and chaired by the late Don Dale. He chaired that committee for some time before being elevated to the ministry, at which time I replaced him as chairman. I worked with some of the people who are in the Chamber today as advisers. We put together recommendations to government to bring this legislation into effect. We accepted the brief to range over consumer affairs as widely as possible and to consult with the community, which we did over a long period. Whilst no piece of legislation is ever perfect, I believe the legislation that we have before us today certainly reflects the

best parts of all of the suggestions that were put before the committee. The committee picked up various views on consumer affairs and welded them together with part V of the Trade Practices Act.

It is worth while looking at the summary of recommendations that were made by that working group in 1986 and touching on them again. The working group recommended that the following general policy guidelines be adopted by the government:

1. the promotion and maintenance of a free, fair, competitive marketplace by the development and preservation of an environment in which the forces of competition can operate effectively to protect the interests of honest and reputable traders and consumers;

2. the rights and responsibilities of consumers should have regard to the realities of business practice, be consistent with rights and responsibilities of consumers in other states where this is possible, protect consumers from any serious consequences of an inferior position in the bargaining process; and

3. the meaning of consumer should be extended to include small businesses operating in the marketplace outside their area of business expertise, for the health and safety of consumers and their families should not be threatened by unhealthy or unsafe products; and regulations should be sufficient to protect consumers and visitors to the Northern Territory and to guard against major commercial distortions which could adversely affect the image of Northern Territory businesses.

If we look at the provisions of the bill, it will be seen that those guidelines have been used in producing this legislation. It sets out quite clearly the rights of the consumers and the requirements of traders. It clearly enunciates what people must do in business to identify the things that they are attempting to sell or trade, and precisely how their offer is to be made. It sets out the rights the consumer has to expect and the sort of things that he is being asked to accept. It lays down a clear code of conduct throughout, and provides relevant penalties as well.

The member for MacDonnell mentioned a couple of those points in his speech and he tried to denigrate some parts of the approaches that we have taken to this bill. He touched on the amendment of the Small Claims Act and the delay in putting it in place. I am not aware of the length of or the reasons for that delay. However, I was ...

Mr Hatton: There was none.

Mr FIRMIN: The minister has interjected that there was no delay. In fact, it came into place almost immediately. I thought that might have been the case because I remember that, in taking evidence from the magistrates with respect to Small Claims Court activity, it related not only to increasing of the ceiling in respect of small claims. In fact, it related to a wide range of remedies that could free-up the court system. Without wishing to bog down the debate, I would like to touch on a couple of those matters again.

We asked the magistrates to describe to us the types of problems they had in dealing with consumer affairs. They said that the major problem in

the Small Claims Court in dealing with consumer affairs matters lay in trying to put a dollar value on some claims and trying to handle the paperwork at the bench with the aggrieved parties in front of them trying to determine what sort of paperwork they should be presenting to the court so that a decision could be made. There was also the problem that the value of products had increased dramatically and the lower limit meant that many of the problems that they had in the Small Claims Court were shifted to the Local Court and were tying up the time of the Local Court even further.

The magistrates put it to us that there should be an immediate increase in the level of activity in the Small Claims Court and that there should be provision for preliminary discussion before a registrar. We included that in our working party recommendations, and I understand that that is now being done. Preliminary discussions are held before registrars or the Clerk of Courts in respect of the Small Claims Court to try to determine where the parties are in their dispute before the dispute has to go before a magistrate.

For example, a person may request that repairs be effected to his motor vehicle and then find that those repairs have not been effected to his satisfaction. The repairer says that he has completed the work, but the consumer is unhappy with the results. Somebody has then to be called in to arbitrate and the paperwork needs to be put together to try to resolve the problems. In the past, litigants were taking matters of that kind directly to the Small Claims Court and the argument was being heard at the bench. That was causing concern to the magistrates and tying up the activities of the courts. The parties are being asked now to provide sufficient material to allow the magistrates to handle the affairs or, in some cases, the matters are being resolved by the registrar without having to come before the court. A variety of changes were made and I believe that is working quite satisfactorily now.

The member for MacDonnell touched also on the vehicle encumbrance register and made some derogatory remarks about the fact that we had joined the New South Wales register. I would remind the member for MacDonnell that the New South Wales integrated system, REVS, has a total, national listing of stolen vehicles and that that was a major consideration in our decision to join with the New South Wales system. I understand that 2 other jurisdictions have now joined that system - the ACT and Queensland. I understand too that, at a recent ATAC meeting, the Minister for Transport and Works successfully moved a motion on behalf of the Northern Territory that all states in Australia move to join the national scheme via the New South Wales register. Thus, we have actually stepped on the path towards joining what will be a fully national scheme for checking motor vehicle registrations and encumbrances, and being involved with the national stolen vehicles register. I think that that is excellent.

This legislation has caused other concerns to some parts of the industry. When the working group began its review of the legislation, some industries did not take the group's activities particularly seriously, or perhaps they did not understand the process that was taking place. It took some considerable poking with a stick on some occasions to get people involved in the review process. One of those industries was the motor vehicle industry. Probably because the industry's members were used to competing with each other rather than joining with each other at regular intervals, it was difficult to obtain a uniform approach from that industry. I am pleased to see that, as a result of the tabling of the draft bill in February, the motor vehicle industry has taken this review seriously

and has made representations to the minister which are reflected in some of the amendments before the House today.

I believe that one of the best aspects of this legislation is the standard form contract which will help local consumers enormously. As I said earlier, it picks up the introduction of codes of practice and will give consumers the opportunity to avoid contractual situations which will lead them into litigation. Mr Speaker, I support the bill.

Mr EDE (Stuart): Mr Speaker, there is one particular aspect of this bill at which I take considerable umbrage. It relates broadly to the powers of authorised officers as set out in clause 20. I do not know whether honourable members opposite have had a chance to look carefully at the powers listed. I would hope that they have not. I would hope that they do not intend blindly to follow the minister in placing such draconian powers over ordinary citizens in the hands of public servants who are not necessarily trained as police and who, under the terms of this clause, are not authorised by a magistrate or justice.

I will go through the powers of entry for honourable members because both the minister and the member for MacDonnell have circulated amendments. To paraphrase clause 20(1), it says that, for the purpose of ascertaining whether a provision of this legislation, a set of regulations or even a code of practice has been or is being complied with, an authorised officer has a whole set of powers. The first set of powers relates to non-residential places.

The first group of such places are those where 'goods are produced, manufactured, prepared, stored or supplied'. Honourable members will be able to imagine the wide range of business establishments which that would cover. The authorised officer has the power to enter such places at any time. The same applies to places where 'services are supplied or arranged'. The next group of places are those where 'documents are kept relating to goods or services supplied or to be supplied'. Such places would include the offices of the lawyers and accountants of a business.

Without consulting anyone, let alone a magistrate, the authorised officer has the power to enter the office of a lawyer or accountant simply on the basis of knowing or believing on reasonable grounds that it may contain documents relating to goods or services supplied or to be supplied. Having entered such a place, the authorised officer, a public servant with no police training, can exercise the powers conferred by clause 21. The authorised officer can ask questions of any person on the premises, require the production of documents, expect and require explanation of any document, take copies or extracts of any document or if, in the officer's opinion, it is not appropriate for copies or extracts to be taken, remove a document for a reasonable time to enable copies or extracts to be taken.

This is powerful stuff. This is a movement towards the draconian powers of the state from which we were hoping that this government had started to move away. Where are the safeguards? I am horrified that this minister, who earlier today spoke in defence of this government's commitment to freedom of information and whistle-blowers' legislation, proposes to provide public servants with unfettered power to take documentation and to investigate business papers in such places as the offices of accountants offices and the offices of associated businesses. The ramifications are incredible. The fact is that the authorised officer has the ability substantially to affect the viability of a business. That power has been allocated to the courts in another matter in the Northern Territory and I

would have thought that the government would have received the message. I refer, of course, to the recent Hoare case in which a Supreme Court judge stated that stock inspectors have the power under the act to send people bankrupt because they do not like the cut of their jib.

Mr Reed: Has it happened?

Mr EDE: Has it happened? If you give people the power, it will happen. Our job is to ensure that there are safeguards for the benefit of ordinary citizens of the Northern Territory, and to ensure that we do not give people such powers. I am sure that the Minister for Primary Industry and Fisheries is aware of the substantial safeguards which exist in the Constitution of the USSR in relation to such matters. For the good of the citizens, those powers are not provided to ordinary people without proper training. Such powers in the hands of certain individuals are very dangerous. That is why we have things like warrants. This clause requires warrants only if the place is a residential property, and even that requirement seems to be curtailed in some parts of the clause. If the place is not residential, however, basically the authorised officer has carte blanche, and that is not good enough.

I am deeply disturbed that the minister has placed this clause before this House. I hope that, when we reach the committee stage, he will have the decency to recognise the situation. I do not know whether he has been conned by his department or not, but I sincerely hope that he will accept the amendments proposed by my colleague so that, at least, we can allow for the essential balance between the public good and the private right of individuals. That is what we are about here today. What the minister has done is to cast aside the private right in pursuit of the public need.

There are situations in which such powers may be justified. I refer to the amendments to the Customs Act which confer very substantial powers on inspectors who believe that heroin or other illicit drugs may be stored on premises. If inspectors believe that a consignment is about to be moved to another place, they may enter the premises without a warrant. However, such situations are a far cry from those envisaged by the Consumer Affairs Bill. Far be it from me to deride consumer affairs protection, but the public good in the area of consumer affairs hardly stacks up with the need to seize large consignments of illicit drugs. I think that the honourable minister, or at least some of his public servants, have become carried away on this matter.

I hope that the government will look carefully at the amendments proposed by my colleague and will accept them in the spirit in which they are proposed so that we can have legislation which looks after the public good whilst ensuring that proper checks and balances apply to the persons authorised to take action to protect that public good. We need to ensure that checks and balances are in place. An authorised officer should have to apply to a justice before taking actions which could result in serious breaches of the rights of Territorians.

Mr Speaker, I will not attempt to discuss other clauses of the bill which have been covered very adequately by my colleague. I repeat, however, that this clause causes me particular concern.

Mr SETTER (Jingili): Mr Speaker, I am amazed at the responses of the member for MacDonnell and the member for Stuart to this legislation. At long last, we have a Consumer Affairs Bill in the Northern Territory which, to use the words of the member for MacDonnell, at least partially reflects

the type of things which Dunstan and Whitlam were attempting to achieve in the early 1970s. In spite of that, all we have heard during the last hour or so has been complaint and criticism. I am quite convinced that the members opposite criticise for the sake of criticising. They cannot bear to see a good piece of legislation introduced by the government. They believe that they must mount a rearguard action. That is what it is all about. I do not believe for one moment that they have any genuine concerns about this legislation. All they want to do is put up a bit of a fight, perhaps to show the media that they will not take it lying down and that we will not have an easy time of it.

The member for MacDonnell spoke about the wonderful steps taken by Premier Dunstan in the early 1970s. He spoke about the initiatives taken by Prime Minister Whitlam and I dare say the person he really meant was the Attorney-General of the day, Lionel Murphy, who later became a High Court judge. The honourable member was referring to the social engineering activities of those people, who were followed by Premier Cain in Victoria, Premier Wran in New South Wales and Premier Burke in Western Australia. All we need to do is to look at those states today to see what a shambles they are in. I will give you an example, Mr Speaker.

Mr Bell interjecting.

Mr SETTER: The member for MacDonnell will be interested in this. Let us have a look at the Victorian Work Care program. I can recall being a member of a committee 3 or 4 years ago, when when we were considering introducing work health legislation in the Northern Territory. The committee had a close look at Work Care and, in fact, I discussed it with a couple of Victorian Labor politicians whom I met at interstate parliamentary conferences. They told me that the Victorian Work Care system was the greatest thing since sliced bread. When our work health legislation came before this House, the opposition told us that it just did not shape up at all. It fought that legislation to the wire, right through the committee stage, and it proposed a whole raft of amendments.

Mr Speaker, have a look at the Victorian Work Care program today. It is the greatest piece of Labor social engineering that has ever been seen in this country. It is an absolute shambles, along with much other legislation of a similar ilk that they have introduced over this last decade or so. It is one of the things that sent the Victorian Labor government broke and, if they like to raise the contingent liabilities ...

Mr BELL: A point of order, Mr Speaker! I have been relatively tolerant for the last 3 or 4 minutes about the fact that the member for Jingili is not talking about the Consumer Affairs Bill and not only not talking about the Consumer Affairs Bill but not talking about consumer affairs at all, or any related topic. I fail to understand how work health legislation in Victoria can be related to the bill before the Assembly.

Mr SPEAKER: There is no point of order. However, I would ask the member for Jingili to try to confine his remarks to the bill before the Assembly. At the same time, whilst the member for MacDonnell may adopt this attitude, I remind him that I allowed him a tremendous amount of latitude during his 45 minutes.

Mr SETTER: Mr Speaker, there is no doubt that the member for MacDonnell would feel very uncomfortable with my comments because I was giving the House an example of Labor social engineering and mismanagement. I mentioned Work Care as an example of how, if we were to follow the

Victorian example, we could send the Northern Territory down the gurgler very quickly. We have seen that happen in Victoria, New South Wales and Western Australia and we are now seeing Tasmania following the same path.

I went on to listen to the member for Stuart. I was absolutely staggered by the way that he attempted to discredit the Northern Territory Public Service. He indicated that it was his belief that Territory public servants could not be trusted to implement the provisions of this bill in a fair, reasonable and responsible manner, the way that they are intended to be implemented by this government. For a person like the member for Stuart to take such action at a time when he knows full well that an election is looming in the Northern Territory, for him to stand there and hope to conjure up a few public service votes by casting aspersions on the good name of the public service in the Northern Territory is quite beyond my comprehension.

Like the member for Ludmilla, I was also a member of the committee that was established in April 1986 to review consumer legislation policy in the Northern Territory. Again, like the member for Ludmilla, I spent many hours in numerous meetings discussing and agonising over this very issue. It was not easy because the reality is, and will be until this legislation is assented to, that consumer legislation in the Northern Territory is a hotchpotch of various pieces of legislation that affect consumers in some way. This bill rationalises consumer legislative controls by producing codified consumer legislation. I am quite sure that, when this bill becomes law, it will simplify the application of consumer legislation in the Northern Territory. At the same time, a number of consumer-type provisions in existing legislation will be repealed.

The Consumer Affairs Legislative Review Committee reported in May 1988, and I understand that its report was tabled in this House. As a result of that and of many hours of work put in by our legislative draftsmen, the draft bill was introduced by the minister on 27 February this year. The member for Ludmilla reflected on some of the recommendations in the report. I will not go through them in detail, but I would like to draw particular attention to section 1 of the Summary of Recommendations:

> The promotion and maintenance of a free, fair, competitive marketplace by the development and preservation of an environment in which the forces of competition can operate effectively to protect the interests of honest and reputable traders and consumers.

Really, that is saying that, in respect of consumer affairs and consumer legislation, there is as much need to ensure that the rights of suppliers, traders and retailers, whatever you like to call them, are protected as there is to ensure the same for those of the consumers. Having been in private enterprise myself, I am well aware of the pitfalls that consumers and traders can each encounter. It is not beyond my experience to note that some consumers can be very unreasonable in their expectations and in the demands they make on a supplier. Of course, it is on the public record that some suppliers are less than reasonable in their approach to consumers when they have a fair and legitimate query or complaint. It is important that there be a balance.

From time to time in this House, I have heard some honourable members speak in a way that was highly critical of business people and imply that they simply wish to rip off the poor consumer. That is not true at all. The reality is that those business people are part of the community. They

have to live in this place and continue to trade. It is not in their best interests to develop a bad reputation for themselves because we all know that word-of-mouth is an excellent form of advertising. The word spreads very quickly in the community if a particular retailer or trader is not doing the right thing.

A matter that was discussed by the committee at the time was the importance of becoming involved in what would be national, uniform legislation. The committee felt that that would have considerable merit given that most products supplied in the Northern Territory come from interstate. Dare I say too that I believe that the majority of products sold, marketed and merchandised in this country today are manufactured overseas. We have seen what has happened to our balance of payments in the last 6 or 7 years since a federal Labor government has been in power in Canberra.

Uniformity of quality controls is important too. We need a uniform approach to warranties. I know from experience that warranties can be a very ticklish issue because, when a product malfunctions, the first thing the consumer does is go straight back to the retailer. The retailer will respond that the manufacturer has a service agent located at Winnellie and that the consumer should take the product there. The service agent will undertake the repairs according to the manufacturer's guidelines. On occasion, as a result of abuse or misuse, the article may not be able to be repaired under warranty. The upshot may well be that the consumer ends up on the doorstep of the Office of Consumer Affairs. That is the type of area in which the Office of Consumer Affairs can play a vital role.

The new bill consolidates the positive features of existing legislation and introduces uniform legislation across the board. It introduces also sanctions against unfair trading practices, and uniform provisions to deal with dangerous and hazardous products. It defines and expands the role of the Office of Consumer Affairs. The minister indicated that there is an emphasis on the promotion and maintenance of fair trading and not simply on consumer protection. It is important to note that, apparently, all states have fair trading legislation reflecting relevant provisions of the Commonwealth Trade Practices Act.

The report of the working group, and the legislation itself, reflect the input that we have had from a whole range of consumer groups. When one talks about consumer legislation, one is talking about a wide range of matters. We heard the member for Ludmilla reflect on some of those this afternoon. It is a very complex matter because what is appropriate, for example, to the Motor Traders Association is not necessarily applicable to the Small Claims Court or to people who retail and merchandise food products. As the report indicated, a whole range of trading groups were invited to present their points of view to the committee and most of them did. As a result, we have the legislation that is before us today.

I would like to repeat some of the comments made by the honourable minister when he introduced the draft bill. I was very disappointed to note the way that the member for MacDonnell scoffed at those comments. I thought that it was very demeaning of him. I will repeat them because I think that they are worth repeating: 'The Consumer Affairs Bill represents the most far-reaching and comprehensive reform of consumer law undertaken in the Northern Territory. A better deal and a fairer marketplace for all Territory residents will result from the decision to overhaul totally the existing legislative base and broaden the scope of consumer affairs as recommended by the working group responsible for the review of consumer

affairs'. I endorse the honourable minister's introductory remarks and I commend the bill.

Mr HATTON (Health and Community Services): Mr Speaker, I thank honourable members for their contributions and I will try to deal with their comments as best I may. This bill is the culmination of a great deal of work by many people. It had its genesis in February 1986 when the member for Palmerston, the minister then responsible, formed a working group to engage in a wide-ranging process of community consultation to review consumer legislation in the Northern Territory. The members for Jingili and Ludmilla served on that committee throughout the entire period to the presentation of a report which was tabled in this House in May 1988. That report summarised the results of that extensive community consultation and has formed the foundation on which the reforms of consumer legislation have proceeded.

As I have mentioned, 2 of the 4 stages in consumer reform occurred previously, with the reform of the Small Claims Act. I advise the member for MacDonnell that the amendments to the upper limit for claims in the Small Claims court increased from $2000 to $5000, not $10 000, and they came into force on 5 June 1989, not in July 1990. That is the advice that I have received since he made those comments.

Mr Bell: It is wrong.

Mr HATTON: Mr Speaker, this introduces the third stage. The remaining component to be introduced will deal with consumer credit legislation. I can advise honourable members that progress has been made finally towards the achievement of that objective. In 1986, we thought there would be 12 months or 2 years of consultation between the states and the Commonwealth to lay down some foundations for uniform legislation in relation to consumer credit. In the 1987 election, the CLP gave an undertaking that it would introduce consumer credit legislation during this term.

At a meeting of the Standing Committee of Consumer Affairs Ministers on 20 July, the ministers withdrew from the advisers and locked themselves in a separate room to engage in negotiations. We reached agreement on consumer credit legislation, and I understand that drafting instructions for uniform legislation should be completed by late September. That should enable us to introduce uniform consumer credit legislation this year. I am very grateful for that. With due humility, I must say that I believe I had some significant catalytic influence in resolving the conflicts that existed between some of the states during the discussions in Perth. It is a pleasing result that the ministers were able to resolve the differences and that we can now proceed to put that vitally important legislative framework in place. Such legislation is particularly needed in this era of soaring interest rates, with the lunatic policies of the federal government driving those rates up and driving business out the back door. Be that as it may, at least we can provide some protection.

I tried to track through some of the comments made by the member for MacDonnell. He suggested that he wanted a more uniform arrangement, but did not stipulate where he wanted more uniformity to occur.

Mr Bell: In the bill.

Mr HATTON: It is very easy to say that we want more uniformity. However, everybody else has to be uniform too in order to achieve that result. It is a major national goal. I remind honourable members that this

bill provides uniform provisions in respect of travel agents, door-to-door trading, product safety and fair trading. That is a very significant step. Separately, it provides one administrative and organisational structure for the administration of all of these different laws instead of a series of different acts with different procedures. It will clarify and tighten up the management and administration of consumer law in the Northern Territory. It will result in the repeal of the Consumer Protection Act, the Motor Vehicle Dealers Act, the Door to Door Sales Act, the Unordered Goods and Services Act, the False Advertising Act and the Trading Stamp Act. Their provisions will be incorporated in this single piece of legislation. It is certainly a tightening up of legislation in the Northern Territory.

There was some interesting discussion about travel agents and tour operators. I can advise the honourable member that the introduction of this uniform law for travel agents means that registered travel agents will be able to obtain the benefits of the National Travel Agents Insurance Scheme. If a registered travel agent goes broke, a person who has purchased travel through him can recover his money by means of a claim against the insurance scheme. It also covers the situation where people may have acted illegally and absconded with money. It is a protection for people purchasing travel.

The matter of tour operators has been raised. It was not envisaged at any time that that would be dealt with in this legislation. I note that honourable members opposite did not raise this in response to the 1988 discussion paper. They made no submissions as a consequence of that discussion paper. They did not comment on the bill in February this year. They have raised it only now, as we are moving to the committee stage. However, approaches have been made by some representatives of the tourist industry urging us to consider that. If honourable members note the structure of this bill, they will realise that it will be possible to add additional parts which can incorporate other sections of industry. It would not be impossible, after a process of consultation, to add appropriate regulation of tour operators, if that were considered to be desirable. Certainly, I will not act unilaterally in respect of that, nor will I act on the advice of a small group of people who may be promoting it.

I am somewhat surprised by those who have suggested such regulation. I would have thought that they would have wanted far less intrusion of government in terms of regulation and registration than is being proposed by some of their representatives. That is neither excluded nor included in this bill. However, it may be added in the future, if the community considers it appropriate that that be done, and I have passed that information on to the tourist industry.

Clause 46 relates to misleading conduct in relation to employment. I can advise honourable members that that clause is there for 2 reasons. First and foremost, it is part of the fair trading section and part of the uniform legislative provisions that apply throughout Australia. It is included in those words for those purposes. When we agree to a uniform law, we have the same form of words as does everybody else, otherwise it is not uniform. Any changes to that would need to be agreed to by every state and the Commonwealth, and it would require an amendment to the Trade Practices Act as well. Secondly, it is intended to deal with situations whereby, for example, an organisation may encourage a young person to move interstate to sell encyclopaedias door-to-door. The organisation might promise a car, housing, and fantastic commissions on top of a minimum wage. When the young person moves interstate, he may find that he has been grossly misled as to what his income and conditions of employment are. That provision is intended to apply to such situations.

Mr Speaker, I am not certain of the extent of the powers that this confers on anybody. I note that section 53(5) of the Northern Territory (Self-Government) Act specifically excludes from the power of the Northern Territory government the ability to grant powers to bodies in respect of employment conditions. It reads: 'The power of the Legislative Assembly conferred by section 6 in relation to the making of laws does not extend to the making of a law conferring on any court, tribunal, board, body, person or other authority any power with reference to the hearing and determining of disputes, claims or matters relating to terms and conditions of employment'. It may be that some of the proposals to enter into enforcement provisions under this may be ultra vires under the Self-Government Act. I stress that I am not a lawyer and I do not know that that is so. However, it may be beyond our powers to go beyond merely declaring it an offence for such misleading conduct to occur. I understand that that is a complication, and I am seeking to be as open and honest about that as I possibly can. It is incorporated in our legislation on the basis of the agreements on uniform legislation.

I must say also that I was somewhat bemused when the member for MacDonnell sat down because he has issued an amendment schedule in his own name relating to clause 20 and the inspectorial powers etc of authorised officers. When he sat down, he had not addressed those amendments. However, the member for Stuart dealt with that so I guess they must have agreed on who would speak about what. I am not fussed about that but I would say that, if the provisions mentioned by the member for Stuart went into this legislation, we might as well not have consumer protection laws. It would absolutely neuter the legislation.

He is saying that an inspector cannot enter business premises to inspect whether the business is complying with consumer affairs legislation - and this would include entry to the premises of motor vehicle dealers to check the odometers - unless he has a search warrant. That is what he is saying.

Mr Bell: Read the powers that he has, Steve.

Mr HATTON: Those powers are consistent with the powers applying in the New South Wales and Queensland consumer affairs legislation. They are also generally consistent with the powers in the existing Motor Vehicle Dealers Act and a number of other acts of this parliament where inspectorial powers are provided. There is no extraordinary expansion of powers. To expect a consumer affairs inspector to obtain a search warrant, when he intends to check on a licensed motor vehicle dealer to assess whether the requirements of the legislation are being complied with, is outrageous. Such a requirement would render the legislation unworkable. Some 80 inspections were made of motor vehicle dealers premises in the last month. The member's proposal would have required 80 approaches to a magistrate to obtain search warrants so that the inspectors could determine if the legislation was being complied with. The inspectors would have had to show cause why they wanted to inspect the premises. It would become a bureaucratic nightmare.

If we are to have consumer legislation and if we expect the government to give it teeth and ensure that it is complied with, we must give the inspectors the practical capacity to carry out the job. The honourable member can talk about the ethics of search warrants and all the rest of it, but the fact is that such provisions would make it impossible for inspectors to fulfil their basic function. An inspector might see in a shop goods that were in contravention of the Dangerous Goods Act. By the time he had

obtained a search warrant, the goods might well have been removed and disposed of. Let us get some practicality into what we are talking about.

With respect to the amendments that I have circulated, and I refer in particular to schedule 119, it is true that most of those amendments deal with the motor trader provisions in the bill. Those amendments result from extensive and wide-ranging consultation with the Motor Traders Association and people within the motor industry. That consultation has been continuing for several months in relation to a very wide range of issues. In broad terms, a number of changes have resulted from that consultation, not the least of which is that it will not be necessary to apply to renew the dealer's licence each year. Rather than an annual renewal of the licence, it is a continuing licence that is subject to revocation. A number of consequential amendments are required as a result of that provision.

Secondly, there is an amendment that will require that only registered and approved persons may work as managers for licensed motor vehicle dealers. In a number of motor vehicle trading establishments, the licensee is not actually on the premises and the business is conducted by a manager. In the interests of achieving the objectives of the legislation, the intention is that that person will be required to be approved and licensed. There is also a provision whereby their right to manage such a business may be revoked under certain circumstances.

Similarly, because of the continuing licence, there is a change to the licence fees. A range of consequential amendments are necessary because of the 2 principal changes. There are other matters as well. For example, the contract of sale of second-hand vehicles will be on a prescribed form which involves a prescriptive description of the vehicle and its condition. I will refer to some of the fine detail of that during the committee stage.

The more recent amendments are contained in schedule 120 and these relate to some issues that have arisen recently. They amend the legislation as it relates to car rental firms. From our negotiations, it was intended that car rental firms would be bound by the conditions of a motor vehicle dealer's licence. As it stood, the bill required car rental firms which sell more than 4 of their own vehicles a year to the general public to hold a motor vehicle dealer's licence. Following discussions with the industry, that situation has been changed. Rather than being required to hold a dealer's licence, they will be required to comply with specified conditions of part X so that the trading practices of car rental firms selling their own vehicles to the general public will be subject to the same consumer provisions that are applied to a motor vehicle dealer, without their being required to have a separate dealer's licence. The motor vehicle dealers are comfortable with that. It puts them on an even playing field and it puts the consumers on an even playing field, whether people are buying a car from a rental firm or from a licensed motor vehicle dealer. The conditions, the warranties and everything else will apply equally right across the board. The provisions merely remove the requirement to obtain a separate licence to sell to the public cars which have been used for rental purposes.

There will be regulations to ensure that, where vehicles have been used as rental vehicles, they are identified as such when they are made available for sale to the general public. I understand there have been situations where car rental vehicles have have been consigned to a motor vehicle dealer for sale and they have been advertised as one-owner vehicles. Although that was strictly correct, they had been driven by several hundred different people. We believe that it is important that consumers should be aware of

the prior history of a vehicle so that they have full knowledge of what they are purchasing.

In addition, the legislation will provide changes to the warranty provisions. Previously, dollar amounts applied to warranties. Warranties will now be required on vehicles up to 10 years of age or 160 000 km. Statistical studies have indicated that, in the Territory, 160 000 km is equivalent to normal usage over about 10 years. This will remove the dollar warranty figures that would require continual updating to keep them current.

Provisions are included in the legislation for the right to exempt vehicles from warranty on the basis of agreement between the parties. However, to obtain an exemption, agreement must be reached away from the place of sale. Thus, where a motor vehicle dealer offers a vehicle for a reduced price if the warranty requirement is waived, and an intending purchaser, for reasons of his own, is happy with that proposal, they would need to go to an authorised person - someone from the Office of Consumer Affairs, a police officer or some other approved person who can confirm that each party clearly understands the conditions of the agreement. Because that is done away from the place of sale, it provides a cooling-off period away from the pressure of the sale area and offers an opportunity for the purchaser to reflect on the fact that he is voluntarily waiving the warranty rights provided for under this legislation.

Clearly, the implied warranties that exist under the Trade Practices Act would still apply. The signed form would be clearly marked to indicate that the implied warranty provisions still applied. It is only the express warranties that are exempted by any such provisions in this legislation. These are in the amendments that are proposed to be made to this bill. That gives the necessary protections, but does not unduly restrict the ability of 2 parties to enter into a contract voluntarily and to set the contract up the way they particularly and jointly want it to operate.

I say again that I believe this to be far-reaching and exciting legislation. I believe that it will go a long way towards effecting a dramatic improvement in fair trading in the Northern Territory and to protecting the reasonable rights of consumers as well as the rights of the sellers in business transactions in the Northern Territory. It is aimed at providing a fair and even playing field for everybody, to prevent exploitation.

I must offer my particular thanks to those people who have worked on this legislation for so long. That includes the honourable members whom I mentioned earlier, who have put in a great deal of work over many long hours. That work has gone towards the development of the framework on which we have been able to build this legislation. My thanks go also to the officers of the Department of Health and Community Services, particularly those in the Office of Consumer Affairs in the department who, since I have been minister, have been working tirelessly day and night on this legislation. Every effort has been made to ensure that the widest possible opportunities have been available for involvement, and negotiations occurred right up to the end of last week as these officers worked to try to accommodate people's concerns. Hours were spent on explaining the legislation, seminars were run and discussions were held. My sincerest thanks go to officers of the Office of Consumer Affairs, and I am sure all of those people will look forward to the opportunity to have a quiet evening when this legislation is finally passed. They can then take a deep breath before entering on the next round with the review of the tenancy legislation.

Motion agreed to; bill read a second time.

In committee:

Clause 1:

Mr HATTON: Mr Chairman, I move amendment 119.1.

The purpose of this amendment is to reflect more accurately the nature of the bill by incorporating the words 'Fair Trading' in its title. It will therefore become the Consumer Affairs and Fair Trading Act.

Amendment agreed to.

Clause 1, as amended, agreed to.

Clauses 2 to 19:

Mr BELL: Mr Chairman, I want to make some comment in relation to clause 4, the interpretation clause. In order to make my point, I refer to clause 41 which refers to particular conduct on the part of a supplier in supplying goods to a customer. Clause 4, the interpretation clause, explains the term 'supplier', but the term 'customer' is not explained. Clause 43 mirrors section 52A of the Commonwealth Trades Practices Act. That section 52A uses the term 'consumer' and I am concerned that the interpretation clause of this bill does not define 'customer'.

Mr HATTON: Mr Chairman, clause 4 provides a definition of 'consumer' which states that it 'has the meaning given by section 5'. Clause 5 is headed 'Meaning of "Consumer"'. It states that 'a reference to a consumer is, subject to subsection (2), a reference to a person who acquires goods or services from a supplier'. Subclause 5(2) states:

> ... 'goods' does not include goods which are acquired, or are held out as being acquired - (a) for the purposes of re-supply; or (b) for the purpose of using them up or transforming them, in the course of a business, in or in connection with the process of manufacture or production, and in that subsection as it has effect for the purposes of parts V and VI, the term also does not include goods which are acquired, or held out as being acquired, for the purpose of using them up or transforming them, in the course of a business, in or in connection with the repair or treatment of other goods or of fixtures on land.

The purpose of the additional provision is to qualify the application of 'consumer' to parts V and VI of the bill in order to remain uniform with the Trade Practices Act and to avoid any inconsistency in the application of the uniform provisions at the national level. A customer is somebody who buys something.

Mr BELL: Yes. However, clause 43 refers to a 'supplier', which is defined, and also to a 'customer', which is not defined. If the minister wants to increase the class of consumers in the manner suggested in his speech tabling the draft bill in February, 'customer' should be defined. The relatively elaborate definition of 'consumer' in clause 5 does not apply to those clauses which have been taken from the Commonwealth Trade Practices Act. The Commonwealth act uses the term 'consumer' whereas this bill has replaced the term 'consumer' with 'customer', a term which remains undefined.

Mr HATTON: Mr Chairman, I understand that it is a convenient way to refer to a consumer. It is consistent in the legislation throughout Australia.

Mr Bell: It is not consistent.

Mr HATTON: My legal advice is that the terminology 'customer' is satisfactory and that it does fit within the definition of a 'consumer' for the purposes of the legislation.

Mr BELL: Mr Chairman, I do not intend to labour the point.

Mr Hatton: It is uniform legislation.

Mr BELL: It is not uniform. The fact is that this bill substitutes 'supplier' for 'corporation' in the Commonwealth act. I have no problem with that because clause 4 defines 'supplier'. This bill has also substituted 'customer' for 'consumer'. It retains the definition of 'consumer', but there is no definition of 'customer'. Since there is some legislative purpose in expanding that class, I am concerned at the absence of a definition. I think that it is a real problem.

Clauses 2 to 19 agreed to.

Clause 20:

Mr HATTON: Mr Chairman, I move amendment 119.2.

Mr BELL: The opposition has serious problems with the powers given to authorised officers in clauses 20, 21 and 22. This amendment does not deal with the powers as such and the opposition is prepared to accept it.

Amendment agreed to.

Mr BELL: Mr Chairman, I move amendment 121.1.

This amendment is of essential concern to the opposition. We believe that the power of an authorised officer to enter a particular premises should be subject to the consent of the occupier or, if that is not acceptable, under the authority of a search warrant. Presumably, if the premises are commercial premises for the sake of trading with the public, the authorised officer has the implied consent of the occupier. This is because the occupier is in fact inviting members of the public to treat and, therefore, as a member of the public, the authorised officer is entitled to enter. Our concern is that, when the authorised officer enters for the purpose of exercising his considerable powers under clause 21, appropriate checks and balances should apply.

In the second-reading debate, the Minister for Health and Community Services said that he believed that such checks and balances would rob the authorised officer of the capacity to find the evidence that would be necessary to carry out his duties. However, the powers conferred under clause 21 are considerable. The authorised officer can inspect any goods or partly manufactured or assembled goods, make such other inspections and such searches as he considers necessary, open any room, container or package which he believes on reasonable grounds to contain goods, seize without payment and detain any goods, take any goods - which presumably means removing them from the premises - and take a sample of anything from which goods are manufactured or produced.

Those powers are not insubstantial and we believe that the appropriate checks and balances should apply. If it is good enough for a member of the police force to have to explain to a justice why he has reasonable grounds for using search powers, we believe that the authorised officers appointed by the Commissioner for Consumer Affairs should be subject to similar constraints.

In his response to the second-reading debate, the minister said that the presence of an authorised officer on premises would alert a supplier. I do not see that that would necessarily be the case. I think that that is a complete furphy. We have a responsibility to ensure that appropriate checks and balances are in place. Authorised officers who enter commercial premises, and behave in a way that an ordinary customer is not able to behave, must be required to justify the reasonableness of their actions - for example, opening packages - before a justice. We believe that subclause (2) should include all premises and not simply residential premises.

Mr HATTON: Mr Chairman, I do not accept the honourable member's arguments.

Mrs Padgham-Purich: I do.

Mr HATTON: You are welcome to. I do not.

Mr Chairman, that person is there to carry out a routine inspection and check the books. That provision means that he has to obtain a search warrant.

Mr Bell: Searching the books? It does not talk about searching books.

Mr HATTON: The honourable members opposite cannot shut up at the best of times and they do not bother to listen to answers. They have not learnt that they cannot have their mouths and their ears open simultaneously.

It is a routine inspectorial function and it is not substantially different from the inspectorial powers of a health surveyor. They would not be very different from the inspectorial powers of a liquor inspector. I remind honourable members that, if these administrative powers are abused by an officer, there is recourse to have the matter dealt with through the Ombudsman. It is an appropriate check and balance. These people are carrying out inspections to ensure that the legislation is being complied with. It is no different from the inspectorial functions in the Trade Measurement Act. Weights and measures inspectors carry out thousands of inspections to ensure that scales and measuring machines in the Northern Territory are accurate. If they are inaccurate, they have to be corrected or removed. It is part of the ongoing function of policing the act.

An inspector should not have to obtain a search warrant every time he wants to inspect a business premises. The bill excludes that right of entry and inspection on residential premises. It limits it to business premises. Entry to residential premises requires the approval of the person or a search warrant. That is not a part of their business premises. The honourable member would remove any reference to residential premises at all and convert that to a reference to business premises only.

Mr Bell: No, both.

Mr HATTON: Read your amendment. It removes the words 'any place used for residential purposes' and inserts in their stead 'a place referred to in subsection (1)' which is the business premises. I think it reverses the purpose of the clause and I do not support it.

Mr EDE: Either the honourable minister is being obtuse or he has very limited powers of imagination. The difficulty is not with a person looking at odometers of cars in a used car yard or at goods on a shelf. Every person has that right. What we are talking about here is a person going far beyond those standard rights of access.

Mr Hatton: That is not true.

Mr EDE: The honourable minister says that it is not true. Take the example of a person who enters, not the business premises but another place where documents are kept - for example, a lawyer's or accountant's office - demands documents and then removes them from the premises. If the honourable minister can tell me that that is a reasonable and normal right of an ordinary person, I will review my position.

Mr HATTON: The honourable member was suggesting that the inspector carries out what he describes as an ordinary function and that an ordinary person can walk into a motor vehicle dealer's premises and inspect the odometers and other records associated with vehicles. The customer can gain access to those records if the dealer gives him permission. This says that the inspector has that right whether the dealer wants to give him permission or not.

Mr BELL: I reject the comparison between am inspector under the weights and measures legislation and an authorised officer under this bill. The difference between the 2 is that a supplier will expect that it is a normal aspect of his trading that somebody will check his scales. However, he will not necessarily accept that it is a normal part of his business that somebody may rip open an article without paying for it. If, on whatever grounds, you are to vest somebody with the power to render unsaleable goods that are offered for sale, there ought to be checks and balances. It is as simple as that.

Mr EDE: Will the honourable minister advise whether or not, under this provision, an authorised person has the power to go to premises away from where the sales are occurring - the premises of the person's accountant, lawyer or the office of a parent company - because he believes that there are documents there which ...

Mr Hatton: Yes. You are right.

Mr EDE: You can do that? And take them away?

Mr Hatton: Yes, according to the provisions of the legislation.

Mr Bell: That is outrageous.

Mr EDE: Mr Chairman, there is no way in the world that this opposition will accept that.

Mr HATTON: Mr Chairman, if the member for Stuart is not prepared to accept this, surely, at some time during the last 10 years, he should have referred to most of the inspectorial provisions in most of the legislation in the Northern Territory. This is a load of grandstanding nonsense.

Mr BELL: Mr Chairman, I reject the very unfair accusation that we do not have a legitimate concern about this provision and that we are proposing this amendment in bad faith.

Mr Manzie: Did you have concerns with the Fisheries Act?

Mr Reed: Have you had problems with it since?

Mr BELL: To answer the interjections, the opposition has been quite consistent in relation to the extension of police powers in that regard.

I want to pick up one further issue raised by the minister and that relates to the application of this provision to commercial premises. I expect that there may be a need specifically to include residential premises in addition to those premises set out in subclause (1). If the minister wants to put that forward as an amendment to the amendment, that would be acceptable to the opposition. However, I simply place on record the opposition's deep concern about what I believe are inappropriate powers.

Mr EDE: Mr Chairman, will the minister confirm that, under this clause, the authorised person can go to a premises and, if he sees some goods there which he believes may be dangerous or whatever, he can seize those goods, hold them for a period of 6 months without instituting proceedings under this legislation, pay no compensation at all, and is required to return those goods within 3 months only if the person applies to have them returned, and that there is no requirement on the department to make good any loss that has occurred as a result of the seizure of those goods and their being held for a period of months even though the person is found innocent of the charges laid?

Mr CHAIRMAN: The question is that the amendment be agreed to.

The committee divided:

Ayes 5	Noes 13
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Finch
Mr Lanhupuy	Mr Firmin
Mrs Padgham-Purich	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Vale

Amendment negatived.

Mr BELL: Mr Chairman, I move amendment 121.2.

Clause 20(3) refers to the form of the application which an authorised officer must make to the court. In the clause as it stands, there is a requirement that the officer show reasonable cause, and the opposition believes that the application to the justice should specify the particular powers which the officer is seeking to exercise under proposed section 21.

For example, I imagine that a court would require a clearer demonstration of reasonable grounds in a case where a sample has been taken under proposed section 21(2)(e) than for exercising the power under proposed section 21(2)(a) to inspect any goods. That is why the opposition believes that the application should specify the proposed section 21 powers.

As the clause stands, there is no requirement for the application for a search warrant to specify the proposed section 21 powers. We believe that the extent to which the exercise of a particular power is invasive should be brought to the attention of the justice as well as the grounds which the authorised officer has for seeking the warrant.

Mr HATTON: Mr Chairman, as I understand the situation, the justice issuing the warrant will lay down such conditions as he thinks are fair and appropriate in any such warrant. This amendment would require the justice to stipulate what actions a person may take in the event of being permitted to enter residential premises. The amendment refers to the exercise of the powers 'specified in the application' which means that the authorised officer would have to specify the action to be taken upon entering the premises. I am advised that this would be unduly restrictive. It would mean, virtually, that officers would have to know what they were looking for before they went into the premises. I am further advised that this would make any search warrant of this nature unworkable. In any case, the justice has the power to impose limitations or conditions in respect of a particular warrant. The justice is able to examine the issues of fairness without a legislative stipulation which, I am advised, would have the potential to make things so tight and unwieldy as to render the warrant effectively unworkable.

Mr EDE: Mr Chairman, let us remember that we are talking about residential premises. We are not talking about business premises. In this situation, the privacy of persons is to be invaded to the extent of having officers enter their homes. These are innocent people.

Mr Collins: They may not be.

Mr EDE: I can advise the member for Sadadeen, who sometimes has great difficulty remembering this fact, that a person is innocent until proven guilty.

The authorised officer will have extremely wide powers in terms of actions which can be taken and all we are asking is that the application for a warrant should specify what powers the authorised officer intends to exercise. The authorised officer may describe the powers very broadly but, if our amendment is accepted, the justice will be able to specify those powers much more tightly in particular situations. The powers are very broad in order to cover all possible circumstances. However, surely all of those circumstances will not relate to every particular case. In a situation in which an officer has sufficient evidence to enable him to enter a person's home, surely it is reasonable that he should specify the powers which he intends to exercise in that situation.

Amendment negatived.

Clause 20, as amended, agreed to.

Clause 21:

Mr HATTON: Mr Chairman, I move amendment 119.3.

This amendment relates to the powers exercisable after entry. It provides the capacity for any goods to be weighed or otherwise measured. Measurement of such goods is part of the ongoing functions to ensure compliance with the legislation. This matter was identified in the review process following the tabling of the draft bill.

Mr BELL: Mr Chairman, I want to comment in respect of clause 21. Basically, I believe that there needs to be a better definition of the powers that are available. Some of the powers in respect of commercial premises are quite acceptable. Any customer entering commercial premises is able to inspect goods and I have no problem with an authorised officer being able to do so. At the other end of the scale, however, we have such activities as the taking of samples and the opening of containers, which may render goods unsaleable. I believe that the clause should reflect the degree of invasiveness of the various powers. I do not accept that inspecting is in the same order as damaging goods, and I do not believe that the clause adequately reflects that. I consider that suppliers are not being given fair protection in this regard.

Amendment agreed to.

Clause 21, as amended, agreed to.

Clause 22:

Mr BELL: Mr Chairman, I move amendment 121.3.

This amendment seeks the removal of the words 'on reasonable grounds' from clause 22(1). I point out that amendments 121.3, 121.4 and 121.5 are linked, for reasons which I will explain. The opposition believes that, in relation to clause 22, there is a need for the same sort of checks and balances as we felt to be necessary in relation to the application of the powers under clauses 20 and 21. For that reason, my proposed amendment 121.4 would insert in clause 22(1), after the words 'he or she may', the words 'subject to section 22A'.

Proposed section 22A, referred to in my proposed amendment 121.5, provides a process for the authorised officer to satisfy a justice that reasonable grounds exist. The opposition believes that that is appropriate, particularly in respect of the power to obtain documents. If an officer is obtaining information and evidence, and presumably interrogating somebody, the person being interrogated may or may not be happy to comply and may or may not be in danger of incriminating himself or herself. I believe that further consideration is probably desirable in that regard as well.

Mr HATTON: Mr Chairman, basically, it is a question of whether the officer exercises powers on the understanding of reasonable grounds. Presumably, if an officer does not have reasonable grounds, there would be a right of action in respect of contravention of the legislation. The member for MacDonnell is proposing to circumvent that by requiring a justice, rather than the authorised officer, to determine the question of reasonable grounds. This comes down to a fundamental difference of view between the government and the opposition.

We believe that, in a case in which an officer does not have reasonable grounds, the aggrieved person has legal recourse under the terms of the legislation. The process of going before a magistrate simply adds another step and another complication. I might add that the workload of the judiciary would be further increased by this process. The differences in our

points of view will not be resolved by debate across the floor. I understand the position that opposition members are putting, but it does not reflect the view of the government, and we do not support the amendments proposed by the honourable member.

Amendment negatived.

Mr HATTON: Mr Chairman, I move amendment 119.4.

The purpose of this amendment is to add the words 'or of regulations or of a code of practice made for the purposes of or prescribed under that part'. This will broaden the definition to pick up the regulations and, of course, this legislation provides for codes of practice. A number of amendments are proposed throughout this bill which tighten up the legislation to ensure that it goes right across the spectrum of the legislative framework, be it codes of practice, regulations or whatever.

Amendment agreed to.

Mr CHAIRMAN: Honourable member for MacDonnell, I wonder whether you wish to continue to move these amendments? They were consequent on your amendment 121.3 which has been negatived.

Mr BELL: I will seek your guidance, Mr Chairman.

Mr CHAIRMAN: If you are happy not to move your amendments 121.4 and 121.5, we can then proceed to the next stage of the bill.

Clause 22, as amended, agreed to.

Clauses 23 to 121 agreed to.

Clause 122:

Mr BELL: Mr Chairman, I move amendment 121.6.

Clause 122 is in the fair reporting part of the bill. It relates to the Local Court making orders 'against the reporting agency or trader as may be necessary or expedient in the opinion of the court to ensure that the reporting agency or trader complies with this part'.

As the clause stands at the moment, the Local Court may exercise that power only on the application of the commissioner. It is the view of the opposition that the court should be able to exercise that authority on the application of any person. If there is concern about the operation of a reporting agency, any person should be free to make such an application to the court.

Mr HATTON: Mr Chairman, the government is convinced by the silver-tongued eloquence of the member for MacDonnell, and we will support the amendment.

Amendment agreed to.

Clause 122, as amended, agreed to.

Clauses 123 and 124 agreed to.

Clause 125:

Mr HATTON: Mr Chairman, I move amendment 119.5.

This amendment deletes the reference to a cash price. Because of amendments which are to come, that reference will be superfluous.

Mr BELL: Could the minister explain why it will be superfluous?

Mr HATTON: Mr Chairman, it has to do with the used car provisions of the legislation which will be amended later in this committee stage. It relates to cash price warranties. It will be proposed that the reference to cash price warranties be deleted from the bill. This provision would then become superfluous.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 120.1.

Currently, the bill provides that the definition of a 'dealer' includes a car rental firm. When it is disposing of its own vehicles to the public, it would be required to have a dealer's licence. When replying to the second-reading debate, I indicated that the intention is to restructure these provisions so that a car rental firm will be required to meet the conditions of part X, but will not need specifically to hold a motor vehicle dealer's licence. There are subsequent provisions, as can be seen from later amendment 120.2, which bring the protection to the consumer without the necessity for a licence to be in place. This is a consequence of that decision.

Mr BELL: Mr Chairman, I take it from the comments of the honourable minister that he is saying that a firm renting cars to the public may have a fair through-put of vehicles so that it would be deemed to be a trader under the deeming provision of selling more than 4 vehicles a year. I do not have the exact part of the bill at my fingertips, but I can find it fairly quickly. A specific clause says that anybody who sells more than 4 vehicles is deemed to be a dealer. I am not sure that we should be excluding care hire companies from the provisions governing motor vehicle traders. It is as simple as that.

Mr HATTON: I understand the honourable member's concern. It is a confusing proposal. It is true that the proposal was that, for the first time, car rental firms would be caught up under the motor vehicle dealers requirements. The proposal was that, under part X, where a car rental firm was selling more than 4 of its own cars a year to the general public, it would be required to take out a motor vehicle dealer's licence. Through that mechanism, all of the conditions that apply to the sale of a motor vehicle to the public by a motor vehicle dealer would apply to a car rental firm selling its own vehicles to the public.

As part of the extensive process of consultation with both the motor traders and the car rental firms, it was agreed - and it is certainly a view that I hold - that rather than create this artificiality of a motor vehicle dealer's licence, we will require the car rental firm to meet the conditions of sale that apply to a motor vehicle dealer. It will still need to meet all the warranty provisions and conditions that are required of a motor vehicle dealer, except that it will not need to acquire a specific motor vehicle dealer's licence. That is the basic difference. The member for MacDonnell will get a better picture of it if he looks at proposed amendment 120.2. That will bring in the application of clauses 156 to 159,

160(3) and 163 to 170. All those provisions would apply to the car rental dealer as if he were a motor vehicle dealer.

The consumer's interests will be fully protected without the dealer having to go through the process of obtaining a separate licence so that he can sell his own vehicles in the marketplace. I can assure the honourable member that it is an agreed position across the industry. It creates a fair trading field for them and, from the consumer's point of view, the protections are in place as if they were dealers.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.6.

This deletes subclause 125(2) which refers to the cash price of a motor vehicle. It is proposed that those references be deleted. This is a flow-on from the definition provision.

Amendment agreed to.

Clause 125, as amended, agreed to.

Clause 126 agreed to.

Clause 127:

Mr HATTON: Mr Chairman, I move amendment 119.7.

The amendment tidies up legislative procedures.

Amendment agreed to.

Clause 127, as amended, agreed to.

Clauses 128 to 133 agreed to.

Clause 134:

Mr BELL: Mr Chairman, I move amendment 121.7.

The opposition has a general concern about the renewal process for these licences or the lack thereof. I note that the renewal process has been affected by the amendment schedule.

Mr Hatton: There will not be a renewal process. It is a revocation process.

Mr BELL: I mention our concerns about the removal of renewal processes and the general lack of consumer complaint provisions elsewhere as strengthening our view that there needs to be some clear indication about the basis on which people may lodge an objection to a particular person holding a licence. We believe that their attention ought to be drawn to the grounds for refusal set out in clauses 136(1) and 137(1). We believe that clause 134(3) should set that out.

Mr HATTON: Mr Chairman, we accept the amendment.

Amendment agreed to.

Mr BELL: Mr Chairman, I move amendment 121.8.

Mr HATTON: We accept this amendment, Mr Chairman.

Amendment agreed to.

Clause 134, as amended, agreed to.

Clause 135 agreed to.

Clause 136:

Mr HATTON: Mr Chairman, I move amendment 119.8.

This tightens up the clause.

Amendment agreed to.

Clause 136, as amended, agreed to.

Clause 137:

Mr HATTON: Mr Chairman, I move amendment 119.9.

Amendment agreed to.

Clause 137, as amended, agreed to.

Clause 138:

Mr HATTON: Mr Chairman, I move amendment 119.10.

This omits subclauses (2) and (3) and inserts a new subclause which will read: 'A licence shall authorise the holder to carry on business as a dealer at a place or places specified in the licence and, where it specifies 2 or more places, shall state which of them is the holder's principal place of business'. This is the first stage in the amendments that will provide for ongoing licences rather than annual renewal of licences, but with revocation provisions built in under stipulated conditions. We believe that that is a more appropriate and practical way of dealing with licences.

Mr BELL: Mr Chairman, the opposition has some serious reservations about this. I do not believe that, in his second-reading speech or in what he has said in committee, the minister has given an adequate explanation of why the 12-month renewal provisions for motor vehicle dealers should be replaced by this proposal for ongoing licences. We have some serious concerns generally about the lack of statutory procedures for consumer complaints against dealers in this part.

I must admit that, in my dealings as a member, I do not receive representations from disgruntled purchasers of motor vehicles very often. In 10 years, it has probably happened once or twice. However, that may not reflect the range of complaints that there are about motor vehicle dealers. I believe that there should be some ongoing review process. I am not satisfied that the discretion should remain in the hands of the commissioner to the extent that the legislation envisages. I want to place on record our concern about this amendment and the policy decision that underlies it.

Mr HATTON: Mr Chairman, to assist the honourable member, I will seek to explain the rationale behind this. I ask honourable members to think not about lawyers or bureaucrats but about real life. Take a firm like Bridge Autos or Darwin Mitsubishi or Crocodile Motors. They obtain a licence, sell their cars and do not break any rules. Can anyone honestly suggest that each 12 months, they will ab initio seek a new licence? The reality is that they have a reasonable expectation that, provided they trade fairly and meet all the rules and regulations, they will receive a continuing licence. For some reason, historically, we have required that, every year, they have to undergo the entire bureaucratic process of obtaining a renewal of the licence. It is more logical and practical to provide that they have a continuing licence unless they start breaking the rules. If they break the rules, there should be penalties and the ultimate penalty is the revocation of the licence.

Mr EDE: Mr Chairman, I am not objecting entirely to that. I would like the minister to explain the situation where there is corporate ownership of a licence. I understood that the 12-month renewal was to enable the department to determine whether there had been changes in the corporate structure such that people, who would not have been considered to be fit and proper persons had they been part of that corporate structure in the first place, had become part of that corporate structure during the intervening period. Can he explain where that is covered?

Mr HATTON: Mr Chairman, there are further provisions in respect of those corporate structures which provide for the approval or, effectively, the licensing of a person to work as a manager of such a firm. Whilst the licence may be held by the proprietor or the owner, he may have a manager. The amendments will provide for the approval of somebody to operate as a manager in a corporate structure. If that person resigns, his replacement could not act as a manager without the appropriate authorisation from the Commissioner for Consumer Affairs. It will picked up automatically as the person applies for permission to act as the head of a particular operation. Failure to notify a change may be a ground for revocation of the licence.

Mr EDE: Mr Chairman, a note circulated by the advisers may have answered my question rather than the minister. He was referring to managers. Clause 137 refers to a person who appears to have control or substantial control of the body corporate not being of good character. That person may not be in any management position whatsoever. He may not even reside within the Northern Territory. It may be that this person interstate may have taken over the corporate ownership of the company during the intervening 12 months. Does this legislation have that covered?

Mr Finch: It is covered very adequately by clause 146.

Mr HATTON: Mr Chairman, the provision for changes in directors of the body corporate are covered by clause 146. That clause provides for notification to be given to the commissioner within 28 days of a change of director of a body corporate and gives the format in which that advice is to be given.

Mr EDE: Mr Chairman, clause 146 does not cover it because it talks about directors of a body corporate, an officer of a body corporate.

Clause 137(1)(g) states that 'any person (other than an officer of the body corporate) ...'. However, directors are mentioned specifically in paragraph 137(1)(f). I agree that changes of directors appear to be covered by clause 146. However, where we are talking about somebody under

paragraph 137(1)(g), who is a person in a position of control, a change of occupant of that position is not covered by clause 146 as far as I can see. That clause relates specifically to directors, otherwise officers.

Mr HATTON: If they are not directors or owners and they are in control, it would be reasonable to regard them as managers. If he is in control of the place, the person either owns it or manages it. I do not know how somebody in that position can be defined outside of that. I am afraid my imagination cannot stretch that far.

Mr Ede: I am sure mine can.

Amendment agreed to.

Clause 138, as amended, agreed to.

Clause 139:

Mr HATTON: Mr Chairman, I move amendment 119.11.

This amendment deletes from subclause (1) '3 months' and substitutes in its stead '45 days'. The clause will then read: 'The commissioner shall, not later than 45 days after the date of receiving an application for a licence conforming with section 132(2), give notice in writing to the applicant either that the application has been refused or that a licence will be granted on payment of the prescribed fee'. That will shorten the time and increase the stringency on the commissioner to respond to applications.

Amendment agreed to.

Clause 139, as amended, agreed to.

Clauses 140 to 143 negatived.

New clauses 140 to 143A:

Mr HATTON: Mr Chairman, I move amendment 119.12.

This is part of the provision changing away from annual licences to ongoing licences. Proposed new clause 140 provides for a continuation of licence, except where it is suspended, and it shall continue in force until it is cancelled or the dealer dies or the body corporate dissolves. Proposed new clause 141 provides for payment of a prescribed annual fee and that returns associated with those fees are to be lodged with the commissioner. Proposed new clauses 142 and 143A provide for the non-transferability of licences, and the surrender of licences, and proposed new clause 143A contains provisions applicable on the death of a licensed dealer.

New clauses 140 to 143A agreed to.

Clauses 144 to 148 agreed to.

Clause 149:

Mr HATTON: Mr Chairman, I move amendment 119.13.

This amendment tightens up the provisions relating to the issuing of notices by requiring that those notices be issued within a specified time.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.14.

This provides for an offence where a person fails to produce a licence to the commissioner in accordance with the notice under subclause (2).

Amendment agreed to.

Clause 149, as amended, agreed to.

Clauses 150 and 151 agreed to.

Clause 152:

Mr HATTON: Mr Chairman, I move amendment 119.15.

This makes changes to subclause (2), as stipulated in the amendment.

Mr BELL: May I have an explanation about the differing effect between clause 152 as it is in the bill and as it will be following amendment?

Mr HATTON: Reference is made in the proposed new subclause 2(b) to the requirements in respect of the notice referred to in the amendment just agreed to. The new clause 152(2)(a) states that 'the commissioner has (i) by a notice under section 149(2), varied a term or condition of a licence or imposed new terms or condition on a licence' - and that is consistent with the existing provisions - 'or (ii) imposed under section 143A(2) conditions subject to which a person may carry on the business to which the licence of a deceased dealer related'. Subclause 152(2)(b) refers to a situation where the licence has not been produced in accordance with the notices that were built into the previous amendment, and the new subclause then stipulates that 'subsection (1) is not complied with unless a copy of the notice, or as the case may require, of the conditions imposed under section 143A(2) is exhibited with the licence'.

Mr BELL: Mr Chairman, my attention has just been drawn to the effect of clause 143A and the requirements under this display of licence provision. I must confess that the capacity under clause 143 slipped past my guard earlier. Basically, new clause 143, on the death of a licensed dealer, allows a legal, personal representative to the deceased dealer to be able to apply to the commissioner to be allowed to carry on the deceased dealer's business. In that circumstance, there is no provision for public input as there is into the appointment of a dealer in the first place.

Mr HATTON: That is quite correct, Mr Chairman. Without going into a lengthy debate over a clause that has been agreed to already, I will simply say that there can be situations where, if an individual dealer has a business and he dies, that business would form part of the deceased dealer's estate and it may well be in the interests of the estate that the business be kept going for some time. This provision will empower the commissioner to keep that business going by means of some other approved person. It is intended to pick up that particular situation. I do not want to debate the point in detail. It is intended to fulfil those practical purposes. The amendment to clause 152 picks up the matter of the death of the licensed dealer and provides reference back to new clause 143A(2).

Amendment agreed to.

Clause 152, as amended, agreed to.

Clauses 153 to 156 agreed to.

Clause 157:

Mr HATTON: Mr Chairman, I move amendment 119.16.

This amendment seeks to omit from subclause (1) 'within 24 hours' and insert in its stead 'within 2 working days'. It is included to facilitate implementation of that requirement.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.17.

This is to amend subclause (2)(e) to add the word 'and' at the end of the subclause.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.18.

This amendment omits subclause (2)(f) which refers to 'the name and address of the person other than a licensed dealer who last owned the vehicle'. That wording will no longer be needed.

Amendment agreed to.

Clause 157, as amended, agreed to.

Clause 158 agreed to.

Clause 159:

Mr HATTON: Mr Chairman, I invite defeat of clause 159.

Mr BELL: Mr Chairman, I am concerned about inviting defeat of clause 159 and replacing it with the proposed new clause 159 in the amendment schedule. I am concerned that the proposed new clause 159 may very well place an unreasonable burden on the dealers. Under clause 159 as it stands, consumers would be protected by the requirement that dealers attach details of prescribed particulars to a vehicle displayed for sale. The clause refers to 'prescribed particulars' which would presumably be set out in regulations. Clause 159(2) contains a deeming provision.

The minister's amendment would replace this with something quite different. New clause 159 proposes that a contract for sale of a vehicle must be in a prescribed form and, if it is not in that prescribed form, the buyer has 3 months in which to rescind the contract, return the vehicle and get his money back. It appears that this provides better protection than the previous clause, provided that the prescribed form of the contract contains adequate detail. That will depend, of course, on the prescribed form itself. We presume that the form is not available for perusal at the moment.

At face value, this new proposal appears to be unduly harsh on dealers. There is also the prospect that a dealer may be obliged to refund the purchase price and take the vehicle back within 3 months where the contract is not in the prescribed form, unless the vehicle has been damaged or destroyed by the negligence or other fault of the purchaser. But what happens if the damage to the vehicle is not the purchaser's fault? The new clause obliges the dealer to refund in full and take the damaged vehicle back. This seems unfair, at least in cases where the breach in the form of contract is a technical one. This would be especially so if the purchaser has had the vehicle insured and receives an insurance payout for it. In such a situation, the purchaser might end up being paid for the vehicle twice, once by the insurer and once by the dealer.

The opposition's view is that this clause should provide that, firstly, the liability of the dealer to give a refund is reduced by the extent to which the purchaser has received an insurance payout as a result of a collision which damaged the vehicle. Secondly, if the purchaser has not received any insurance payout but remains entitled to one at the time of rescission, the dealer subrogates to the purchaser's right of indemnity against his insurer. Thirdly, if the purchaser is uninsured, the dealer subrogates to the purchaser's right of action against the party who caused the collision. 'Subrogate' in this sense refers to the dealer's capacity to be included.

We are concerned about the operation of this new clause. If some of our comments on this part of the bill have appeared to be harsh on dealers or to seek to circumscribe them, we are concerned in this instance that they might suffer considerable liability as a result of the relatively minor default of not using a prescribed form.

Mr HATTON: I appreciate the honourable member's concern for the car dealers. The original intention was to require them to place signs on vehicles offered for sale outlining prescribed details about each vehicle. That proposal was not favoured by the motor trade which claimed that it was impractical and cumbersome to maintain. The commissioner recognised that there would be problems in ensuring compliance in relation to all stock held by dealers. It has been agreed between the motor traders and the government that the original proposal be dropped in favour of standard form contracts for used called car sales. This proposal, in fact, represents an agreed position between the motor traders and government. It is considered to be a more appropriate and less cumbersome method of dealing with the requirements of the legislation. The fact that the traders themselves believe this to be a more appropriate course of action should help to allay the fears of honourable members.

Clause 159 negatived.

New clause 159:

Mr HATTON: Mr Chairman, I move amendment 119.9.

This amendment provides for the provision of standard form contracts as outlined in the previous amendment.

New clause 159 agreed to.

Clauses 160 and 161 agreed to.

Clause 162:

Mr HATTON: Mr Chairman, I move amendment 119.20.

This amendment refers to the removal of identification plates etc from motor vehicles and the illegality of offering for sale vehicles which have had had such identification plates removed. The amendment removes any need to identify the person responsible for the removal of the identification.

Amendment agreed to.

Clause 162, as amended, agreed to.

Clauses 163 to 166 agreed to.

Clause 167:

Mr HATTON: Mr Chairman, I move amendment 119.21

This amendment reduces from 4 to 2 the number of cases which are identified in respect of warranty provisions. This is a consequence of a number of other changes which have occurred in the legislation.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.22.

This amendment omits subclauses (2) and (3) and inserts a new subclause. It explains the 2 cases which I referred to in relation to the previous amendment.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.23.

Amendment agreed to.

Clause 167, as amended, agreed to.

Clauses 168 to 169 agreed to.

Clause 170:

Mr HATTON: Mr Chairman, I move amendment 119.24.

This amendment is consequential upon previous amendments.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.25.

This is a consequential amendment referring to the change in the number of cases in the previous amendments.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.26.

This is another consequential amendment.

Amendment agreed to.

Clause 170, as amended, agreed to.

Clauses 171 to 174 agreed to.

New clause 174A:

Mr HATTON: I move amendment 119.27.

This proposed new clause provides for approval by the commissioner of the dealer's manager. I have outlined these provisions in previous amendments. If the licensee is not actually on the premises and they are being managed by a manager, there is a requirement that the manager receive the approval of the commissioner and be a fit and proper person to carry on the business. It is one of a number of public control mechanisms designed to ensure compliance with the legislation.

New clause 174A agreed to.

Clause 175:

Mr HATTON: Mr Chairman, I move amendment 119.28.

This amendment deals with the revocation of licences.

Amendment agreed to.

Clause 175, as amended, agreed to.

Clauses 176 to 179 agreed to.

Clause 180 negatived.

New clause 180:

Mr HATTON: Mr Chairman, I move amendment 119.29.

The proposed new clause provides the power for the commissioner to grant temporary exemptions.

Mr BELL: Mr Chairman, the opposition has serious reservations about this provision. The previous clause 180 exempted vehicle restorers and was rather different in nature to the new clause which vests a much broader power in the commissioner. I can see that there is a grey area between the manufacture of vehicles and the buying and selling of vehicles without actually approving them. However, it is not appropriate to deal with that by giving extraordinary powers to the commissioner. The new clause gives the commissioner the power to exempt any dealer from any or all of the provisions of this part of the bill.

Mr HATTON: Mr Chairman, the previous clause 180 could equally have been described as exempting 'backyarders', as the trade calls them. There is no automatic right for exemption in respect of the person who has a backyard operation which buys old vehicles, fixes them up and sells them to make a profit. The previous clause 180 dealt with that situation.

The new clause relates to a general power of exemption for persons. Previously, it stipulated restorers, but was for an unlimited time. The new clause does not stipulate what sort of people can obtain an exemption but it

fixes a maximum time limit of 12 months. The rest of the provisions are basically the same.

Mr Bell: Is this to pick up backyard operators?

Mr HATTON: That is the major intention. Certainly, the industry is very concerned about the proliferation of backyard operators. However, there are some circumstances where it is reasonable that a particular person may be exempt in a particular situation.

New clause 180 agreed to.

Clause 181:

Mr HATTON: Mr Chairman I move amendment 119.30.

This is a technical amendment.

Amendment agreed to.

Clause 181, as amended, agreed to.

New clause 181A:

Mr HATTON: Mr Chairman, I move amendment 120.2.

This inserts new clause 181A which makes provisions in respect of vehicle rental businesses. It makes certain provisions of part X apply to the vehicle rental business. I have referred to this on a number of occasions. This is consequential on their not being required to hold a motor vehicle dealer's licence. It imposes the requirements of the consumer protection provisions that would apply to a licensed dealer without their having to undergo the bureaucratic process of obtaining a licence.

New clause 181A agreed to.

Clause 182:

Mr HATTON: Mr Chairman, I move amendment 119.31.

This omits the word 'of' from the definition of an 'exempted person'.

Amendment agreed to.

Clause 182, as amended, agreed to.

Clauses 183 to 206 agreed to.

Clause 207:

Mr HATTON: Mr Chairman, I move amendment 119.32.

Amendment agreed to.

Clause 207, as amended, agreed to.

Clause 208:

Mr HATTON: Mr Chairman, I move amendment 119.33.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.34.

Amendment agreed to.

Clause 208, as amended, agreed to.

Clauses 209 to 236 agreed to.

Schedules 1 and 2 agreed to.

Schedule 3:

Mr HATTON: Mr Chairman, I move amendment 119.35.

Amendment agreed to.

Mr HATTON: Mr Chairman, I move amendment 119.36.

Amendment agreed to.

Schedule 3, as amended, agreed to.

Title agreed to.

Bill reported; report adopted.

Bill read a third time.

ADJOURNMENT

Mr VALE (Tourism): Mr Deputy Speaker, I move that the Assembly do now adjourn.

In tonight's adjournment debate, I would like to pay tribute to a former resident of central Australia who was killed tragically at Hermannsburg several months ago. I refer, of course, to Helmut Pararoultja who was born at Hermannsburg on 20 December 1939. His family came from all around, but the surname, Pararoultja, was derived from the name of an area near Glen Helen. Surnames are not constantly applied in Aboriginal families and that makes accurate documentation a little difficult. His grandfather, for instance, was an Aboriginal cattleman by the name of Billy Lang. His other lineage can be traced back to England and Germany, although Helmut remarked wryly that he did not think it would be any good trying to get land rights in those places.

Despite his German ancestry, it is unclear where he got his name Helmut. It was certainly the first time that it had been used in that area, although others have used it since. Gary Stoll of the Lutheran Church says that it is a common practice for the people to select biblical names. On occasion, he has had to talk them out of names they have found in the bible - names like Jezebel and Beelzebub.

Like other tribal people, Helmut went into an arranged marriage with a Pintubi woman whose parents knew Helmut's parents. He and Marlene had one son, Billy, and adopted Katrina, a young relative of his who was not being looked after properly. This is the normal practice in traditional society. Helmut came from a large family of 8 children and his mother adopted and

raised at least another 5, not an easy task in the days when there was no such thing as family allowances.

Helmut spoke Aranda, Luritja and English. He was formally educated at Hermannsburg until the age of 13 or 14 and was a bright boy with lots of potential. After his schooling finished, he went south to Cooper's Creek where he worked as a stockman. His early career was mostly in stock work and mustering. A bit later, he became a consultant and, in this role, travelled to Canberra a few times. He had a brief flirtation with the black power movement but preferred to be his own man. However, these trips did give him a broad overview of the system of power in Australia.

Like many other people, Helmut was once a fairly heavy drinker and could become quite violent. Many traditional people do not connect liver damage, headaches, hangovers etc with grog. They think someone has performed bad magic on them. Helmut was a great thinker. He realised that it was the grog that was hurting him, not an outside influence. Once he had reasoned this out, he gave up alcohol. That was nearly 15 years ago. It was not an easy road. He was dry for nearly 2 years, then weakened and, during a drinking party, was shot in the stomach. He was very sick for quite a while but this incident hardened his desire to live a grog-free existence which he did for the remainder of his life.

His ability to intellectualise a problem stood him in good stead when he was told by a European doctor that he had diabetes. A traditional Aboriginal would have attributed his sickness to bad magic. Helmut listened to the doctor's theories and, although initially he had to have injections, by carefully following the doctor's directions, Helmut found that he was able to control his sickness by the use of diet alone. He was very serious about his diet even to the point of chasing others away from his food. He told them: 'You fellows can eat anything in the whole wide world. There are only a few things that I can eat so leave my tucker alone'. Those who doubt the ability of Aboriginals to adapt should heed this anecdote.

Helmut once astounded Gary Stoll by telescoping European man's theory on the origin of the universe into a 5-minute discourse, followed by a similar lecture on the Aboriginal theory of the beginning of the universe. 'Now you tell me', he said, 'who is right and who can be absolutely certain that they are right'. He was quite a philosopher.

He was also rather bemused by some of the white programs which were foisted on his people. He said: 'When you put in programs like housing, health, education, you have to carry them through. These people, tribal people, say thank you very much when they get these houses, but they are not what they want or particularly need. So they get broken. The white man gets embarrassed about the broken houses. We do not. It is therefore the white man's worry'. That answers many questions. It is a pity that this man is not still alive.

These programs may well be good and beneficial, but the Aboriginals need to come to this realisation in their own time. As an illustration, Helmut used the analogy of his father obtaining a pair of glasses for the first time and expecting others suddenly to see as he could now see and being quite disappointed when the glasses did not give the same clarity of vision to others. As Helmut said of some politicians who rush into the area with grandiose ideas: 'You have seen the light, but you cannot expect us suddenly to see it too'. In fact, Helmut was the one who first coined for politicians an Aboriginal word which meant whirlwind - straight through one

side and out the other, and shake hands on the way through. He meant it as a sarcastic message and the message got through.

The land council was a worry to Helmut, as it is for the other tribal Aboriginals who are not happy with the council's attempt to assert traditional Aboriginal authority. He was a very strong advocate of separate or breakaway land councils which he saw as a way of ensuring Aboriginal self-determination. Helmut had boundless mental energy and an incredible ability to channel his energies into a particular direction once his interest was aroused. When he realised what alcohol was doing to his people, he did his best to steer them away from the grog and to encourage them to be responsible for maintaining their traditional lives and values away from the devastating affects of alcohol. Ironically, intervention in a drunken fight ended Helmut's life on Saturday 12 May this year, at Hermannsburg. His death is a blow not only to Aboriginals but to all Territorians.

I knew Helmut for about 25 or 26 years and, over that period, we built up quite a friendship. It is quite obvious that his passing will be a great loss. His advocacy will be sadly missed by many of those Aboriginal people who were following him in strong support of his valiant attempts to have the land councils broken down into tribal or clan groups.

In central Australia, there is an Aboriginal word 'myall' which is used by Aboriginals in a non-derogatory sense to describe bush Aboriginals who are living without homes out in the scrub. One night, about 3 or 4 months before Helmut's death, I had a call in my office in Alice Springs at about 10 pm. Helmut had a very deep voice. This voice on the line said: 'Helmut here, Roger'. I said: 'How are you Helmut? Over?' This deep voice said: 'What do you mean, over?' I said: 'Helmut, aren't you on the radio telephone?' He said: 'What? Are you a myall? I have got STD out here'. That is an indication of how systems have improved in central Australia. It is somewhat ironical that a full-blood blackfellow should call a full-blood whitefellow a myall.

Not only was he a strong and determined person, who would argue strongly for his people, but also he had a sense of humour. Tonight, the member for Barkly mentioned royalty payments from Mereenie and Palm Valley. When the first royalty payments were being made in central Australia, for some reason best known to itself, the Central Land Council sat on the payments. Helmut wanted his because there was a government auction and he had lined up a second-hand power generator and a truck for his community. The land council would not hand over the money. Helmut bid at the auction and was successful. He advised the auctioneers to send the bill to the land council because it was sitting on his money.

In the end, his desperation led to a number of fairly fierce confrontations with the land council. In fact, some of them became quite physical. On one occasion, he drove past the land council and noticed the line of 4-wheel-drive vehicles outside, many of them new. Helmut had been pleading on behalf of people right across central Australia for vehicles and assistance. He said to me: 'See that'. I said: 'Yes, the land council'. He said: 'No. Bullshit castle'.

The death of Helmut Pararoultja has robbed not only Aboriginal people but also white people in central Australia of a man who was determined to see both races of people come closer together and to do away with the confrontationist attitude that has been a by-word for land councils and

other Aboriginal groups in central Australia. I and many residents of central Australia mourn his passing.

Mr TUXWORTH (Barkly): Mr Speaker, tonight, I would like to touch on a couple of items. Of particular interest is the continuing debate about the realignment of the Barkly Highway into Tennant Creek. This matter has been on the go for some 5 years. It is one of those things that will ultimately happen. It is simply a matter of when, and who does it. I would like to reflect for a moment on the history of the Barkly Highway.

When the Barkly Highway was built, Tennant Creek was but 7 years old. It was a small shanty town of miners who spent much of their time eking an existence from the gouging operations around Tennant Creek. The Barkly Highway was built by the road construction crew during World War II. As with the Stuart Highway, when they laid the Barkly Highway out, its actual alignment had nothing to do with connecting it to towns or following any particular route other than the high ground. The army surveyors mapped the high ground and that was where the road ran. It is only in recent years that the realignment of the Stuart Highway has corrected much of the poor alignment that was done during the war. So it was too with the Barkly Highway. As reconstruction proceeds, engineers and others will find different and better routes for the highway to follow.

The realignment of the Barkly Highway is just one of those things that ought naturally to happen at some stage. It will not impose a great burden on the taxpayer because, ultimately, that section of the road has to be rebuilt and it will enhance the viability and the economics of the town of Tennant Creek. The key to the realignment is not so much the actual route and its construction cost but what to do with the Threeways Roadhouse.

The investment by Shell at the Threeways corner is quite considerable. The area now boasts a large dam and considerable caravan park and motel infrastructure. A great deal of money, probably millions of dollars, has been spent on fuel installations as well as public facilities such as the toilets and other amenities offered at the roadhouse. The problem which we are now coming to grips with is not so much how are we to realign the highway and when we will do it, but what we will do with the Shell infrastructure on the corner. If the Barkly Highway becomes a national highway project funded by the Commonwealth, it is likely that the section of the existing road between Threeways and Tennant Creek will be either left to become derelict or dug up, as has occurred in the past when new realignments have been put into place. Undoubtedly, that would place a financial burden on the Shell company, which has the investment on the Threeways corner.

I have had the opportunity to talk to quite a few people involved in the realignment campaign and I certainly support the realignment. However, at the end of the day, someone has to take an initiative and start talking with Shell representatives about the future of the Threeways site and what compensation may be due if Shell is forced to cease operations on the site. It may well be that Shell would be pleased to set up a new installation in Tennant Creek after the road is re-routed. Alternatively, it may prefer to cut its losses and walk away, in which case we would be talking about the level of compensation involved. What concerns me at this stage is that I am advised by Shell that no one has had discussions with the company in relation to this matter. Shell is quite willing to talk about it and I believe that the company could appropriately be included at some stage of the discussions between the Commonwealth and Territory governments and the Tennant Creek Town Council in relation to the proposed realignment.

The second issue that I would like to discuss tonight was raised in question time this morning by the member for Flynn. It concerns the future of the now Northern Territory Rural College at Katherine. The college may not have a very high public profile but it has certainly earned considerable support and respect from people in the bush, to the extent that some cattlemen in my electorate are loath to employ young people unless they have attended it. During last year's cattle season, a local cattleman employed a qualified doctor who wanted a break from his practice down south. The cattleman asked him to undertake the basic course for young ringers at the Katherine rural college so that, when he came to the job, he would have a pretty fair idea of what was expected of him. That in itself speaks volumes for the progress that the rural college is making.

There is no doubt that the college has had its problems. From talking to former students and parents, it is apparent that there have been concerns about the way the college has been run over the last 2 or 3 years. Nevertheless, each time these problems have been raised with the college chairman and the principal, they have been sorted out and resolutions have been found that were satisfactory to all concerned. Obviously, the rural college is going through a period of transformation. Under those circumstances, I would like to reinforce the message that the industry regards it as a very important part of the Northern Territory's primary and pastoral industry. For that reason, government support should continue at the highest level.

My final point concerns the current level of interest rates and the recent announcement by the Treasurer that the prime rate would be brought down to 16.1%. He made that announcement about a fortnight ago but business people in the community, particularly small business people, are saying that the drop in the official rate is not being reflected in the overdrafts, trading accounts and loans which people have with the banks. People complain that, if interest rates rise by a couple of points, the banks take about 24 hours to pass on the increase. However, when interest rates fall, it takes weeks - and in some cases personal representations to the bank by individual borrowers - to ensure that the reduction in rates is passed through to their accounts.

The plea I would make to the banks tonight is very simple. It is this. The community is hurting very badly. Many businesses are trying to stay afloat under very difficult circumstances. I suppose the banks know that because these businesses are their customers. What the business community is saying, however, is that, if the banks were as quick to reduce the rates down as they are to increase them, it would be of great benefit to small businesses which are struggling at this time. If the banking community has any sensitivity at all, I would appeal to it to give consideration to reducing rates as quickly as is possible and urge them to pass on reductions in interest rates to those clients who may be due for them. In passing those reductions on as quickly as possible, they might save some clients from going to the wall.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in today's adjournment debate, I would like to speak about a subject about which I do not think the Minister for Primary Industry and Fisheries has enough concern. I would like to speak on the status of aquaculture in the planning of legislation because the time is fast approaching when somebody ...

Mr Coulter: Aquaculture.

Mrs PADGHAM-PURICH: Just keep your ears open and you will hear, cloth ears.

The time is fast approaching when somebody - and I believe it should be somebody of aquacultural persuasion or farming persuasion - has to make a decision on exactly what aquaculture is. In the Darwin rural area, for the information of the honourable minister, for a zoning of Rural Living 1, which comprises mostly 5-acre blocks, and for Rural Living 2, which comprises 20-acre blocks and larger, there are 3 columns relating to uses to which the land can be put. The first column is permitted use, the second is consent use, and the third column is no go at all. The permitted use refers to a detached dwelling, agriculture, a flora and fauna sanctuary, a plant nursery and a couple of other uses. Agriculture is specified. The definition of 'agriculture' is expanded in the definitions in the planning instrument, and I believe that the definition of 'aquaculture' could very well fit in with the definition of 'agriculture'. The definitions of 'horticulture' and 'viticulture' could also fit into the definition of 'agriculture'. The present situation is that, if a person ...

Mr Reed: But it has nothing to do with me.

Mrs PADGHAM-PURICH: I am raising this now because it is very relevant ...

Mr Reed: Relevant to people in the Department of Lands and Housing. You should have drawn the minister's attention to this.

Mrs PADGHAM-PURICH: I hope that he is listening too. However, you should be lobbying your mate because I believe that people are working hard in your department to get his people to listen to them.

Because of the relevance now of red claw farming, many people in the area are interested in having a go at this new form of agriculture.

Mr Reed: Who has a red claw farm outside their zoning?

Mr Coulter: It is impossible. Nobody can fill the form out to get into red claw farming in the Territory. I still have one on my desk.

Mrs PADGHAM-PURICH: Red claw are not farmed in paddocks. Fences and sheds are not needed. All one needs to do is dig a hole in the ground, which the Minister for Mines and Energy knows all about. You dig a hole in the ground and that is where you put your red claw. The hole is filled with water and they are tended in the same way as any other animals that are being farmed. At the appropriate time, you reap a harvest, and so you continue your farming.

As it stands now, if people wish to go into the growing of red claw in the Darwin rural area, irrespective of whether their land is RL1 or RL2 or whether agriculture is permitted or not, they must submit a development application. I cannot see the relevance of this. I have had arguments with the planners, but they say that they are only working to the rules and that it would be more appropriate for me to raise the matter at higher levels.

People farming red claw would be digging holes in the ground and that is all. It does not involve the erection of buildings or fences and therefore there would be no interference with what people see. No noise nuisance would be created because the red claw would just be swimming around

quietly. However, Mr Speaker, these development applications have to be submitted.

The situation can be viewed from another angle. Quite legitimately, some people are farming already in the rural area. As well as farming cattle, pigs, hay, rockmelons and so on, they may also wish to farm red claw. According to the ridiculous rules now in place, whilst they do not have to obtain a development application to farm horses, cattle, sheep, goats, pigs or rockmelons, they have to obtain a development application, approved by the Planning Authority, to farm red claw. Of course, the way around that is just to decide, on the spur of the moment, to put in a number of dams on one's farming property. I doubt that anybody could argue the toss with you.

Mr Coulter: Shame!

Mrs PADGHAM-PURICH: It is quite legitimate. You need dams to conserve water.

I hope that the Minister for Primary Industry and Fisheries has been listening. I know that there are officers in the aquaculture section of his department who share my thoughts.

Mr Reed: Have you filled out the form yet?

Mrs PADGHAM-PURICH: That might be the next step, Mr Deputy Speaker.

If the public servants in the Department of Lands and Housing and the Department of Primary Industry and Fisheries are really fulfilling the terms of their employment, which is to encourage development of the Northern Territory including proper planning procedures to encourage agricultural development, they should be only too pleased to encourage people in the most active way and the most simple way. Therefore, I hope that, as well as the Minister for Primary Industry and Fisheries, the Minister for Lands and Housing is taking note that those of my constituents who may wish to take up red claw farming ...

Mr Coulter: Including your constituent over here?

Mrs PADGHAM-PURICH: Yes. I hope they will not have any more bureaucratic obstacles put in their path, but will have a very smooth path towards the taking up of this agricultural endeavour.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

PETITION

Mr EDE (Stuart): Mr Speaker, I present a petition from 332 citizens of the Northern Territory requesting that the Assembly provide funds to replace the existing Ti Tree Health Centre. I move that the petition be read.

Motion agreed to; petition read:

> To the honourable Speaker and members of the Legislative Assembly, we the undersigned do believe that the Ti Tree Health Centre is no longer a suitable building for the work it has to cope with. We respectfully request that money be made available as a matter of urgent priority to replace the existing building and we, in duty bound, do ever pray.

MOTION
Reference to Sessional Committee on the Environment

Mr BAILEY (Wanguri): Mr Speaker, I move that the following matters be referred to the Sessional Committee on the Environment for inquiry and report:

(a) all legislation and instruments of a legislative character in force in the Northern Territory which impact on, qualify or relate to planning and environmental matters in the Northern Territory;

(b) the government agencies involved in implementation of planning and environmental legislation and regulations;

(c) the effectiveness of the existing administrative arrangements; and

(d) the desirability of bringing all environmental and planning legislation into one piece of legislation.

Mr Speaker, as the world enters the 1990s, we move into the second decade of intense environmental concern. We will see an ever-increasing emphasis placed on environmental issues. They will start to impinge on all aspects of our life, including planning, development, industrial activity, mining and an ever-increasing range of activities. Over the years, legislation in relation to these areas has been largely ad hoc and a wide range of agencies have a role in environmental planning and management. The agencies include the Work Health Authority, the Power and Water Authority, the Conservation Commission and the Departments of Health and Community Services, Mines and Energy, Lands and Housing and Transport and Works. The vast array of acts pertaining to environmental matters includes the Control of Waters Act, the Radioactive Ores and Concentrates Act, the Water Supplies Development Act, the Environmental Assessment Act, the Petroleum Act, the Energy Pipelines Act, the Building Act, the Biological Control Act, the Uranium Mining (Environment Control) Act, and the Cobourg Peninsula Aboriginal Land and Sanctuary Act. Whilst, of course, this list is by no means exhaustive, I believe that that is something which we need to look at.

As I have mentioned previously, to a large degree, legislation has been developed and implemented as needs have arisen. At present, we are witnessing a surge in environmental legislation. The House is considering

legislation in respect of matters such as ozone protection, conservation strategy and heritage protection. A review of the Planning Act is under way. All of these processes are occurring more or less separately and in isolation from each other. We have a Sessional Committee on the Environment. Initially, the committee was set up to look primarily at the effects of uranium mining on the environment within the Alligator Rivers region. My understanding is that, until now, the committee has confined its deliberations to that subject. However, the committee is empowered to consider any matter relating to mining and/or the environment in the Northern Territory which is referred to it by the relevant minister by resolution of the Legislative Assembly.

This motion seeks the support of all members of the Assembly in directing the Sessional Committee on the Environment to begin a review of all legislation, instruments and procedures relating to planning and environmental matters. By doing this, we can examine for the first time people's understanding of environmental processes. With the plethora of new legislation occurring, people become confused about which departments have control and which acts and regulations are in force at any time. With this as a basic starting point, I propose that the Sessional Committee on the Environment should examine the overall workings of existing legislation.

I will refer to some general comments that have been brought to my attention in relation to problems with current legislation. There is no lead agency with legislative powers to plan, develop and manage an integrated environmental management system. Our pollution control standards do not encompass the range of potential pollution situations that might reasonably be expected to occur. There is no clear understanding among government agencies of the relationship between environmental planning, environmental assessment and environmental protection. There is uncoordinated environmental monitoring which has resulted in costly duplication and limitations on the value of research. There are differences between the environmental requirements of the various decision-making authorities.

For these reasons, I call urgently on this Assembly to support my motion so that the very long and complicated task of reviewing and assessing environmental legislation can begin as soon as possible. Recently, New Zealand undertook an extensive review and redrafting of environmental legislation. Whether good or bad, that exercise took 2 or 3 years to complete. We need to determine whether we should repeal many of our existing acts and enact an omnibus act, as New Zealand has done, or tidy up a number of the acts and make one central act that relates to many others.

We need to arrange our environmental management in such a way that people in the community, whether they be individual citizens who are concerned about environmental issues or mining companies looking at a new development, know what the rules are. In many of the states, such as New South Wales and South Australia ...

Mr Manzie: You have scared everybody off.

Mr BAILEY: They left before I started, Daryl.

Many states, such as New South Wales and South Australia, have very non-integrated environmental management processes which have led to many of the problems that they have at the moment. New South Wales is going through an exercise of trying to integrate its environmental management.

My understanding is that environmental assessment is under review by this government and that its own advice has been that there is a need for an integrated approach to environmental management. My feeling is that the best way to assess the current legislation and the need for future legislation is through the Assembly's own bipartisan committee. It should not be based on party political lines. The committee should be able to review all the legislation and report back to the Assembly. As I have said on a number of occasions, there are contradictions and overlaps. The committee would be able to detail those difficulties and contradictions and examine ways of overcoming confusions within the legislation. Wide-ranging environmental protection legislation would relate to preventing pollution, assessing the impact of proposals for development, auditing environmental effects of development and land use, discouraging waste, and identifying areas of environmental hazard and sensitivity, and ensuring that all these aspects are taken into consideration in any determinations under a uniform act.

As I have mentioned, many departments are involved at present with environmental and planning matters. Their roles are controlled individually by different acts and regulations. Standardising and streamlining the process will not only give government departments a much clearer understanding of what the requirements are for development and environmental protection, but also will enable the people who have to deal with those government departments to have a much clearer understanding of the requirements for development and environmental protection. The existing controls and standards for environmental monitoring and protection in the Territory are not adequate. This is demonstrated by the minister's introduction of various pieces of legislation such as the heritage legislation which appears to be on hold at the moment. Very little seems to be happening. We were told that similar meetings or workshops would be held within a few months of a February meeting. I am still waiting to hear about those.

Mr Hatton: Why haven't you asked?

Mr BAILEY: I have asked.

As I have mentioned in previous speeches, rather than continuously introducing individual bills in this Assembly, relating to conservation, planning and the environment, we should adopt an integrated approach to planning and environmental legislation. I am looking for support from all members of this Assembly and I am hopeful that the government will appreciate the reasoning behind my motion today. I look forward to its support for my proposal that all matters to do with environmental legislation and their implications be referred to the Sessional Committee on the Environment.

Mr HATTON (Conservation): Mr Speaker, given that originally the member for Wanguri gave notice in May of a motion on this matter, I assume he has given some very serious thought to what he is trying to achieve. After listening very closely to his 10-minute speech, I am not quite sure what he is asking for. He made many assertions and broad statements, but he did not seek to justify any of them. That makes it very difficult for a lead speaker to respond appropriately. Perhaps it is part of the game that the opposition is trying to play rather than attempting to address the matter on a serious basis.

Mr Speaker, you will be aware that, in the case of ministerial statements and much of the work of this government, we make available to the

opposition copies of those statements or speeches at least a day before they are delivered in this House. That is a general practice and, if we do not do it, members opposite immediately jump to their feet and ask how they can be expected to provide a considered response when we have not given them enough time to look at a prepared statement. I note that the opposition never provides this side of the House with copies of what it intends to present and the grounds and reasons for its arguments so that this side of the House is able to give a considered response. It expects ministers and government members immediately to provide fully considered responses.

Mr Leo: You either agree with it or you disagree with it.

Mr HATTON: The member for Nhulunbuy cannot keep his mouth shut, can he? He really cannot.

Mr Leo: It is difficult to do it your presence, Steve. I have to say that. Either you agree with the motion or you disagree with it.

Mr HATTON: That is really interesting coming from the member for Nhulunbuy. He says that either we agree with it or we do not. If that is the attitude of the opposition, it should stop asking for statements and comments from this side of the House in advance so that it can consider matters and justify its stance in this House.

Mr Leo: I will tell you whether I agree or disagree with anything you have to say.

Mr HATTON: The member for Nhulunbuy could not survive for 5 seconds in that environment. Members opposite simply waffle on for a while and then sit down, leaving us to get on with the business of government. We try to help them but they are incapable of responding. I am not complaining. It does not really worry me. I simply note the hypocritical approach of members opposite.

In May, the member for Wanguri moved a motion to create a committee. Obviously, between May and August, he has realised that we already have a committee and therefore he has changed the motion to refer to that committee. At least now he has his motion correct in terms of technicalities. Actually, the member for Wanguri's motion asks a parliamentary committee to make recommendations on the administrative arrangements of government. I have never heard of such a notion being proposed before. It is the responsibility of the government, particularly the Chief Minister of the day, to determine the administrative arrangements orders of his government. The Chief Minister determines those arrangements and survives or falls according to their effectiveness.

The member for Wanguri moved that the following matters be referred to the Sessional Committee on the Environment for inquiry and report:

(a) all legislation and instruments of a legislative character in force in the Northern Territory which impact on, qualify or relate to planning and environmental matters in the Northern Territory;

(b) the government agencies involved in implementation of planning and environmental legislation and regulations;

(c) the effectiveness of the existing administrative arrangements; and

(d) the desirability of bringing all environmental and planning legislation into one piece of legislation.

Clearly, the motion aims to review the administrative arrangements of government. That is the prerogative of the Chief Minister of the day. I think that, as a matter of principle, it is inappropriate to have an administrative arrangements order referred for consideration by a parliamentary committee. In this case, the extent of that reference is ludicrous.

Mr Bailey: The environment is not to be discussed by ...

Mr HATTON: I did not say that. You listen carefully.

Firstly, the extent of the reference is ludicrous. Secondly, it is unnecessary. On the grounds and reasons which we have been able to glean from the brief justification which the member for Wanguri put to the House today, it is clear that it is not justified. Essentially, the motion is geared to inaccuracies.

First, let me deal with the issue of breadth. The motion refers to 'all legislation and instruments of a legislative character in force in the Northern Territory which impact on, qualify or relate to planning and environmental matters in the Northern Territory'. That includes virtually every act of the government. Certainly, it covers all mining legislation and all industry legislation.

Mr Bailey: Should environmental considerations not apply in those areas?

Mr HATTON: It certainly includes them. They impact on or relate to planning and the environment.

The honourable member referred to the New Zealand legislation. What an administrative nightmare New Zealand is in at the moment. If it were not for the fact that the current Prime Minister has a personal bee in his bonnet about the matter, the process would have been abandoned. The rest of the Cabinet cannot handle it. I have a copy of the New Zealand Mining and Environment Act. The single act is incredibly thick. It contains every imaginable provision. New Zealand has endured 3 or 4 years of convoluted argument and debate, driven by the current Prime Minister, Mr Palmer. The legislation has not been clarified. It is an administrative nightmare. The advice from everybody concerned is not to touch it with a barge pole. Privately, all of Mr Palmer's ministers are saying the same thing. They reckon that it is an absolute disaster and the only reason the process is continuing is because the Prime Minister has a bee in his bonnet in relation to it. However, in this House, the member for Wanguri quotes it as an example of the sort of thing we should be doing in the Northern Territory.

Mr Bailey: You did not listen to what I said, Steve.

Mr HATTON: It was very difficult. You did not say too much.

Mr Speaker, I would like to deal with the second part of the honourable member's argument, his allegation that we have adopted an uncoordinated, hotchpotch approach to our legislative framework and administrative arrangements in respect of conservation. In some respects, that was probably true 6 months ago. It is certainly not true now and, if the member

opposite considered the matter honestly, he would acknowledge that the level of coordination and development of programs has improved dramatically.

Mr Bailey: Not through legislative changes, though.

Mr HATTON: Why do we need to ask a sessional committee to duplicate work which has been taken in hand already by this government?

Mr Bailey: So you are already doing what I am asking you to do?

Mr HATTON: We are doing it within government, and the honourable member is well aware of that.

At present, the Minister for Lands and Housing is reviewing the Planning Act ...

Mr Bailey: Independent of its environmental implications.

Mr HATTON: Not true! The Planning Act is being reviewed, new heritage legislation is proceeding, environmental assessment legislation is being reviewed and new ozone legislation is coming into place. When the member for Wanguri assumes that all these processes are occurring in isolation from each other, he makes a fundamental error. He says that our environmental protection processes are all wrong. He has it wrong. Considerable efforts are being made to help to achieve a well-integrated, complementary and mutually-supportive regulatory mechanism in the key areas of environmental and planning legislation.

I do not wish to pretend that this is a simple matter. Many facets of human activity can affect, or be influenced by, environmental considerations. Already, we have over 50 pieces of Northern Territory legislation applicable, to a greater or lesser extent, to what may be regarded as environmental matters. The idea that one can reduce all this diversity to 1 simple piece of legislation would perhaps be laughable were it not for the fact that the member opposite appears to treat that as a serious and desirable objective. How long we would have to wait, arresting and postponing urgent legislative reform, one can only guess. Parts of this 'super act' would be out of date before the whole was completed, and it would probably rival the Shorter Oxford Dictionary in size.

What is really needed is a more streamlined and effective system of environmental protection which the government's current legislative and administrative reforms are designed to achieve. The Minister for Lands and Housing will address the planning issues specifically. I wish to provide an outline of the legislative package relating to environmental concerns which this government has set in place and which is proceeding according to a rational, temperate sequence, and not in a big-bang or a flash-in-the-pan fashion.

In response to international, national and local concern about depletion of the ozone layer, the government has acted quickly to put in place legislation and administrative arrangements to reduce and control the consumption of ozone-depleting substances in the Northern Territory. The relevant act was passed in the May sittings. The Ozone Protection Act was introduced into the Assembly last February and the accompanying regulations will be tabled in this House later this week. They have resulted from a wide-ranging consultative process with industry and the community to develop both the legislation and the accompanying all-important regulations. This

legislation has been hailed nationally and is being used as a model by the the states in relation to tackling the ozone depletion problem.

This issue requires such close consultation with the community, not the least part of which is the business community which has the role of implementing many of the rules. The matter requires its own legislative framework so that ongoing consultation and communication with the public can be dealt with. The government's approach to this important legislation is consistent with the recommendations of the ANZEC strategy for ozone protection and is complementary to the program adopted by the states and the Commonwealth. Members opposite would have this Assembly believe that we are acting irresponsibly and are out of step with the rest of the country in our approach to this significant environment protection initiative. Do they seriously believe that ozone protection should not be the subject of specific legislation and that it would be more appropriate for it to be tacked on to planning legislation? I suggest that that accurately sums up the calibre of the approach to environmental protection that the member for Wanguri proposes.

The government is not stopping at ozone protection in its pursuit of a consistent, coordinated and dynamic approach to environmental protection and management. Following consideration of a report from the working group established by the government to review the status of management of hazardous and other wastes in the Territory, and in line with recent decisions by the Australian New Zealand Environment Council to develop uniform or coordinated pollution controls across Australia, the government has moved to establish and implement a comprehensive waste management and pollution control strategy for the Northern Territory.

The Conservation Commission will have carriage of this initiative in consultation and cooperation with other existing arms of government. To this end, the Conservation Commission is holding discussions with other agencies in government on how existing legislation and regulatory services can be utilised and integrated to implement the strategy and to assess where additional legislative and other measures may be required. The Conservation Commission will report to the government on the outcome of these discussions within the next month. Underlying this approach is the government's desire that the necessary mechanisms be in place to protect the environment without duplication of legislation, services and resources. It recognises also that new and flexible approaches are required to respond to community needs and emerging environmental protection issues.

Members would be aware that the government is reviewing the Environmental Assessment Act. A consultant was engaged to interview many interested individuals and groups as part of this review and, subsequently, his report has been circulated for comment. Circulation has been limited at this stage. Shortly, the government will be evaluating a report from the Conservation Commission on the outcome of that review and then the report will be circulated publicly to attract further comment from the community generally on an approach to amendment of the Conservation Act as part of an ongoing process of direct community consultation.

With legislation of the 1990s, particularly social legislation, it is essential that we work with and consult with the community on the development of that legislation. The process may be slower than we might desire but nonetheless it is essential. The community expects to know, deserves to know and has a right to know where we are going. That is the keynote in open and honest government, not pretend words in a policy statement, followed by backroom policy setups and the introduction of

ill-considered and undiscussed legislative proposals in this House with the aim of scoring political points. Consultation is needed. It is slow and hard work, but the outcome is effective, and that is the approach we are adopting.

The Environment Protection Act has been in operation now for several years. It is timely that we consider where improvements to the environmental assessment process are appropriate in the light of our experience with the legislation.

Mr Bell: We do not have an Environment Protection Act, Steve.

Mr HATTON: This review is not being conducted in isolation from other, concurrent legislative developments. The government is proceeding with the planning and heritage areas.

We do not have what?

Mr Bell: You said that we have an Environment Protection Act. I am telling you we do not have one.

Mr HATTON: Environmental Assessment Act.

Mr Bell: That is not what you said.

Mr HATTON: The interaction of these is a primary consideration in the legislative and administrative approaches being developed. In this regard, we do not believe that it is desirable or appropriate to incorporate planning, environmental assessment and heritage under 1 piece of legislation. This approach has been tried elsewhere in Australia, and the current trend interstate towards separation of these functions indicates that the approach proposed by the opposition would not work.

As I have said, the New Zealand government has attempted recently to combine all its environmental legislation in a single act. This process has taken some 3 years to date to accomplish and, at this stage, the end result is a complicated and extremely unwieldy piece of legislation. On the strength of this evidence, I would suggest that the Northern Territory could learn from these experiences. Further, I would emphasise that this is definitely not the path that the Northern Territory should choose to follow.

Let me turn now to the issue of heritage legislation. In November 1988, the government made a commitment to introduce specific heritage legislation.

Mr Bailey: 1979 initially.

Mr HATTON; The Conservation Commission undertook a detailed survey of relevant legislation in the states and the Commonwealth and produced a discussion paper which was released early last year. Various bodies, such as the National Trust, provided comment and, as a result of that feedback, a draft bill was prepared which I tabled in this Assembly in November 1989.

During the first half of this year, the Conservation Commission received a great deal of comment on that draft bill, including some 45 written submissions many of which were of a substantial nature. Although some of the comments were critical of parts of the draft bill, overall, the public response was most encouraging and helpful. Subsequently, further negotiations and discussions have taken place and a revised bill has almost

been completed. I look forward to introducing a new bill before the end of this year. Are we now to call a halt to 2 years of hard work? No, there is no good reason to do that. Great care has been taken already to ensure that new heritage legislation will complement, rather than overlap, existing legislation.

The word 'heritage' does not mean just old buildings, but rather can be divided into 2 categories, these being cultural and natural heritage. By this, I mean that heritage includes places and associated movable items of prehistoric, historic, aesthetic, social or cultural value to the community, including ruins, buildings, precincts, gardens and modified landscapes and associated cultural objects or artifacts. Also considered under heritage legislation are places of natural value, including geological structures, fossils, living flora and fauna, ecosystems, landscapes and coastlines.

Mr Reed: Steps down to the foreshore.

Mr HATTON: And steps down to the foreshore.

We are well placed in the Northern Territory to introduce such legislation as a result of our relatively small population base which, to date, has maintained our heritage quite well. Our magnificent and colourful history and our rich and diverse environment deserve to be protected from those who do not understand or care about some of our most interesting educational and valuable assets.

It must be noted that the legislation, in the form of several acts operating within the Northern Territory, such as the Northern Territory Sacred Sites Act, the Planning Act, the Native and Historical Objects and Areas Preservation Act, the Conservation Commission Act, and the Territory Parks and Wildlife Conservation Act, provides protection for cultural and natural heritage already. All of these acts are aimed at, and concentrate on, complementary but different objectives of environmental protection. However, it has been recognised that, despite this existing legislation, there are some areas of our heritage which are not adequately provided for and, indeed, some areas which can be improved on. To this end, the Northern Territory government will introduce legislation which will ensure protection for all areas of our unique heritage.

I wish to assure honourable members that the need better to conserve and protect both natural and cultural heritage in the Territory has been reviewed constantly and amended where necessary during the past, and that will not stop now. The proposed legislation will provide the basis for full protection of our heritage and it will be monitored accordingly to ensure it remains relevant, appropriate and applicable. The conservation, protection and management of declared places and items of the heritage of the Northern Territory, for the benefit, use and enjoyment of present and future generations, has been carefully considered in the drafting of the legislation. Provision is being made for the establishment of public procedures for determining the status of heritage places and the establishment of a declared and known record of assessed heritage places that could be used in effective land-use planning.

We will not be duplicating provisions of the Planning Act, but rather we will utilise the Planning Act, amended as necessary, to implement certain aspects of heritage protection. Registered heritage places, within town planning areas, will be recorded on town plans and they will be zoned accordingly. Development applications for registered heritage sites will be considered by the Planning Authority, but that body will be required to seek

the advice of the minister responsible for heritage conservation. Private owners will be encouraged to use and maintain heritage places, while the entire community will be made aware of the assessment procedure and asked for input. It is of no use to implement legislation with which whole sectors of the community disagree or legislation which does not allow the community it serves to voice an opinion.

In line with the government's commitment to community participation, the conservation of heritage places will be sought through cooperation and agreement, rather than through regulation or acquisition. However, I would add that, if necessary, the protection or acquisition of assessed heritage places will be enforced. Further details will be provided at the appropriate time, when the bill is introduced.

In November last year, the discussion paper 'On Balance - Towards a Conservation Strategy for the Northern Territory' was released to initiate public debate and consultation on the issues involved. That paper was distributed to a wide cross-section of the community, and a number of written submissions were received. This was followed up by a series of public meetings at major Territory centres, and all of the information and opinions obtained through this consultative process formed the subject of a statement that I tabled in this Assembly last May.

The Conservation Commission has appointed a consultant, Dr Goff Letts, to assist in the preparation of a draft conservation strategy for the Territory. He will be guided by a steering committee which has been formed from representatives from government departments, industry and environment groups, Aboriginal land councils, local government and scientific institutions. During the next 2 months, some further consultation with community groups will take place during the development of the strategy. I hope to report substantial progress with this task at the October sittings of this Assembly.

It takes time to develop such a strategy, and it is better to take the time to consult with business and community groups if Territorians as a whole are to have any sense of ownership of the strategy and commitment to it. I expect that this strategy will guide the development and revision of legislation and administrative arrangements affecting the twin goals of conservation and sustainable development for the rest of the decade. But certainly I do not recommend that, until the strategy is complete, we sit still and do nothing about ozone depletion, the protection of cultural heritage or the ongoing management of our national parks. Environmental planning is a daily and ongoing task of this government.

Before concluding my remarks, I would like to provide members with some advance notice of further review of conservation legislation in 1991. We intend to introduce amendments to the Territory Parks and Wildlife Conservation Act to provide enhanced protection for native flora in addition to providing much greater protection for particular species of plants which are rare or threatened with extinction. Provision will be made also for the conservation of relic plant communities and habitats of special value. In addition, regulations will provide for the sensible use of our native plants and plant communities through the propagation of some species in nurseries and gardens or through sustained harvesting of plant products from wild resources.

During 1991, as part of the Decade of Land Care Program, we will undertake a review of the Soil Conservation and Land Utilisation Act, along with similar reviews to be conducted in some states. The emphasis would be

to broaden the scope of the act from its present primary focus on soil conservation to provide for other forms of land degradation, including both preventive and remedial aspects.

The matters I have just outlined demonstrate that the government is not standing still in response to environmental protection concerns and is rigorously proceeding with a series of actions and legislative reforms in this area. Experience has shown that, to be effective, such reforms must proceed within an orderly and well-integrated framework and be subject to the widest possible consultation. This is the approach we have adopted. It is a logical, rational and realistic program suited to the needs of the Northern Territory. It takes into account, and is in line with, related national initiatives. It does not follow blindly the approaches adopted elsewhere but is specifically geared to our needs and, in many cases, because of our fresh approach to these issues, the Northern Territory formula is proving to be more effective and is attracting favourable attention from other states.

The proposal by opposition members that the only approach to environmental protection is to lump all environmental legislation together ignores the complexity of the issue and understates the need for a range of legislative and administrative mechanisms to be available to provide an effective environmental protection and management system. A single piece of legislation is not the answer. The government recognises this basic principle and that is why we are following alternative and more comprehensive environmental strategies. Planning and the environment encompass some of the most important issues concerning the community today.

If there were any value in the opposition's approach, I would not be speaking against it. However, I can understand the opposition's motives in making this proposal. If it wants to make some kind of gesture towards environmental awareness, it must be very difficult for it to find a valid approach that is at odds with what this government is doing. The government has taken the responsible course of moving with community trends and refining its legislative focus on environmental issues in consultation with the public and special interest groups. We have amended existing legislation, where appropriate, and introduced new legislation where necessary. This process is continuing. I can see no reason to waste the sessional committee's time on issues which have been or are being adequately addressed. It would serve no useful purpose and would simply generate huge quantities of wastepaper to add to our recycling problems. I urge the opposition to take the responsible course and to withdraw its support for this silly, wasteful idea.

Mr BELL (MacDonnell): Mr Deputy Speaker, the speech delivered to this Assembly by the Minister for Conservation has been a very powerful testimony in support of the motion moved by my colleague. All his comments about the various aspects of environmental legislation are an indication of the need for the parliament as well as the executive to review the overall pattern of environmental legislation. I do not think that anybody in this Assembly would doubt that not only has the question of the environment become a much more pressing political issue but that, as a result, the attitudes of people in the community are changing. People are demanding that parliaments look very hard at the pattern of legislation that affects the environment.

The honourable minister mentioned the Environmental Assessment Act. To give its full title - and I well remember when it passed through this Assembly - it is the Environmental Assessment (Impact of Proposals) Act. One of the chief differences between that act and the approach to the

environment that has grown up in the last decade has been that the Environmental Assessment Act that the minister referred to has to be triggered by the government of the day. It was legislated in the Territory and mirrors Commonwealth legislation brought down by the Fraser government - from memory in 1976 - in response to sand mining on Fraser Island. The difference between that approach to questions of environmental assessment and approaches that are gaining more popularity now is that people, the community, interest groups - call them what you will - are demanding an avenue for a challenge, a curial or quasi-judicial process. I am not recommending any particular approach in that regard, but I think that parliaments have to be responsive to the change in the mood of the electorate.

I have spoken previously in debates in this Assembly about the need to refer such processes to the Sessional Committee on the Environment. You will recall, Mr Deputy Speaker, that I urged a reference to the Sessional Committee on the Environment in respect of land degradation in the Northern Territory. It is my belief that it was a most unfortunate decision of the government in that case to refuse such a referral. Likewise, in this case, I believe the refusal to accept the sensible, coherent proposal put by the shadow minister for conservation and environment is an unreasonable approach on the part of the government.

The minister tried to characterise my colleague's approach as demanding a single act of parliament. Clearly, the minister has not read the motion. The fact is that the motion proposes a review of legislation which impacts on the environment and the legislative landscape in that area as a whole. In his response, the minister contradicted himself quite dramatically. At one stage, he interpreted the motion as referring to all legislation but, later, he said that it would refer to 50 pieces of legislation.

I am not sure about the number of acts involved, but I believe that the motion offers a sensible, responsible and coherent approach to a genuine community concern. Every member of this Assembly is aware of the ongoing debate about sustainable development and the need for balance between environmental protection and a level of development which will maintain the standard of living Australians are used to. I believe that very few public issues are of more importance and the proposal constructively put forward by my colleague goes some way towards assisting coherent debate in that regard.

Of course, the minister is not really interested in coherent debate. He is interested only in the photo opportunity and the press release. He is concerned only about a few votes in Nightcliff or elsewhere. The opposition has a broader view and that view is represented in the terms of this motion. The fact is that it is worth while to carry out a review of legislation and government agencies involved in the implementation of planning and environment legislation. It is worth while to consider the effectiveness of existing administrative arrangements and the desirability of bringing all environmental and planning legislation into one piece of legislation. The member for Wanguri, the opposition spokesman for conservation and the environment, has not said that he believes that there should be a single piece of legislation. He wishes rather to refer the desirability of such legislation to the Sessional Committee on the Environment, which is an entirely different process.

The minister spoke about heritage legislation and the need for it to form part of a broad policy framework. At this stage, once again, I must give the lie to the government's suggestion that its record on heritage protection has been anything but disastrous. Mr Deputy Speaker, I

understand that you have an interest in a particular building in the Alice Springs mall. I am sure that the question of heritage protection and the quality of the environment in that area is dear to your heart. The fact is that, because successive CLP governments have failed to take on board the sort of proposals which my colleague has put forward in his motion, the built environment in the central business district of Alice Springs is, if not an absolute disaster, then certainly in a far less attractive state than it might have been had a broad policy approach been applied.

The question of heritage legislation has been debated many times in this Assembly. Frequently, the focus of such debate has been Alice Springs, although not on all occasions. Alice Springs has suffered the destruction of Turner House and the Marron's facade while the CLP government, including the present Minister for Conservation, stood by twiddling its thumbs. For 10 years, this government has done nothing about heritage protection.

Another relevant issue in Alice Springs relates to the styles of building. Whilst I am not suggesting that government should dictate entirely what people build in particular places, I suggest that even Bill Ford may now have some regrets about the design of the Ford Plaza. I doubt that anybody in the Northern Territory would argue that a little bit of advice from the government, be it in the form of the carrot or the stick, would not have gone astray in improving the appearance of that building. Incidentally, such an initiative would have done a great deal for the aspect from Alice Springs Cinema.

Mr Reed: Comrade Bell.

Mr BELL: I pick up the interjection from the member for Katherine. Presumably what he is trying to tell me is that I am over-regulating.

Mr Reed: You got it in one.

Mr BELL: I point out that it is obvious that these people do not read their newspapers. When the member for Katherine contributes to this debate, he will be able to tell us exactly what sort of regulations are put in place elsewhere around the globe that dictate the type of townscapes that are possible. It is impossible to consider such questions without looking at the many aspects that come together in both the planning and heritage proposals. I have demonstrated that looking at heritage without looking at questions of planning leads to disaster, as it has led to disaster in 12 years of CLP self-government. Fortunately, that is about to end, and we may get some ...

Mr Finch: Statehood.

Mr BELL: There may very well be statehood, but it will not be statehood with a CLP government.

Another reason why this motion ought to be supported was indicated in the minister's own comments. He distinguished between what he referred to as cultural and natural heritage. Those of us who have taken an interest in organisations like the National Trust in the Territory will know that there has been keen interest in our cultural heritage. I refer to the efforts of the National Trust in the Territory and its interest in a number of buildings around Darwin. I think particularly of its concerns in respect of Admiralty House and the resolution in that regard. I refer to the recent concern expressed about the Methodist manse in Darwin. In central Australia, keen interest has been displayed in the Hartley Street precinct,

the Hartley Street School and the Stuart Town Gaol and other projects of that kind.

Where that shades into the question of natural environment is not always easy to tell. It is easy to set up categories, such as the natural and cultural environment, but I ask honourable members to take an example often cited by the member for Braitling. I refer to the heritage value of the Telegraph Station Park in Alice Springs. At what point exactly the cultural heritage of the Telegraph Station buildings and their association with the bungalow, and the old Native Welfare approach, that sort of cultural heritage, shades into the beauty of the Todd River and the traditional Alice Springs as it was known, the surrounding ridges and the wonderful country around that area is a little difficult to define. Obviously, questions of both cultural and natural heritage are involved in those circumstances. I can see also that, under those circumstances, it is important to talk about the impact of planning legislation.

I think that I have established quite clearly the importance of this motion and the need for the parliament to refer to its sessional committee the matters brought before it by the opposition spokesman on conservation and the environment. Furthermore, whilst the honourable minister said that he opposed the motion, the substance of his comments implied very clearly that he should have supported it.

Mr MANZIE (Lands and Housing): Mr Speaker, as the Minister for Conservation pointed out, the government will not be supporting this motion. It is very disappointing to witness the depth of feeling exhibited by the opposition in respect of the motion moved by the member for Wanguri. At this moment, none of his colleagues is here to support him. If I were the member for Wanguri, I would be speaking to my colleagues in the party room and pointing out that, even if they are not interested in what he has to say, they should at least attempt to show some support by being present in the Chamber. This is indicative of the opposition's approach to all matters. If it can get a headline, it is happy. However, members opposite are not interested in substance.

In stating that the government would not be supporting the motion, I should probably have referred to it as an amended motion. As all members would recall, it was first moved in a previous sittings in a significantly different form. At that time, the member for Wanguri wanted the government to agree to the establishment of a new sessional committee to review planning and environment legislation and the other matters referred to in this motion. It was obvious from the terms of his original motion that the honourable member was unaware of the fact that a Sessional Committee on the Environment existed already. One can only assume that his colleagues allowed him to move the motion in that form because they were also unaware of - or, even worse, had forgotten - the existence of the sessional committee. Perhaps, however, there is another explanation. Maybe the honourable member's colleagues sucked him in deliberately. We all know that factionalism is a great problem in the ALP and it may be that it has reared its ugly head in this parliament.

Mr Bailey: You have no content, Daryl. No content.

Mr MANZIE: This motion exposes clearly the lie behind the born-again opposition's new-found love for the environment. The simple fact is that, like their federal colleagues, members opposite believe that the environment is a vote-winner. They will say just about anything and take just about any decision which looks good. They will not let the facts stand in the way of

a good story. What we see repeatedly from the opposition is not support for the sake of the environment but environmental sycophancy for publicity's sake.

The member for MacDonnell exemplified that approach in his attitude to the destruction of desert oaks in his own electorate. This destruction occurred when the ANPWS disregarded advice from the Department of Transport and Works and the findings of the department's environmental impact study and changed the road alignment, destroying numerous mature desert oaks. We did not hear a whisper from the member for MacDonnell - not a whisper. That shows just how seriously the opposition takes these matters. Other people are starting to observe and take note of the fact that what is actually said and what occurs are two different things. The approach of the opposition is not what good government and responsible decision-making is all about. Territorians can be very thankful that the members opposite have never been given a chance to display their ineptitude and cynicism on the Treasury benches, nor will they be given such a chance.

This performance is an indication of the member for Wanguri's capacity as opposition spokesman on the environment. On the one hand, he asked Territorians to give him credibility in relation to environmental issues and, on the other hand, he made it obvious that he is totally unaware of a committee of this parliament with a specific charter to consider environmental issues. What an appalling performance! However, given his record on other matters, I suppose the government should congratulate him on the fact that it has taken him only 12 months to read the Notice Paper which sets out the membership of various committees. Mr Speaker, I think we can turn to the substance of the motion, if I can dignify it as such.

What the motion proposes basically is for the committee to inquire into everything, legislative or administrative, in the Northern Territory which impacts in any way, shape or form on the environment. The exception, as usual, is that this applies only to the Northern Territory government. By definition, it omits everything that the Commonwealth has a hand in and which the honourable member may find instructive to examine as examples of how not to do things. We have only to look as far as the performance of the federal government in the electorate of MacDonnell and the performance of opposition members in hailing the Commonwealth's actions in that regard to find an example of their attitude to the environment.

The motion proposes also that the committee examine whether all planning and environmental legislation should be consolidated under one act. In those terms, the motion is, at best, an exercise in naivety. It is so far-reaching and all-encompassing that, basically, it is a recipe to halt government. A great many activities of government impact in some way and to some extent on the environment. It is possible that the honourable member thought that he was dealing only with the activities of the Conservation Commission or the Planning Authority of the Department of Lands and Housing. He might like to consider the fact that building regulations, health regulations, fire safety, land management, traffic laws, mining, infrastructural design and developments such as roads, water, sewerage and power would all be included under the terms of his motion. These are only a few examples. There are many activities in law which directly or indirectly impact on the environment or have the potential to do so. I wonder when the committee would be expected to report. Perhaps the year 2000 would be appropriate? However, by then, its initial investigations would be out of date. It would go on and on.

A similar argument applies to the possibility of a single piece of legislation. If each activity which had the potential to impact on the environment was gathered into 1 act, it would be enormous. Perhaps we could call it a 'mega law' or, after discussing it with the member for Karama, we could have a long title: 'The body of law in force in the Northern Territory as amended from time to time'. The short title would be: 'The Law'. If such an act contained enough detail for it adequately to address all the areas it was supposed to cover, it would be so large and so complex that it would be virtually unworkable. If it were reduced so it could be properly interpreted and administered, it would be so oversimplified that it could not properly fulfil its role.

What sort of department or authority would be needed to support the provisions of such a piece of legislation? By definition, it would probably have to take in most, if not all, of the existing government departments and authorities under one roof. That does not sound like a very good prospect for efficiency or for effective government. In fact, it puts me in mind of the fact that the Commonwealth administered the Territory right up to 1978. It was the faults of that particular system which made self-government so necessary, and certainly they made it a welcome development for the Territory. Perhaps, if the honourable member had been in the Northern Territory at the time, or even a few years ago, he would remember those days and he would steer clear of proposals like this.

The simple fact is that various aspects of government are best administered by specialist agencies with specific charters and with employees who know what they are talking about. The Conservation Commission can best administer environmental and heritage legislation. The Department of Health and Community Services can best administer public health and welfare. The Department of Lands and Housing can best administer building and strategic planning. The Planning Authority can best administer statutory planning controls. The Department of Transport and Works can best administer roads. The Power and Water Authority can best administer water, sewerage and power services, and so on.

The point the honourable member appears to miss is the fact that laws can be complementary without having to be incorporated within 1 act. Basically, what is necessary to address public planning concerns is for the government to be aware of those concerns and to put in place a coordinated approach to address them. The Territory government has done just that. The Minister for Conservation has outlined already the processes that are in place for the Environmental Assessment Unit which is the government's new anti-pollution watchdog. He has explained also the procedures to be followed by government in overhauling the Environmental Assessment Act and in the preparation of the new ozone protection and heritage legislation.

Key features of these procedures are intergovernmental cooperation and public consultation, and the same is true with the present overhaul of the Planning Act, an area which is criticised frequently by the opposition, particularly by the member for Wanguri. Members will recall that I released for public comment a discussion paper on the overhaul of that act, and that I brought the matter before this House for debate. It is well worth noting that, despite all the criticism, one notable absence from the list of people and groups who made submissions on the discussion paper was the Northern Territory Branch of the Australian Labor Party. The explanation of that from members opposite was more or less along the lines of: 'We have some ideas, but we are not going to tell you what they are'. What a wonderfully mature response but, again, it was typical of the opposition. When it comes

to public criticism, members of the opposition are at the forefront every time but, when it comes to constructive comment, they are nowhere to be seen.

We ought to stop and ask ourselves what is the purpose of the motion of the member for Wanguri. Has it been raised because, somehow or other, there is no coordination in the planning and environmental protection process? Is there some sort of problem? If that is the case, I would invite honourable members to be aware of where they live and to look around them. There are occasions when problems regarding the environment slow down or sometimes even stop development proposals from proceeding. The system works very well, and it is designed to work very well. It is designed to interlock with proposals and with evaluations to ensure that the environment gains maximum protection.

I have said time and time again in this House that one has only to look around the Northern Territory and live here for a short time in order to realise we do not have the problems that other areas of Australia have. The administrations in those other areas of Australia have caused the destruction of the areas where people live. They have polluted the seas. They have caused degradation in areas of mining, and they have totally destroyed some areas of their environment. That has not happened here, and there has been good reason why it has not. It is because we have systems in place which are effective.

Mr Bailey: We have only 150 000 people in the whole of the Northern Territory. It has nothing to do with your legislation.

Mr MANZIE: Mr Speaker, let us think about that interjection. The honourable member said that it has nothing to do with our legislation. It has just happened that way. It has nothing to do with the approach we have adopted. That demonstrates the ignorance of the member for Wanguri. He has not lived here for very long. However, where he has come from, they have totally destroyed the environment.

Mr Bailey: Where have I come from, Daryl?

Mr MANZIE: Have a look at the seas. Have a look at the areas around Sydney and Melbourne. Go for a swim there.

Mr Bailey: I do not come from Sydney or Melbourne.

Mr MANZIE: He comes from England, but we are all aware of that. That is the last place that I would mention.

Mr Smith: What are you suggesting?

Mr MANZIE: Here we have an interest in the Territory.

Mr Bailey: Would you like to expand on that, Daryl?. Would you like to expand on the proposition that ethnic groups have no contribution to make the Northern Territory?

Mr MANZIE: Here we have the member for Wanguri, Mr Speaker. It hurts him. He has been here for a short time only. He has not had time to look around the Territory. He does not realise that we do not have polluted air or polluted seas. He does not realise that we have systems in place to prevent that, and yet he has the audacity to stand up in this House and try to tell us what to do. He had not even looked to see what sessional committees were in place. He wanted to establish an environmental committee

when there is one place. It is typical of the man. He is hopeless. The sooner they get someone to replace him, the better for us all.

Why was the Gunn Point project stopped? It was not because the member for Wanguri said to stop it. It was because, in our process of environmental assessment, we found that there were environmental concerns about what was proposed. The system is working very well. A re-evaluation is taking place. That is not good enough for the member for Wanguri. He wants the mega act in place. He is hopeless.

Mr Finch: What about the mulgara rats?

Mr MANZIE: Exactly. That is a prime example of how he performed in respect of the desert oaks.

Mr Bailey: An identified endangered species.

Mr MANZIE: Nothing that he has said or done in this House or outside in respect of the environment has had any basis in fact or relevance to the Territory.

There was a proposal for a resort development at Corroboree Billabong. That did not get to first base because of environmental concerns. What about proposals for canal estates? Very detailed environmental studies have to be done before any process can be commenced in regard to those matters.

We have these processes in place. Not only have they worked in the past, but they are continuing to work. If we do have a problem, this parliament can refer such matters to the Sessional Committee on the Environment - the committee that the member for Wanguri did not know about or, more probably, that his colleagues sucked him into believing did not exist so that they could watch him make a dill of himself. He does not need much help in that regard.

The system is in place and it works. When it can be demonstrated that the system is working, why change it? The example is just outside the door. Why introduce systems that have been demonstrated not to work, from places where the environment is in a bad way because the governments involved have not had appropriate mechanisms which allow development to occur with appropriate protection? Members of the opposition want to introduce systems which have failed everywhere else, and they take no notice of systems in place in the Territory. Our measures are under constant review. They are debated regularly in this Assembly and relevant legislation is amended whenever that is appropriate, and it is workable and effective. The honourable member wants nothing to do with any of that, because he has not been here long enough to know how it works and he wants to introduce the systems that apply where he has come from.

I expect the honourable member feels a little sorry that he introduced this motion. As the Minister for Conservation pointed out, what is needed at this time is not wasteful and cumbersome inquiries into environmental and planning matters. What is needed is a commitment from government to address areas of public concern and to pay greater attention to streamlining and cooperation between government agencies to achieve these goals. As the Minister for Conservation and I have outlined, we are introducing an important package of complementary legislation in this House. The bills are being introduced sequentially to allow members to give full and proper consideration to them. The government has undertaken this program to

provide a proper balance between the economic advancement of the Territory and the need to protect our environment, heritage and lifestyle.

I believe the honourable member's motion to be unnecessary. By virtue of its construction, it would cause far greater problems for the Territory than it could resolve. The government will not be supporting the motion.

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

Mr BAILEY (Wanguri): Mr Speaker, I have listened with some interest to the responses from my colleagues on the government side to my motion calling for environment and planning legislation and other related matters to be reviewed by the Sessional Committee on the Environment. The reason I used the word 'colleagues' was that the purpose of referring it to that sessional committee was to try to bring the debate out into the open in a non-party-political arena so that the people of the Northern Territory may benefit. However, from the response from the Minister for Conservation and the Minister for Lands and Housing, it is clear that they are not interested in an action which would actually benefit the people of the Northern Territory. The Minister for Lands and Housing made it quite clear that the reason they do not want to support it is that the process is too large, that to actually review the legislation relating to planning, environment and conservation is actually too big a job to tackle, and that the sessional committee would find it too difficult and lengthy.

In moving my motion, I referred to the New Zealand situation, where the government carried out a complete review of its planning and environmental legislation, a review which took 3 years. I said that the legislation which New Zealand is still trying to produce may not be the model we want to follow. However, when the New Zealand government went through the process of reviewing all current legislation relating to planning, conservation and the environment - some of which was more than 100 years old - it found that much of the legislation had come about through the introduction of ad hoc measures to address individual issues.

We are now reaching a stage at which there is a belief in the community and on this side of the House that an integrated approach is needed to environmental legislation and planning, something which the other side of the House does not seem to understand. That does not mean that every piece of legislation which relates to planning, conservation or the environment must be consolidated into a single act. It does mean, however, that there may be a need for a single piece of legislation which has far-reaching implications for planning, conservation and the environment. Such an integrated approach would apply to all areas of government and commerce in respect of planning and environmental issues, ranging from building a house to opening a mine. It would provide consistency and people would know where to go to obtain the information they needed.

The Minister for Lands and Housing referred to the fact that my initial motion sought to refer the matters to a committee vested for that purpose rather than to the sessional committee. My view was that the amount of work involved in carrying out the exercise would be quite large. It would involve full-time committee work over a period of perhaps 2 or 3 years. At the time, I believed that such a workload would best be dealt with by a committee vested specifically for the purpose. Subsequently, it was brought to my attention that the resources of this parliament might be strained by vesting such a committee. Following discussions with my parliamentary colleagues, a decision was made that, for the benefit of the taxpayer, an existing committee would best be used.

The Sessional Committee on the Environment was set up primarily to monitor the Alligator Rivers region. However, it also has powers to examine other mining and/or environmental matters. In order to save the resources of the taxpayer, a decision was taken to move to refer the matters to that committee. We believed that a separate committee was the ideal solution, but the number of parliamentarians available to sit on that committee and the costs were difficult to justify in the current economic climate. We were quite aware of the existence of the sessional committee, Mr Speaker, because my colleagues are members of that committee.

I have experienced something of a sensation of deja vu in relation to the matter of noise legislation, which I attempted to raise on a bipartisan basis. I referred to community concern about excessive noise and I made a call for this parliament to review existing noise legislation and to look at ways of overcoming any legislative problems which existed or problems in the implementation of the legislation. I remember being quite resoundingly attacked by members on the government benches, who said that it was a ludicrous and stupid idea. They asked how anyone could even contemplate reviewing noise legislation.

However, since then, the Minister for Conservation has targeted noise legislation as an area requiring attention as part of the conservation strategy. Even more startling is the fact that, in a recent electorate newsletter, the Minister for Transport and Works announced proudly that a review of noise legislation was being undertaken. This minister was actually one of those who said last year that the idea of reviewing noise legislation was ridiculous!

Mr Finch: Where does that appear in the Parliamentary Record? Tell me when I said that. You are making it up, aren't you? You are dreaming again. You have gone from Disneyland to dreamland.

Mr BAILEY: Did you support my motion?

Mr Finch: No. I never support your motions.

Mr BAILEY: Thank you.

Mr Speaker, the Minister for Lands and Housing suggested that I was asking the Northern Territory to proceed down the same track that some states have followed that have legislation that has created problems because it is uniform legislation. Pollution control in eastern seaboard states is largely reactive, driven as it is by a legacy of development from the past 100 years. The Territory has an opportunity to learn from the lessons of the past and to set in place a pollution control strategy integrated with sound environmental planning and assessment and coordinated through a single agency of government. The approach should be flexible enough to allow the Territory to respond to land degradation problems and pollution and problems of air, water, noise, and of a visual, aesthetic, chemical and hazardous waste nature as they become issues of concern to the Territory. The approach should maximise also the use of existing regulatory authorities within the government.

The key to successful implementation of the strategy is to develop a compliance monitoring of approvals and environmental audit of the performance of the environmental assessment process. It is the assessment process which is the key, the central part to an environmental and planning strategy.

Mr Finch: Who wrote this - Bob Brown?

Mr BAILEY: You would be interested to know who wrote this.

In New South Wales, the Minister for the Environment is responsible for the Sydney Water Board, the Waste Management Authority and so on. Environmental management is not well integrated, with the separation of planning and pollution control dictating a reactive role for the commission. However, the State Environment Protection Authority is to be established in the near future. In other words, the ...

Mr COULTER: A point of order, Mr Speaker! I am not sure if the honourable member is reading the text of his speech or quoting from a document or a book. If he is quoting from a paper, would it be possible for him to table the document so that honourable members can follow him? At least, he could acknowledge the source that he is reading from so that we have some idea of what he is talking about.

Mr SPEAKER: Order! Is the honourable member for Wanguri in a position to table his notes or are they simply copious notes?

Mr BAILEY: They are copious notes, Mr Speaker.

Mr SPEAKER: Thank you very much. There is no point of order.

Mr Coulter: Well, what are you talking about? We have no idea.

Mr Smith: Why don't you listen? You might find out!

Mr Coulter: Do you know?

Mr Smith: No, I don't.

Mr Coulter: No, I don't either. That makes 2 of us.

Mr BAILEY: If you had been here when the honourable minister for ...

Mr Smith: He will tell us in good time.

Mr SPEAKER: Order!

Mr BAILEY: Mr Speaker, one of the main points that the Minister for Lands and Housing was making was that, to integrate legislation on planning and the environment was to go down a track that had been taken by states that are having problems, and that that was not an appropriate way to go. The point that I am responding to is that the problems that those states are experiencing were created by non-integrated planning and environmental legislation. They are moving now to integrate their planning and environmental legislation in order to overcome the situation that created the environmental problems with which they are confronted.

The comments made by the Minister for Conservation largely supported the content of my motion for a review of planning and environmental legislation to produce a central core of legislation to deal with those areas. Unfortunately, the process he is going through is one that is within his party room and within certain selected departments, and it is not open to the beneficial effect that would result from discussion by both sides of this House in trying to develop the direction and approach, rather than its coming from one side only.

Already the minister is on record as promoting a bipartisan approach on recycling. That is something that the 2 of us are trying to work together on. My motion called for a continuation of that bipartisan approach by using a sessional committee to discuss the area so that the problems relating to different amendments can be worked through on a bipartisan basis and be overcome from the beginning rather than at the end.

At the moment, as the Minister for Conservation has already stated, he has draft heritage legislation under preparation and he has carried out discussions with different groups. Those discussions did not include this side of the House. As I have mentioned, the consideration of environmental legislation would benefit from a bipartisan approach, whereby benefits to the community could be gained through both sides seeking to reach a common objective, rather than the government continuously going off on its own path and then hoping that we will go along with it. If, then, we make any criticisms of the government's approach, we are seen as being obstructive.

The minister has already accepted a bipartisan approach on recycling, and the people in the community are saying that that is what they want. My motion requested a bipartisan approach to a review of planning and environmental legislation. The government's actions today have indicated that it does not want a bipartisan approach on planning and environmental issues. The response of the Minister for Lands and Housing in particular, whilst it took 30 minutes to deliver, devoted at least 15 minutes of that time to a personal attack.

Mr Hatton: I would not talk too loud if I were you.

Mr Manzie: Tell us how you developed a bipartisan approach to the Planning Act, and then decided that you would not tell anyone what you had decided. We find it harder to listen.

Mr BAILEY: Mr Speaker, I find it rather contradictory when honourable members from the other side of the House complain about the length of a speech when they themselves waste 15 minutes of the time of this Assembly to deliver a personal attack on a member of the other side.

Mr Reed: Some people make speeches without substance. You have said no more in this speech that you did when you spoke in May and gave us one word - 'supported'.

Mr Setter: A one-word speech.

Mr Coulter: Hitch your straps, you have 4 minutes to go.

Mr BAILEY: Thanks, Barry.

Mr Coulter: You are welcome. They are relying on you.

Mr BAILEY: Mr Speaker, members on this side of the House have made an attempt to secure a bipartisan approach on environmental issues in the Northern Territory. We see that, crucial to this exercise, is the need to review all existing planning and environmental legislation with the objective of bringing that legislation up to date, and the need for a central, integrated piece of legislation that covers the major aspects of planning and environment within the Northern Territory. I am disappointed that the government is on record as saying it does not want to support a bipartisan approach on planning and the environment.

Motion negatived.

PLANNING AMENDMENT BILL
(Serial 290)

Bill presented and read a first time.

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

This bill is fairly straightforward and relates to a matter which has been raised in this House a number of times by various members, myself included. It is a matter of knowing who has voted on decisions by the Planning Authority in local areas. The intention of the bill is straightforward. Within a week of having met in a particular area and made a decision on various matters, the authority shall release a brief report on the matters decided on and the decisions for or against. The report would include the names of those people who made the decision. There are 3 permanent members of the Planning Authority appointed by government. In most areas, there are 4 local people who are appointed, generally by the local council but they are not directed by that local council. Often, people want to know who has voted for and against a proposal. In this way, decisions would be brought closer to the feelings and the needs of the community.

There are many vested interests when it comes to planning matters. The people who make the decisions will need to be strong. They will need to have sound and cogent reasons why they voted in a particular way if they are asked by the people in the town. At this stage, nobody knows how people have voted. It is all anonymous. Many people have approached me over the years about this matter and it has been raised in this House by various members, including myself. It is time that this parliament debated the matter. I commend the bill to honourable members.

Debate adjourned.

LIQUOR AMENDMENT BILL
(Serial 306)

Bill presented and read a first time.

Mr SMITH (Opposition Leader): Mr Speaker, I move that the bill be now read a second time.

This bill proposes that, where an application for a liquor licence has been refused, an applicant has to demonstrate to the liquor commission that a substantial change of circumstances has occurred before a licence application can be resubmitted. This bill is proposed to provide some protection to those who are affected by liquor licence applications. I am aware of circumstances where, after an initial application has been refused, further applications have been submitted without a substantial change in conditions.

At present, the Liquor Act provides no restriction on the number of times an application for a licence can be submitted. In these circumstances, some protection has to be given to residents, particularly those living nearby, who object to the licence application. It is time-consuming and stressful to have to object time after time to an application. I believe a fair balance is struck when, if there is a change

in circumstances, the applicant can seek liquor commission approval to lodge another application.

The essence of this bill is a proposed new section 26A to deal with repeat applications. The proposed new section provides that a person shall not make a repeat application for a licence unless the commission is satisfied there is a 'substantial change' in circumstances. The commission may consider an application where there has been a substantial change in circumstances in such manner as it thinks fit. It is not necessarily appropriate at that stage for the commission to go to a full formal hearing.

I make the point that, where the commission has judged that there has been a substantial change in circumstances warranting a new application being presented, the normal procedures of the liquor commission will be followed. In other words, the application will be put on public display, there will be time for objections or support from members of the public, and the commission will follow its normal hearing provisions in making a judgment on that application.

Mr Speaker, 'substantial change' is not defined in the legislation as that is something that we prefer to leave to the liquor commission. In my view, it would cover matters such as a change in the attitude of nearby residents towards the application, improvement or upgrading of facilities or changes in licences in the immediate locality. I commend the bill to honourable members.

Debate adjourned.

EDUCATION AMENDMENT BILL
(Serial 301)

Bill presented and read a first time.

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

Yesterday, when talking about inspectors, the Minister for Conservation said something that is very pertinent to this bill: 'We must give these people the practical capacity to do the job'. When discussing this bill with a certain person whom I will not name, he said that, unless our police, the people we employ to enforce the law, are comfortable with the law, they may be somewhat reluctant to act. At a recent Neighbourhood Watch meeting in the Alice Springs area, it was pointed out to us that most juvenile crime occurs between 8 am and 3 pm - in other words, during school hours. The inference is that the people committing these crimes are playing truant. With mums and dads at work and children at school, many homes are empty and susceptible to breaking and entering and juvenile crime generally. At that Neighbourhood Watch meeting, I pointed out that this Assembly had empowered our police to act as truancy officers with the ability to question children and take them to school. That is set out in the Truancy Act.

After the meeting, a police officer took me aside and said: 'We have a bit of a problem with that power. We believe that, if we try to persuade a student to come with us to school other than voluntarily, we might be guilty of wrongful arrest'. Other policemen also gave the impression that they were a little doubtful about their powers in this regard. They did not want to be told by a 10-year-old child, or even a 5-year-old these days, that he or she would not go with them. I have spoken in this House on previous occasions about something which occurred just after I left teaching and went

into politics. Some of my former teaching colleagues told me how a representative from a certain legal organisation visited the Alice Springs High School and spoke to a certain group of children. He said: 'If you get into any trouble with the law, come to us and we will get you off'. He did not say: 'We will ensure that you are treated fairly. If you are guilty, we will see that you are treated correctly, but justice must be done'. He simply said that they would get them off.

The school grapevine works well. I do not want children in schools to get the message that charges of wrongful arrest could be laid against police who use force to take children to school. If that became widely known, particularly if it was supported by anyone with a legal background, there are enough young fellows and young girls who would ensure that the police would soon be unable to perform their job. We have to give them the power to do the job.

This bill proposes to make it very clear that this parliament gives police officers the power, when in uniform, to use whatever force is required, having gone through all the proper procedures and believing that a child should be at school, to take that child by the arm and put them into a police car. Of course, the police car would have to be marked. It would be possible for a paedophile to steal a police uniform and to impersonate a police officer but one would like to think that it would be difficult to steal a police car as well.

I have spoken to senior police officers about this. They have said to me: 'Even if the parliament makes it absolutely clear that reasonable force may be used, police officers may well feel reluctant to use it. There will always be somebody who will try to argue that police have been too forceful and have exceeded their powers. Complaints about such matters lead to inquiries which waste a great deal of police time'. I say to you, Mr Speaker, and to this parliament, that the good common sense of a police officer is pretty reliable. An officer might decide to back off in some circumstances. However, if such an officer has our backing, at least it cannot be said in our schools that children do not have to go with a police officer who says that they have to accompany him to school. We must give our police the tools to do the job in terms of overcoming crime in neighbourhoods.

I well recall an occasion when a lady rang me up and said: 'My house has been broken into twice recently. A group of children is outside right now. I am sure that they are casing the joint and waiting for me to go out. I have telephoned the police and asked them to do something about it, but they say they are powerless until someone actually commits a crime'. If this legislation had been in force, police would have had a good excuse to go to those children and question them about whether they should be at school or where they should be, and to do something about it.

Police should not be in a position in which a 10-year-old child can publicly defy them and say: 'I am not going with you. I do not have to. You do not have the power to make me'. We have to give our police the tools they need, and that is what this bill is about. I believe that it will be a whole lot more effective in truancy matters ...

Mr Bailey: Shoot them if they run.

Mr COLLINS: 'Shoot them if they run', says the member for Wanguri, who is a former teacher.

Mr Bailey: Do you know what you are suggesting?

Mr Bell: Read your book! Stop, or I will shoot!

Mr SPEAKER: Order!

Mr COLLINS: Mr Speaker, you would think that this former teacher would be very interested to ensure that children would be at school learning their lessons as the law requires, not roaming around and possibly getting into trouble, and not being in a position in which they could defy authority - which is not good either for the students concerned or for the police officers.

I believe that our police are well aware that there are hosts of people who are trying to nail them, and that their behaviour will be exemplary. However, we cannot expect them to do the job that we ask them to do unless we give them the necessary powers. If there is some uncertainty about the right of police to take children to school and if there is a possibility that police could be charged for wrongful arrest in such situations, we must remove that possibility. I commend the bill to honourable members.

Debate adjourned.

CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL (Serial 305)

Bill presented and read a first time.

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

This bill originated from my discussions on a number of occasions with a gentleman who is closely involved with the Tangentyere Council in Alice Springs, namely Mr Bill Ferguson. He is very concerned about the liquor problems in the Tangentyere area and in Alice Springs generally. His view is that liquor is creating tremendous problems for the town camps in Alice Springs. He believes that, if the worst offenders could be removed from time to time, that would give at least some degree of relief.

In recent days, honourable members have expressed their concern about the abuse of liquor and what it is doing to communities. In Alice Springs and, I am sure, in other major towns, many of the heaviest drinkers and those who create the greatest problems are virtually outcasts from their own communities. I am referring particularly to Aboriginal people who come from dry areas where they find it hard to get hold of alcohol. When such people come into town, often they do things which give Aboriginal people a bad name which, of course, as honourable members know, the bulk of Aboriginal people do not deserve in any way, shape or form.

Mr Ferguson suggested that, if we could get rid of some of these problem drinkers for periods, that would at least provide some relief. He also made the point that jail is no deterrent. I can do no better in that context than repeat the story which the Minister for Mines and Energy told yesterday. He described how Tim Hinchcliffe SM, after giving 7 warnings to a fellow from one of the islands for repeatedly stealing cars, finally sent him to Berrimah Prison. He was there for a time but, on the day he returned to his community, 17 cars were stolen. The story goes that he had told other people that he had had such a good time at Berrimah that they wanted

to try it too. The general impression that I have gained over the years is that for Aboriginal people, jail is not a real deterrent.

He believed that the clearing up of rubbish would be an effective deterrent and that it would result in a modification of behaviour. He put it quite bluntly: cleaning up rubbish is a job for women and for white people. He believes that, if community service orders ...

Mr Ede: Who says this?

Mr COLLINS: Bill Ferguson of the Tangentyere Council. He believes that it would have a very salutary effect on the behaviour of these people if they had to clean up in front of their home community, the community council, the elders, the police officer etc. Any legislation that we pass would have the same application to you and me, Mr Speaker. I would be embarrassed to be made to clean up rubbish in front of people in Sadadeen. I believe that we have to take advice from people who are closely associated with the Aboriginal people, especially people like Mr Ferguson. Nobody can doubt his real concern about the liquor problem.

Turning to the bill, it is not really in its final form. There may well be amendments to it because there are some problems. I will certainly welcome input. I thank the Parliamentary Counsel staff who have checked the bill and offered some advice. As members know, drunkenness is not an offence per se. We have removed that and that is well and truly put into our legislation. My initial idea was that, if someone was to be habitually drunk - defined in terms of 5 times in a fortnight, 8 times in a month etc - that person could be taken before a magistrate who would have the power to require the person to undertake community service orders in his own area. The problem with that is that, if we had difficulty in securing the conviction of any publican for serving somebody who was drunk, it would be very difficult to prove to the satisfaction of the magistrate that the person was drunk. There would be no point in enacting legislation that could be thwarted easily.

I then considered the possibility of creating an offence in respect of a person who is habitually taken into protective custody. He could be taken before a magistrate who could make these decisions. There is also a problem here in the sense that it flies in the face of drunkenness not being an offence. The Parliamentary Counsel has suggested a solution to this. The problem is to have the person brought before the magistrate for a reason. If a person were before the court for an alcohol-related offence, his record could be examined. If it were known that the person had been habitually taken into protective custody - on so many occasions over a certain period - the court would require him to undertake a community service order in his home community.

To a degree, this covers what I intended. It has been pointed out that, if we tried either of the other 2 tacks, we would be flying in the face of legislation that declares that drunkenness is not an offence per se. To change that would require a major review, and the deliberations of the alcohol abuse committee and the comments of the Chief Minister in a debate earlier these sittings have indicated that there may well be such a review.

When I have introduced private member's bills before, the government has said that I have not gone far enough or has made other criticisms. Before it rejects this bill out of hand, I suggest that we have a whale of a problem with alcohol. If you try to swallow a whale, you will be unable to

do so. On occasion, it is better to take a spoonful at a time. In a sense, this is such a spoonful. It is a suggestion which has come from a community that is badly troubled by alcohol abuse and its results, such as fighting, food shortages, domestic violence etc.

I believe this is worth considering. It may not work. However, I am sure that, with the goodwill of the Aboriginal community, the police and the courts, it definitely has a chance. We should give it a chance. We may have to amend it. We may decide that it is not working for various reasons. It could be too expensive. However, if there is a chance that it will result in people modifying their behaviour, it is worth a try. I cannot predict how successful it would be. I am taking advice from the community and I believe that it is my job to listen to the community.

I welcome input on this from members of this House and from the community. I hope we can make it better. I hope we can make it simple and straightforward. It must fit in with existing laws. I ask honourable members to consider it and to offer suggestions. We should attempt to arrive at legislation that will allow communities to put pressure on people in terms of their own cultural attitudes and feelings. Hopefully, this will result in people modifying their drinking behaviour and the hardship that results from it. I commend the bill to honourable members.

Debate adjourned.

ELECTORAL AMENDMENT BILL
(Serial 304)

Bill presented and read a first time.

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

This bill is an attempt to address a problem that is perceived by the community to be both annoying and wasteful. I refer to the activity of election campaign supporters distributing 'how to vote' material on election day. This is an age-old election tradition which, in recent years, has reached levels of enthusiasm that make voters feel both uncomfortable and intimidated.

The bill before us has 2 main thrusts. The first, in clause 5, is to adopt the principle, now in place in Tasmania, which makes it an offence to solicit a vote on voting day with the distribution of 'how to vote' cards and other material. Such a situation would leave Territory voters in the position of going to the polling booths without being harangued or harassed by the candidates' supporters which I believe is an entitlement they have, given that it is compulsory for people to vote.

In the second part of the bill, proposed new section 52A makes provision for parties or candidates to provide the Electoral Office with recommendations on how their supporters should allocate their preferences given that the voter wishes to follow the recommendations of the preferred candidate. Proposed new subsection 52A(2) provides that the Electoral Office will publish these recommendations in a local paper and display them in an appropriate manner inside the polling booths so that electors can seek last minute advice if they so wish.

Given the improvement in communications in recent years and the enormous amount of advertising that occurs in election campaigns by way of

television, newspaper and direct mailing communication, there are ample opportunities for voters to be aware of their election choice. There is no doubt that the community is ready to support such a move because many voters have now come to the view that our activities as politicians and political parties on polling days are sometimes curious, sometimes intimidatory but, almost without reservation, extremely wasteful in terms of the resources that are used as a part of the process of achieving our objectives of being elected or re-elected to parliament. I commend the bill to honourable members.

Debate adjourned.

MOTION
Appointment of Solicitor in Relation to Mulholland Brief

Mr BELL (MacDonnell): Mr Speaker, I move that the Northern Territory government appoint forthwith a solicitor, independent of government, so that police and other people with information relevant to the police investigation of:

(a) certain police officers charged with drug-related offences;

(b) possible criminal offences against a certain police officer by another police officer; and

(c) an alleged incident involving a police officer and a member of the public,

may be able to provide that information, through the solicitor so appointed, direct to Mr Robert Mulholland, QC, secure in the knowledge that there will be an independent assessment of that information.

To paraphrase a well-known quote, all that is required for evil to triumph over good is for good people to be forced to remain silent. That is what deeply concerns me about the course of action that the government has set itself on today. I believe that the Chief Minister, as Minister for Police, has allowed to be left open to doubt the excellent reputation of the Northern Territory Police Force. I wish to remind members of the circumstances that led up to the appointment of Mr Robert Mulholland QC, whose role we now find out is simply to oversight investigations.

Mr Perron: What do you mean find out now? Where were you in May?

Mr BELL: Mr Speaker, I want honourable members to cast their minds back to the television reports that ushered in the concern, and the comments made by the woman who identified herself as Rhonda. I want members to recall Rhonda's comments in relation to her interview by 2 senior police officers at the Berrimah Police Centre. I want them to recall that there were certain police who wanted Rhonda to talk to certain members of government which she was not prepared to do.

Mr Speaker, I want you and honourable members to cast your minds back to the comment made by Sergeant Andy Wrenn. In relation to the information being made available, he said: 'I think they are getting filtered information, and quite possibly it is tainted information as a result of hearsay and rumours purposely manufactured to discredit myself'. They were allegations of great concern to all Territorians. In response to that, and after considerable public pressure, the Chief Minister announced the appointment of Mr Robert Mulholland to oversight those investigations.

I remind the Chief Minister of the question asked by the Leader of the Opposition on 1 May this year. He pointed out to the Chief Minister a fact that somebody else in this Territory has been able to ignore. He said that, 'at present, a storm of corruption allegations is gathering over the Northern Territory'. Who will forget it and who will imagine that there was not cause for that occurring? He pointed out to the Chief Minister that it had the force to blow away the reputations and the integrity of both innocent and, if there are any, guilty people as well. He pointed out that the half measures taken by the government to that point had not reduced but had increased the potential for damage to individuals and institutions. He gave 2 examples. He referred to the most senior and one of the most-respected police officers in Australia, who found his name on the line. He also referred to one of the most senior members of the Country Liberal Party, who found his name on the line as well.

I refer to that to remind honourable members of the context in which Mr Mulholland was appointed to oversight. I will confess that myself - silly me! - I thought that looked pretty good, and I went about my business. I believed that there was to be a full, open, independent inquiry that would, as I hoped ...

Mr Reed: So you were sold a pup, were you? Well, that does not say much for you, does it?

Mr BELL: I pick up the interjection from the member for Katherine ...

Mr Perron: Were you in the Assembly in May?

Mr Reed: You were here at the time, and you did not understand it.

Mr BELL: He was aware of the deception as well.

Mr Reed: It had nothing to do with deception. It was ineptitude on your part.

Mr BELL: Mr Speaker, I believed there was to be a full and open inquiry and, believe it or not, there are a few other people who believed there was to be a full and open inquiry. On 26 April 1990, the Channel 8 news reported:

> A high-level investigation into alleged police corruption in the Territory has been ordered by Chief Minister Marshall Perron. He has appointed former senior Fitzgerald Inquiry counsel, Bob Mulholland QC, to head the probe. Already, 3 separate police files have been handed over for his scrutiny.

It went on to say:

> The man given the sweeping mandate to investigate the 3 police cases is no stranger to police corruption and organised crime. Bob Mulholland QC already had an impeccable reputation when he took on the daunting job of senior counsel to Queensland corruption investigator, Tony Fitzgerald QC.

Mr Perron: He still has.

Mr BELL: Certainly, he has, and that was not my point, Mr Speaker. My point was that the Chief Minister allowed the Northern Territory public to come to the conclusion that a full and open inquiry was being conducted

when, in fact, he had absolutely no intention of a full and open inquiry being conducted. I believe that the reputations of the very people whom the Chief Minister keeps on trumpeting are at stake because of the government's refusal to accept an independent inquiry in this regard, and that is why the opposition has been forced to move in these terms.

We accept that Mr Mulholland was not appointed because the Chief Minister did not trust the Commissioner of Police or the Department of Law. That was not the reason at all. Mr Mulholland was not appointed because the Chief Minister suspected the Ombudsman was not doing his job. That was not the reason, was it? No, Mr Speaker. Mr Mulholland's appointment came out of public concern about allegations of police corruption surfacing in the media. That was the reason, was it not? The Territory public has always been ready to respect and trust their police, as have members of the opposition and, presumably, members of the government. The Territory public did not want these allegations to surface but, since they had, along with the opposition, they wanted them settled. They wanted a full, independent and open inquiry and, for 3 months, they thought that they had that.

On Thursday night, the Chief Minister blew it all. He blew it all on the 7.30 Report last night and he left me with my mouth gaping, I must confess. The Chief Minister stands condemned for his comments. He said ingenuously: 'There is no inquiry. There is no inquiry at all. There is not a Mulholland inquiry'. Of course, he was right. There is a police inquiry into a police inquiry. Mr Mulholland cannot receive evidence direct and, if he does, he is obliged to send it straight to the government or to the police. As I have said, we have no complaint with Mr Mulholland. We have no complaint with the Department of Law or with the Commissioner of Police - none whatsoever. They are conducting themselves as they were directed to by the minister opposite.

Under intense public pressure for an open, public inquiry, the Chief Minister announced that Mr Bob Mulholland QC, from the Fitzgerald Inquiry no less, had been appointed and that he would have complete authority. He could make public statements and he would report ultimately to the parliament. If he found any wrongdoing by anyone, he would say so. That was the message that the Chief Minister intended the public to get, and they duly accepted it. Who can blame them? Bob Mulholland, one of the top legal investigators in the nation, the man behind the big one - the Fitzgerald Inquiry - was in charge and he had total authority. We were entitled to sleep easy in our beds but, after 3 months, that message is in tatters. You see, Mr Speaker, the public did not read the fine print. If they had, they would have read a very different message from the Chief Minister, and the message would have gone like this:

> There will be no inquiry into allegations of police corruption. Instead, a Queensland barrister has been briefed to act on behalf of the government. This barrister will examine only such evidence as is provided by either the government or the police. The barrister hired by the government will not take independent evidence and, indeed, he cannot. That is specifically excluded by the way we have set this whole thing up.

That was the message that the Chief Minister wanted to get across but, of course, if the Chief Minister had said that 3 months ago, all hell would have broken loose.

The public wanted an inquiry and, 3 months ago, they thought they had one. They do not have an inquiry and now, like a cut-price insurance

salesman, the Chief Minister affects a total innocence. 'You should have read the policy', he tells the public, 'inquiries are excluded'. Goodness me! Cheap and nasty. 'Okay', the public says, 'if I want to tell Mr Mulholland something about the way the police and the government are handling this, can I tell them?' 'No', says the Chief Minister, 'you will have to talk to the police, the government or the Ombudsman first'. The Ombudsman was brought into this through a later message, but I will come to that position later. The Chief Minister brought the Ombudsman into this deal only when the heat was put on him towards the end of last week. No mention of the Ombudsman was made when the inquiry was first raised in May, nor of the Secretary of the Department of Law. In fact, as I will demonstrate, counsel acting for people who wanted to make this inquiry were told they could not even go through the Department of Law. However, that is a little number that I will keep in store for a little later. I have other things I want to say now.

I am interested in the public's view of this, because the public is astounded by the behaviour of the Chief Minister. As I have said, the public has said: 'If I want to tell Mr Mulholland something about the way the police and the government are handling this, can I tell him?' 'No', said the Chief Minister, 'you will have to talk to the police, the government or the Ombudsman first. They are in charge, not Mr Mulholland'. Some people still want to talk to Mr Mulholland direct. They feel more comfortable that way. To put it bluntly, some of them are afraid for their lives. I do not know why they do not want to talk to the people the government has lined up to talk to them, but they do not and that is all there is to it. That open channel ought to be there. They say they have evidence of police corruption and that they want to talk to Mr Mulholland direct.

As an indication, I have here a statutory declaration from a serving member of the Northern Territory Police Force who says that he is aware of police corruption within the force. He says that several other police officers have confided in him about instances of police corruption, and he says that he is prepared to give information to an independent inquiry into corruption within the Northern Territory Police Force. Because of this government's refusal to establish a full and open inquiry, I am not prepared to make that particular statutory declaration available.

Mr Perron: We are supposed to take your word for it that you have one?

Mr BELL: In this case, you will have to take my word for it. I can reliably inform the Chief Minister that circumstances may transpire in which I will be in a position to show it to him. However, I am not prepared to table it today.

As I have said, such people have evidence of police corruption and they want to talk to Mr Mulholland direct. Mr Speaker, I reiterate that I have confidence in the Secretary of the Department of Law, the Commissioner of Police and the Ombudsman. The problem is that there are people who have important information and who do not have that confidence. I hasten to add that, by going outside the Northern Territory jurisdiction and appointing Mr Mulholland, and thereby showing he had no confidence in the capacity of the Territory jurisdiction to establish its own checks and balances, the Chief Minister himself has encouraged that lack of confidence.

A classic example has been provided in recent days of this government's behaviour in relation to these allegations and the appointment of Mr Mulholland. There was a public outcry over the fact that Mr Mulholland

could not and, for ethical reasons, would not accept direct evidence from witnesses. Mr Frank Alcorta wrote in the NT News that people could contact Mr Mulholland direct, and he provided contact numbers for Mr Mulholland. In this House, the Chief Minister said that Mr Alcorta was right. However, the fine print shows that those witnesses will be referred immediately to either the Northern Territory Department of Law or to the police.

The Chief Minister says that there is no need for an open inquiry. In other words, he has already decided on the scope, the limit and the extent of the problem. What he has been unable to do is to contain the essential problem: the public reaction and the continuing allegations against police. The proposal to appoint an independent solicitor is designed to both contain and eliminate that problem. It will provide direct access to Mr Mulholland for those with allegations. It will provide them with what they want. On the other hand, it will also provide the police and the government with the absolute defence: 'Those who have any allegations now have an open door. Let them put up or shut up'. If this motion is supported, when the Mulholland report comes down, whenever that occurs, the matter will be finalised. The way the Mulholland inquiry is currently structured, there will be no resolution. As a result of the way the government has set up this inquiry, people will continue to ask: 'Did the inquiry get to the bottom of the matter, or did it not? We will never know'.

I said earlier that I would provide evidence of the difficulties experienced by people seeking to make representations and to have investigations of representations carried out independently. Mr Speaker, I seek leave to table a letter from Geoff Barbaro, Barrister and Solicitor, of the firm Elston & Gilchrist.

Leave granted.

Mr BELL: Mr Speaker, the letter is addressed to me and it is a result of representations made to me during the week. I intend to read the letter in full because I think that honourable members should be aware of its contents. The letter reads as follows:

Neil Bell
c/- Legislative Assembly
DARWIN NT

Dear Sir

Re: The Mr Mulholland QC Supervised Investigations

We refer to previous telephone conversations with yourself in relation to the above matter where we contacted you in order to obtain information about the conduct of the above inquiry. Our concern was with allegations that people giving evidence to the inquiry were able to proceed through the Law Department or directly to Mr Mulholland QC, without having to go through the police investigations.

The writer recently represented and advised a person who was a witness for one of the investigations which is being supervised by Mr Mulholland QC. In our particular case, certain dealings with the Department of Law took place in relation to ancillary matters prior to our client giving any statement to the investigation.

Our client specifically requested that the evidence taken from our client be taken by Mr Mulholland QC or, failing that, from a person who was not a police officer. Our client was advised in the writer's presence that this was not possible. Our client not only had to give evidence to the police but it was to be done on videotape at the Berrimah Police Complex. Our client was in the invidious position of having to give evidence directly concerning the behaviour of various police officers, to other police officers at the headquarters of all police officers.

We wish to make it clear that the police officers who conducted the investigation to the best of our knowledge acted with courtesy, efficiency and integrity. The investigation in relation to our client when it did proceed proceeded properly and we have no complaint about that.

However our client was at this time nervous and terrified. The depths of our client's problems may be recognised by the fact that police protection had to be and was provided to our client.

It is clear that the last thing our client wished to do was to give a statement to police officers as our client had no trust in police officers at all by the time the giving of the statement came along.

We believe that there was enormous pressure added to our client in the giving of the evidence by virtue of it having to be given to police.

We reiterate that we do not complain of the eventual outcome or the conduct of the officers who did conduct the investigation. However, contrary to various statements that have been made in recent times, we were specifically informed that:

(a) any statements taken in these matters would be taken by police;

(b) all investigations in relation to the various matters would be taken by police;

(c) Mr Mulholland's only function was to receive the police investigation and to advise whether further statements should be taken or whether the investigations have been completed properly;

(d) statements were not to be taken directly by Mr Mulholland;

(e) statements were not to be taken by any member of the Department of Law.

We hope that this letter may help to clear any misconceptions about the conduct of the investigations.

And indeed it does, Mr Speaker, contrary to the undertakings given by the Chief Minister in this Assembly last week that people did not have to talk to the police.

Early in the week, he tried to tell us that people could approach Mr Mulholland. He climbed down on that score on Thursday. By then, he was saying that people could talk to the Ombudsman or the Secretary of the Department of Law. That is not what people approaching the inquiry were being told, and I have just provided documentary evidence of that. That evidence cannot be refuted and it is something of which the Chief Minister should be deeply ashamed.

Earlier, I made brief reference to concern about the fact that the Chief Minister has gone outside the Northern Territory jurisdiction in order to solve this problem. I want to make a couple of brief comments about checks and balances in the Northern Territory. We have various institutions in the Northern Territory. These are comprised of people who are flesh and blood, with all the frailties mankind is capable of. We talk about our great institutions: the parliament, the courts and the executive. We talk also about the Westminster principles and the separation of powers. Other vitally important institutions include the media, the police force and the public service. There was a lengthy debate in this Assembly yesterday about the proprieties of the relationship between those various great institutions. However, it is important for us to bear in mind that those institutions are made up only of people of flesh and blood, with all the human frailties. That is one of the reasons why we need the checks and balances that are implicit in the system.

The Chief Minister does not seem to understand that. He seems to believe that, because he has held his position for a couple of years and because he is a member of an increasingly lazy and self-centred government, those checks and balances no longer have to operate. The fact is that the Chief Minister went outside the Northern Territory in order to get some kudos for this internal investigation. Now that the whistle has been blown on him and people are starting to say that they want some independence in these investigations, he says: 'No. That is not on. Sorry'.

That is one of the reasons why the Chief Minister must accede to this motion or stand condemned by the people of the Northern Territory for leaving the police force open to the risk of malodour and unresolved accusations. Unless the government accedes to this proposal, that will be the result. The opposition proposal is the simplest and cheapest proposal. We are not proposing expensive inquiries. We believe that this may be a relatively minor incident. We believe that this proposal, which we have arrived at after taking legal advice, is constructive and would put in place appropriate checks and balances to ensure that these accusations are laid to rest once and for all and that people can continue to have complete confidence in their police force.

If the government refuses to accept this motion, it will be leaving the idea in the public mind that there are issues that have been unresolved. I believe that I have provided eloquent evidence that this motion should be supported. A full, open and independent inquiry is not simply what the public of the Northern Territory wants but also what the Northern Territory Police Force wants so that this matter can be resolved and people can continue to have the confidence that they have had in the police force. That is being threatened only by the man sitting opposite me.

Mr PERRON (Chief Minister): Mr Speaker, I could take the easy way out in this debate and simply accept the honourable member's motion. It would cost a few thousand for the government to pick up the tab for a private solicitor. Why should I worry? The opposition would be happy and the media would go away and run a little story about the opposition having a little

win. We could all rest comfortably in the knowledge that justice would be done. That would be the easy way, and it would be no skin off my nose.

I am not going to do that. In fact, what I intend to do is move an amendment to this motion. Mr Speaker, I move that all words after 'that' be omitted and the following words be inserted in their stead:

this Assembly -

(1) is of the opinion that the opposition, by its statements within and without this Assembly in relation to the current investigations into activities of certain former police, has tended to create a climate of distrust of the Police Commissioner and the Secretary, Department of Law within the Northern Territory community; and

(2) censure members of the opposition for their statements which must also tend to undermine public confidence in the Ombudsman, an officer responsible to and appointed by this parliament and who has its fullest confidence and trust.

Mr Speaker, the member for MacDonnell has made some fairly amazing statements today. They are clearly incorrect and he knows they are incorrect. Of course, he hopes that everybody has a short memory. He said that, as a result of some expose on television, the government was pressured into taking the action of securing the services of Mr Mulholland QC to oversight police investigations. Of course, he got his dates backwards. I suspect it was deliberate. As honourable members will be aware, the government appointed Mr Mulholland QC some time before the supposed expose was screened on television. In fact, investigations into some of these matters were under way for quite a long period prior to the matter becoming a general public issue by way of media attention.

Because we are talking about the standing of the Northern Territory Police Force and its commissioner, it is worth noting that the initiative to secure the services of Mr Mulholland in this instance to oversight these sensitive investigations came from the police themselves. The Commissioner of Police approached me following a discussion with the Secretary of the Department of Law and proposed this course of action, to which I readily agreed. I think that that is an important point. The member for MacDonnell may think that it is totally irrelevant because he painted a picture that, following an expose on the television, we scrambled around and found someone elsewhere to make it all look pretty. I am afraid he is very wrong.

The honourable member said too that no mention had ever been made of the Ombudsman until fairly recently. Of course, he is totally incorrect, but he is prepared to seize on words that suit his argument, irrespective of their basis in fact. On Tuesday 1 May, I said in this Assembly that 'existing joint investigative procedures, which are in place between the Ombudsman and the Commissioner of Police, offer very satisfactory and objective testing of internal investigations by the police force and are acknowledged as the best Ombudsman/police arrangements in Australia'. If not in those exact words, I indicated that the Ombudsman is receiving all the information - as is required under Northern Territory law, if honourable members opposite would like to read a little of it. The Ombudsman is required to be provided with all information about complaints against the police that are received by the police.

Mr Ede: That does not even go to the Ombudsman. The police carry out the investigation.

Mr PERRON: The Ombudsman is totally involved in the current investigations. To suggest that the Ombudsman came into the picture in the last few days is absolute drivel, and the honourable member knows it. The honourable member has said a number of times, outside and inside the House, that it was revealed recently that this full and open public inquiry that everyone thought was taking place when Mr Mulholland's involvement was announced is not taking place and that it is merely an oversighting of police investigations. I take this opportunity to read the terms of reference that were tabled in this Assembly by myself on 1 May:

> Mr Mulholland has been briefed to advise in relation to the manner, direction and effectiveness of investigations by Northern Territory Police in relation to -
>
> (a) the investigation and prosecution of certain former police officers charged with drug-related offences;
>
> (b) the investigation of a complaint concerning possible criminal offences against a certain police officer by another police officer; and
>
> (c) the investigation of an alleged incident involving a police officer and a member of the public.
>
> Mr Mulholland has been further briefed that, if he considers that any advice that he may give in relation to this matter has not been accepted for any good or apparent reason or if he is satisfied that there has been any impropriety as regards the handling of this matter by either the Police Commissioner or police officers, any government minister, including the Chief Minister or the Attorney-General or the Secretary of the Department of Law, he is authorised to make public his concern.

I draw to the attention of honourable members the words 'impropriety as regards the handling of this matter' by everybody from the Chief Minister down. I am sure a man of the integrity of Mr Mulholland will indeed speak his mind at the time if he has anything to say about anyone from the Chief Minister down, and I encourage him to do so.

I want to touch specifically on the question of the Ombudsman because, if the honourable members opposite were being fair dinkum, they would include another section at the bottom of their motion to the effect that this Assembly requires the dismissal of the Ombudsman. The Ombudsman is appointed by this Legislative Assembly, not by the government, the Chief Minister or Cabinet. Not only was he appointed by this Chamber, but the present Ombudsman was interviewed by a selection panel comprised of myself, the member for MacDonnell, the head of the Chief Minister's Department and another party. Those people interviewed the applicants and recommended a Mr Robert Eadie to this parliament for appointment as the Ombudsman. On 23 May 1989, I moved that the Assembly recommend to His Honour the Administrator that he appoint Robert Eadie to hold the office of Ombudsman in the Northern Territory with effect from 12 June 1989 for a period of 5 years. The member for MacDonnell was on the selection panel. He told the Assembly that Mr Eadie's selection was a unanimous decision by the committee and, by extension, by the Chief Minister and the Leader of the Opposition.

The Ombudsman is an officer of the parliament. He is an appointee of the parliament. It is very important that we take note of such things when we look at the motion that I am seeking to amend. Honourable members opposite are obliged by an oath taken in this Assembly to uphold the traditions and honour of the House. I think the words are to 'give true and faithful service as members of this Assembly'. I would think that true and faithful service would involve an obligation to uphold the procedures and institutions of this House. Honourable members may be in danger of breaching their oath if they support the opposition's motion.

How can a member of the Assembly advocate a course of action which implies that an officer appointed by a motion in this Chamber is not fit to receive the confidence of citizens of the Northern Territory? That is exactly what the opposition's motion purports to do. By proposing measures to bypass the Ombudsman on a subject which his office is specifically established to handle under the Ombudsman (Northern Territory) Act, members are clearly not upholding the authority, the procedures or the standing of this parliament. Is this parliament meant to mean anything?

Mr Ede: This is pathetic.

Mr PERRON: The member for Stuart is not impressed by this line of argument.

Mr Ede: It is rubbish.

Mr PERRON: What the motion does, unquestionably, is seek to introduce a new procedure. It is proposing an unprecedented procedure, certainly unprecedented in the Northern Territory, which would override the role of an officer who has been appointed by the parliament, and he was appointed unanimously. What has changed in regard to the Ombudsman since he was recommended to this Chamber unanimously by a committee, and supported unanimously by the Chamber? Has Mr Robert Eadie, the current Ombudsman, lost our confidence? Has he blotted his copybook in some way? I would like any member of this Chamber, under parliamentary privilege, to stand up and advise us all if this man has done anything that should cause us to lose confidence in him. If no member can advise us why this man is no longer trustworthy, and certainly members have a responsibility to advise the House if they have any information in that regard, then all members have an obligation to their office to stand up for the processes established and advise any citizen, who has a complaint or allegation against police, that they have a proper course open to them, established specifically for these purposes, and that is to approach the Ombudsman. That is the responsibility of honourable members in talking to their constituents who come to them bleating that they do not want to talk to this person, or that person, or whatever person, that they want to talk only to this other person, and that it is their dictates which should determine these matters.

Mr Bell: Have you read the letter I tabled, Marshall?

Mr PERRON: Mr Speaker, honourable members should go further than simply saying to their constituents that they should go to the Ombudsman because the office was established for this very purpose. They have an obligation to say that this man has their confidence, the confidence not only of each of you as individuals, but that he has the confidence of the parliament, of us all collectively, and that members of the public can have complete and absolute trust in the man. Members must recommend personally that people go to see the Ombudsman. That is upholding the traditions that

we ought to be here for, Mr Speaker, and I believe that members have a responsibility to do exactly that.

Instead, we have a motion that proposes - and this is farcical - that my government select a private solicitor because he or she can be trusted if we do that. The proposal is that we substitute for the processes that the Ombudsman has gone through to attain the office he holds, not a person who has been interviewed by a bipartisan committee, not a person who has the support and the total confidence of this Assembly, but a person with no more credentials than the fact that they have a law degree and have been admitted to practise. These will be the sole criteria, according to this motion, which will enable the world to have confidence in this soul, whoever he or she may be.

People are to be told that they can place their lives in the hands of this person if they intend to say that anyone from the Chief Minister down is involved in graft and corruption, murder, prostitution or whatever. They will be told that they can have confidence in that person. It is nonsensical, Mr Speaker, that honourable members opposite are proposing this person, unnamed to date, who is to be independent of government, and that government will appoint him or her. The government did not appoint Mr Eadie. We all appointed him and, if that does not give a man some standing beyond that of any solicitor in the community with whatever standing that person might have in their little circles, well I will be blowed.

I do not know what we will stand for in this parliament, if we intend to carry on like this. This motion appears to suggest that we should expect that this person to be appointed by government will be more independent than an officer elected by the parliament, appointed by the parliament and reporting directly to parliament. I cannot get Robert Eadie's report and say to him: 'You are being a bit savage on the government here, mate. You had better straighten it out before it is tabled in the House because it could be embarrassing'. Robert Eadie writes his report, the government prints whatever he says, and it will be tabled in this parliament, and so it should be. Nevertheless, the honourable member is trying to tell me that we should just set him aside: 'Sorry, Robert, you were a lovely fellow a year ago when we all thought you would take up the cudgels for us, but we do not have much confidence in you now, because a few citizens have some serious problems. They want to talk to someone, but I am afraid you are not it. I am afraid you just did not make the grade in this one'.

Mr Speaker, I do not comprehend how members opposite have the gall to move a motion like this in this House. I really cannot comprehend it. I guess I am lacking in some respect. I am only human, as are other people, but I cannot comprehend it. As I said at the beginning, I could take the easy way out, accept the motion and pay a couple of grand to some solicitor. That done, terrific! Let us get back to business! I do not want to do that because it is not the right thing to do and, for goodness sake, for all of the disappointing, shattering sides of politics that a guy lives through in this line of business, I will stand up in this House and do the right thing on these matters of procedure and I will uphold the principles that I thought we were here to uphold.

The member for MacDonnell says to us: 'I have confidence in the Secretary of the Department of Law. I have confidence in the Commissioner of Police. I support the Ombudsman. Pass this motion, because I am not prepared to go to people who are coming to me on the quiet and tell them that they can have total confidence in these people because I have'.

Several avenues are open, and several people are involved. People who want to communicate do not have to speak to all of those people at one time. I will arrange it personally. I will pick up the phone and I will arrange the appointment. If it is dicey, we will arrange it at a different venue. I am sure that, in the right circumstances and with the right words, things of that kind could be done because we are talking about what are potentially allegations of very sensitive and dangerous matters. However, to propose that a government-appointed solicitor is somehow more trustworthy than the Ombudsman leaves me absolutely cold. For that reason, I do not support the motion, and I believe that the amendment that I have proposed here, which censures members opposite for raising this matter in this way and calls for a reaffirmation of this parliament's confidence in the Ombudsman, is the appropriate way to go.

Mr Bell: It does not call for a reaffirmation of confidence, you dope!

Mr SPEAKER: Order!

Mr PERRON: Mr Speaker, I find the word used by the honourable member offensive.

Mr SPEAKER: I find that, in this sense, the honourable member for MacDonnell should withdraw that remark as being unparliamentary in my opinion at this moment.

Mr BELL: Mr Speaker, the Chief Minister is not a dope, and I withdraw it unreservedly.

Mr SMITH (Opposition Leader): Mr Speaker, that was a truly pathetic response from the Chief Minister. Despite the fact that we are political opponents, I have an enormous amount of respect for the contribution that the Chief Minister has made to political life in the Northern Territory. I think that, on a number of occasions, he has shown considerable strength, but this is not one of them. When somebody in any walk of life says that he is standing up for what is right and then fails to provide any evidence, one knows that, behind the bluster, there is no substance. That is what is happening in this case.

Let us take what occupied 10 to 15 minutes of the Chief Minister's speech: a defence of the Ombudsman. I would think that, if anyone has been critical of the Ombudsman by default, it has been the Chief Minister himself. We can ask why on earth Mulholland was appointed in the first place if the Chief Minister had complete confidence in the Ombudsman, the Commissioner of Police and the Department of Law. Why on earth was he appointed in the first place if the Chief Minister had such confidence in the operations of the law officers and the Ombudsman in the Northern Territory? We were not the ones who took the decision that an inquiry which, according to the Chief Minister could have been handled by the Ombudsman himself, should be taken out of the hands of the Ombudsman. What the Chief Minister is suggesting now is that a suitable role for the Ombudsman in the Northern Territory is to act as a letterbox - somebody who has been appointed under an act of this Assembly to inquire into such matters is to act as a letterbox. At some stage, I would like to hear the Chief Minister comment on that matter.

I want to address myself to the substance of the amendment, and that is the key words that the opposition 'has tended to create a climate of distrust'. Mr Speaker, I want to put to you that the climate of distrust has been created not by the opposition but by the government. Who can

forget the circumstances in May this year in which this inquiry came about? In case any honourable member has forgotten, it came about because the government, the members opposite, knew the 7.30 Report was sniffing around a major story relating to potential wrongdoings of officers in the police force. The government knew that. It was after the date when that became apparent that the government decided that it needed to run for cover and give itself some protection. It approached Mulholland. The government made the announcement of the appointment of Mr Mulholland - and who can forget this? - only hours before the 7.30 Report went public on this matter. That is where the climate of mistrust began. The coincidence at that time was a bit too cute for comfort.

The climate of mistrust became more intense when the Chief Minister was happy to leave the public with the very clear impression that it was a full inquiry. He did not correct members of the media or even members of parliament ...

Mr Perron: I spend my life doing nothing else.

Mr SMITH: ... who began to refer to it as the 'Mulholland Inquiry'. He did not bother to correct that at all.

Mr Perron: Did you correct it?

Mr SMITH: No. I did not. It was your investigation.

The Chief Minister was happy to leave the public with the impression that there was a full and open inquiry into the allegations and any possible wrongdoing by some officers in the police force. Having allowed that impression to prevail, the Chief Minister started to pull the reins in last week when things became too hot for comfort. No wonder we have a climate of mistrust in the Northern Territory.

On top of that, the Chief Minister made a very clear statement that potential witnesses can go to the police, the Secretary of the Department of Law or the Ombudsman. He said that all of those avenues are open to potential witnesses. However, the member for MacDonnell today tabled a letter from Elston & Gilchrist, Barristers and Solicitors. The letter is quite specific. It states:

> Our client specifically requested that the evidence taken from our client be taken by Mr Mulholland QC or, failing that, from a person who was not a police officer. Our client was advised in the writer's presence that this was not possible. Our client not only had to give evidence to the police but it was to be done on videotape at the Berrimah Police Complex.

Mr Speaker, without naming the particular person, this client happens to be a key witness and happens to be at the centre of some of the allegations contained in 3 files. Nevertheless, this person was not given the option of going to Crown Law and providing evidence. The client was not given the option of going to the Ombudsman and providing evidence. The client was told that the evidence had to be given to the police. I would have thought that the Chief Minister would have addressed that matter. Can he understand that, in such circumstances, the client and the solicitors representing the client have enormous concern about the way the government is handling this matter and believe that the government has created a climate of mistrust?

The problem is that the Chief Minister changes his story from day to day. When he gets caught out on one story, he switches to another. Last week, he said that people wishing to submit information could go to anyone. He even included himself. I believe that he would be the last person to whom anybody in the Northern Territory in possession of evidence in relation to this matter would go. He said that people could go to the Ombudsman, Crown Law, the police - anybody except Mr Mulholland QC who, for some ethical reasons, is not available.

Mr Perron: Tell us why they should not go to the Ombudsman.

Mr SMITH: We have a very clear example of perhaps the most important witness being told that not even those avenues are available. Mr Speaker, do you have any idea of how much pressure that person must have been under? We know that police protection was provided. It would be hardly surprising if that person had now reached the stage at which the only acceptable person to which evidence could be provided would be Mr Mulholland QC or somebody independent of government.

That brings me to the point of the matter before the House. We are running a very real danger that evidence which could be - and I use the word 'could' advisedly - crucial to the 3 matters that Mr Mulholland is investigating, may not be brought to his attention. It may not be brought to the attention of Mulholland because the people concerned do not want, or in this case are not able, to go to the Department of Law or the Ombudsman. That is the core of the problem. We may well have a situation in which Mr Mulholland, who has been brought in to review the situation, may not have access to all of the available information. To use a very mild word indeed, I think that that is a shame. Having endured the heat generated by its action in placing Mr Mulholland in charge, for the government not to take the extra step of ensuring that all possible evidence is given to Mr Mulholland is simply irresponsible.

I cannot offer an opinion on the attitude of those people who say that they will not use avenues other than a direct approach to Mr Mulholland. I can offer no opinion on the value of their evidence because, frankly, I do not know what it is. I simply make the following statement. If we have a situation in which evidence which could be vital to these investigations is not reaching the person who is responsible for reviewing the files, we are running a serious risk that a miscarriage of justice might take place in the Northern Territory. That is a very high risk indeed. The member for MacDonnell has put forward a very simple solution, a solution which, unfortunately, the government is not prepared to accept.

As well as the letter which the member for MacDonnell tabled, we have received a statutory declaration from a serving police officer who says that he too would be prepared to provide evidence directly to Mr Mulholland. When 2 people, who believe that they have knowledge of what has taken place, are not prepared to provide that knowledge through the channels suggested by the Chief Minister ...

Mr Perron: Why not?

Mr SMITH: ... we should be prepared to look at alternatives.

In answer to the interjection from the Chief Minister, could I suggest that he read the letter from Elston & Gilchrist?

Mr Perron: They are private solicitors. That is exactly what you are trying to establish. You fool!

Mr SPEAKER: Order! The Chief Minister will withdraw that expression.

Mr PERRON: Mr Speaker, I unreservedly withdraw my remark that the Leader of the Opposition is a fool.

Mr SMITH: If the Chief Minister were prepared, under the terms of our motion, to appoint Elston & Gilchrist as the private solicitor, we would object. Elston & Gilchrist is representing a client in this matter and, therefore, would have a conflict of interest. We want a private solicitor, who is independent in relation to the allegations and independent in relation to witnesses, appointed by the government to act as a channel to Mr Mulholland. We have a statutory declaration from a serving police officer that says exactly the same thing.

Yesterday, I received a letter from the Secretary of the Department of Law suggesting that he would be able to arrange a meeting between the Chief Minister, myself and the Leader of the Territory Nationals together with Mr Mulholland QC, his junior, and Mr Conran himself, to discuss the matters at issue. I have not yet responded formally to that letter because Mr Conran is checking out a couple of matters for me. Certainly, my inclination is to attend the meeting and to use the opportunity to put my concerns to Mr Mulholland at first hand. If that meeting takes place, the basic question that I will be asking Mr Mulholland is this: 'When a police officer has signed a statutory declaration stating that he has evidence which he believes to be relevant to this inquiry but is prepared to give it only to you, and when we know of a couple of other people in the community who are in the same situation, how can you be satisfied that you are in receipt of all the information that is relevant to the matters which you have been asked to investigate?' That is the question which I intend to put to Mr Mulholland next week. I will be very interested in his response. I do not blame Mr Mulholland, but I suspect that his response will be something like this: 'I have been given a limited brief by the Northern Territory government. That brief is simply to review files presented to me by the Northern Territory Police Force'.

How can we be satisfied that Mr Mulholland is getting to the bottom of these particular matters when there are people who say that they have information which they will give only to him, but who have not been able to do so? That gets to the nub of the concern which members of the community have. Provided that I receive a satisfactory response to the queries which I have raised with Mr Conran, I propose to accept the invitation and to attend the meeting with Mulholland which, hopefully, will be held early next week.

Mr Perron: He cannot be brought up here until you agree.

Mr SMITH: Have you agreed yet?

Mr Perron: Yes, I have decided that if you guys are ...

Mr SMITH: This is real statesmanship and leadership, isn't it? 'If you will go, I will go.' What a great leader you are! You are not interested in getting to the truth of the matter.

Mr Perron: We are prepared to leave him to do the job. It is a shame that you people are not.

Mr SMITH: Mr Speaker, I commenced by saying that I have an enormous amount of respect for the Chief Minister on many issues.

Mr Perron: Well, it is not reciprocal.

Mr SMITH: I know that.

Mr Ede: He is a small-minded man.

Mr SMITH: I know that. One of his faults is that he is small-minded and petty. On this issue, he has a very large blind spot.

Members on this side of the House are not casting aspersions on any office holder in the Northern Territory government. What we are trying to do is to provide a means by which the truth can come out on these matters that the government has set in train in such a public manner. It was not us who set the Mulholland inquiry in train. It was the government. The government has an obligation to follow matters through to ensure that they are brought to a satisfactory conclusion. That can be done only if the person in charge has the authority to undertake all the investigations and to receive all the submissions from people who might want to give evidence. That is the problem at present. That is the problem that we were hoping to address.

Mr MANZIE (Attorney-General): Mr Speaker, I find it most distressing to listen to the members opposite. It is very obvious that the need to search for the truth and uphold the integrity of our law enforcement bodies and our investigative bodies in the Territory has gone out the window in the interests of political expediency. As a result of what has been said, today will be recorded as a sad and sorry day in the annals of the operation of the parliament given the attitude of the opposition to the institutions that this parliament itself has put in place.

It is very important for honourable members to look at the terms of reference of Mr Mulholland's appointment because that says it all. Claims have been made this afternoon by the member for MacDonnell that somehow the government gave the impression that it appointed Mr Mulholland to head a commission of inquiry - which it kept secret - and then, at the last minute, it said: 'Ha, ha. Tricked you'. That is really not the case. He gave the impression that he was very surprised to find out the other day that there was no inquiry. That is an example of political expediency running contrary to representation of the truth. The member for MacDonnell knew very well what the terms of reference were.

Mr BELL: A point of order, Mr Speaker! The Attorney-General has said that I deliberately failed to make a 'representation of the truth'. That was his phrase. He is permitted to reflect on my consciously not telling the truth only by means of a substantive motion.

Mr MANZIE: Mr Speaker, I did not say that. I said that the attitude of the member opposite was one which was contrary to the truth. It showed that political expediency was overtaking the facts. In fact, he was well aware of the facts and he misrepresented that he was not. If he cannot accept that as a statement of fact, I am sorry, but the facts bear it out.

Mr SPEAKER: The Attorney-General cannot impugn a member's integrity. I do not believe that he has done that, but he was sailing a little close to the wind in terms of inference. I ask him to restrict his remarks so as not to embarrass the member for MacDonnell.

Mr MANZIE: Mr Speaker, I will try to point out what I was saying in a very clear and concise way so that even the member for MacDonnell will realise that he has been caught out. He said in the House that the Chief Minister had given the impression that the role of Mulholland was to undertake a full inquiry. He said that was his impression of what had occurred. He said he experienced shock and horror when he heard the Chief Minister state the other day that that was not the case. It is very obvious to myself and to any member who was present in this House, and it will be very obvious to any person who reads the record of this debate, that the member for MacDonnell knew that that was not the case and that, in fact, he knew the terms of reference of the appointment of Mr Mulholland. I do not mind debating questions of philosophy or questions regarding points of view, but I have problems when, for political purposes, members deliberately misrepresent what has occurred and allege matters are factual when in fact they are not and they are aware that they are not.

I will read out the terms of reference: 'Mr Mulholland has been briefed to advise in relation to the manner, direction and effectiveness of investigations by the Northern Territory police in relation to ...'. That is very clear. I am very disappointed that the member for MacDonnell tried to pretend that something else was implied by the Chief Minister and by the terms of reference to Mr Mulholland.

Mr Mulholland's brief related to: '(a) the investigation and prosecution of certain former police officers charged with drug-related offences; (b) the investigation of a complaint concerning possible criminal offences against a certain police officer by another police officer; and (c) the investigation of an alleged incident involving a police officer and a member of the public'. That is very clear. Mr Mulholland has been further briefed that 'if he considers that any advice he may give in relation to this matter has not been accepted for any good or apparent reason, or if he is satisfied there has been any impropriety as regards the handling of this matter by either the Police Commissioner or police officers, any government minister, including the Chief Minister and the Attorney-General, or by the Secretary of the Department of Law, he is authorised to make public his concerns'.

What we are talking about is very clear. A task has been given and Mr Mulholland has complete and utter freedom to do as he wishes in regard to this matter. The Chief Minister has made it very clear that he will be tabling the report that Mr Mulholland makes. What we are talking about are the normal investigative processes. We are talking about the Ombudsman, which is the normal investigative process regarding investigation into police, and we are talking about the role of an eminent barrister to oversight the whole matter and to report. If there are any problems in the investigation, those will emerge and form part of Mr Mulholland's report. Certainly, the government does not consider that it is its role to be involved in the investigation. Why should any member on this side of the House tell the police how to carry out the investigation, who to speak to, how to speak to them or what to speak to them about? How dare anyone infer that a government member should be involved in trying to direct where an investigation should go?

The Leader of the Opposition and the member for MacDonnell are trying to direct how an investigation will occur. They are trying to direct who will be seen by whom, who will talk to whom and how they will be spoken to. It is ridiculous. They are trying to suggest that somehow it is not being done properly even though we have put in place the best possible mechanism to review what has occurred. If, for example, somebody is precluded from

providing evidence or evidence is ignored or somebody is involved in manufacturing it, Mr Mulholland will be advised that. He will let everyone know exactly what he thinks of the matter.

The investigation has not yet been completed. We do not know what the results are, yet we have people trying to say how it will happen. We have somebody trying to suggest that somehow or other people are unable to give evidence. That is the reason for this motion. We have a motion stating that people are too scared to come forward and give evidence. It could be accepted that people might not want to come forward to the police. However, I find it very difficult to accept that the Commissioner of Police is a man whom people would be fearful of approaching. Perhaps there are some people who would be unwilling to approach the Department of Law, but I do not understand why that should be so.

I have great difficulty in accepting that there should be a need for any fears in approaching the Ombudsman. I am absolutely appalled that members opposite do not consider the Ombudsman to be a trustworthy person. He has been appointed by this parliament, not by the government. One of his tasks, which is given to him by the parliament, is 'to investigate any action taken, or refusal to take an action, by a member of the Police Force of the Northern Territory, whether or not that action was administrative action, whether that action was, or was purported to be, for or in connection with or incidental to the exercise or performance of that member's powers or functions as a member of the police force'. That is the role given to him by the parliament.

We had a letter from a solicitor which was tabled by the member for MacDonnell. Surely his duty was to write back: 'Dear Sir, the parliament has appointed a man, independent of government, who reports only to the parliament and whose task is primarily involved in investigative processes against police'.

Mr Bell: That is wrong, Daryl. You know that is wrong.

Mr MANZIE: Mr Speaker, I urge the member for MacDonnell, who is supposed to be the opposition spokesman on law, to read some of the legislation. He was a member of the panel that interviewed the present Ombudsman for the position. It is most shameful that the member opposite does not know what the legislation states and does not know what the task of the Ombudsman is. He did not have the gumption to write to the solicitor and tell him to advise his client to approach the Ombudsman. If he had any inkling that the Ombudsman could not be trusted, he had a duty to stand up in the House and report the matter immediately. I find the performance of the member for MacDonnell in this situation appalling.

There is another option available if people are reluctant to approach the police or the Department of Law, or if members opposite refuse to advise people, who come to them for help, to approach the Ombudsman. The postal system is available to anyone. It is a very simple matter to write it down in affidavit form, put it in an envelope and post it to Mr Mulholland. They could send an audio-tape. If the member for MacDonnell does not trust the Ombudsman, he could have written to the solicitor and said: 'You would be aware that Australia Post is not subject to the influence of anybody at all. Any matter that is addressed to Mr Mulholland QC would be guaranteed to arrive there'. It could go registered mail which is one of the safest methods of transmitting information that has been devised in the western world. Instead, what happens? This motion is proposed, and for political

reasons only. The mail could be used. The information could go to Mulholland.

Now what Mr Mulholland QC wants to do with that information is entirely up to him. It has nothing to do with me. It has nothing to do with the Chief Minister or any members of government and it certainly has nothing to do with any person on the other side of the House. It is entirely up to him to make a decision as to whether he speaks to that person, whether he requires somebody else to speak to that person, or whether he wants to direct that some form of investigation or whatever be undertaken. The matter is very plain. Any person has access by the 4 avenues I have just indicated: the police, the law, the Ombudsman or our mail system.

To suggest that the government should appoint a solicitor to usurp the role of a parliamentary appointee is atrocious. In their attempts to try to gain some political points, the members opposite have certainly demonstrated a total disregard for any matters of propriety. We are talking about serious accusations against members of the police force, serious accusations that have to be looked into. The community has to realise that not only has the investigation been handled properly but that, by engaging Mr Mulholland, an independent oversighting of that matter can be reported on so that everyone can be satisfied entirely. There is no impediment to the role that Mr Mulholland can play, and there is nothing to impede any person getting any information to Mr Mulholland, and that has been demonstrated very clearly. Attempts made by some people to try to gain headlines and to try to create the impression that certain things have been said when in fact they have not been said, are pretty bad.

Mr Speaker, something has just been passed to me which I believe is well worth referring to. On the 7.30 Report, on 16 August, the member for MacDonnell said: 'I think there is a very real danger that the Mulholland inquiry is now going to turn into a farce'. Because he was in the House and because he had read the terms of reference, the honourable member knew that it was not an inquiry. He went on: 'The Chief Minister has all of a sudden said there is no independent inquiry, there is no inquiry at all. He said that last night on your program. What bothers me is everyone out there believed there was an inquiry going on. I believed there was an inquiry going on'.

That was patently false. He knows what the terms of reference are, and I expect him to stand up and apologise to the whole community as well as members of the House for the type of representation he has made publicly. It is an example of the political opportunism that has interfered with a matter that affects the whole of the Territory. I believe that our police force and our Department of Law deserve better. It is a matter that needs to be investigated. It needs to be finalised, and people need to be totally satisfied that that investigation is being carried out properly. What the community does not need is deliberate attempts to vilify the whole process. That will not damage only the government or the police force. It will damage our entire community, and will leave it a place that will be a little worse off for our children. For that reason, I condemn the opposition members.

Mr TUXWORTH (Barkly): Mr Speaker, the Attorney-General got the last part right. The whole thing is very damaging to everybody. I rise this afternoon to say that, in my view, the member for MacDonnell's motion is inadequate, and that the Chief Minister's amendment is nothing more than a political subterfuge to take our attention away from the main focus and the

main issue. The longer this debate continues, the greater is the need for a full and open inquiry to take place.

I invite honourable members to recall the tabling of the terms of reference on 1 May this year. The concerns that were expressed at that time about Mr Mulholland's terms of reference were that, if this matter was so serious that it was worth while bringing someone of Mr Mulholland's calibre from Queensland to take an interest in it, it was certainly serious enough to warrant giving him the power of inquiry to conduct whatever investigations he needed. That situation has not changed; that is still the case.

The Chief Minister's reassurances at the time, about the scope of Mr Mulholland's terms of reference and his power to do what he likes in respect of his inquiries, were very widely construed as meaning an inquiry conducted by Mr Mulholland and supervised by Mr Mulholland. That perception was transmitted widely in the community. That is what Territorians think has been happening. Regrettably, progress has been totally unsatisfactory in the sense that there is no inquiry, as has now been outlined by Mr Mulholland. Further, there is no access to Mr Mulholland unless people go through certain channels. The reality is that a bureaucratic process has been established to ensure that anybody who wants to see Mr Mulholland is given a sufficiently hard time to make it worth their while not to bother. I was interested in the document tabled earlier from a solicitor about someone who intended to give evidence. I thought that, in itself, was a rather unfortunate document to have floating around in terms of what Mr Mulholland is supposed to be doing.

I have let the Chief Minister's inquiry with Mr Mulholland proceed and now, as a result of allegations that have been made and propositions that have been put to me by people, I have reached a point where I want to raise them with Mr Mulholland myself. To do that, I contacted his office 3 times. Ultimately, I received a series of communications from Mr Conran, the Secretary of the Department of Law. An article appeared in the NT News of 18 August, and I will read part of it into Hansard:

> I am reliably told potential informers should feel free to contact Mr Mulholland directly. His address is Mr Bob Mulholland QC, Barrister of Law, Inns of Court, 107 North Quay, Brisbane, 4000.
>
> Or, if you happen to have trouble writing, ring (07) 236 2753. That will get you through to Mr Mulholland.
>
> His secretary told me yesterday that Mr Mulholland was away from Brisbane and I could not speak to him. Nevertheless, I undertook to fax a copy of this article to his office ...

That would lead anybody in the community to believe that people do have access to Mr Mulholland.

Mr Speaker, I would like to table the 2 letters that I have received from the Secretary of the Department of Law. I will read 2 sentences from one of them that will put the lie to all of that: 'Put simply, he is in receipt of a brief from me and ethical rulings prevent him from discussing the matters with you other than with me present'. In relation to the invitation for Mr Mulholland, the Chief Minister, the Leader of the Opposition and myself to meet which was contained in the second paragraph of that letter: 'Mr Mulholland would explain their role and the nature of this work ...'.

There is a further letter from the Secretary of the Department of Law. After I had had a conversation with him, he contacted Mr Mulholland and he then said in part of that letter:

> If Mr Mulholland considers there is a need for a meeting, then he is free to ask for a meeting, although again, in accordance with the ethics of his practice an instructing solicitor would need to be present ... If there are concerns that the information not be made known to any of us, then the information can be passed directly to Mr Mulholland on a confidential basis, eg in a sealed envelope delivered by a third party and posted in their presence.

I was invited to put my information in writing, take it over to the Secretary of the Department of Law and he would put it in another envelope, and we would both walk down to the post office and post it.

Mr Speaker, I ask that both those documents be incorporated in Hansard for the benefit of this debate.

Leave granted.

Mr Ian Tuxworth
Member for Barkly
c/- Legislative Assembly
DARWIN NT 0800

Dear Mr Tuxworth

Mr Mulholland QC has asked me to contact you in relation to your telephone requests for discussions with him. He has requested that I explain to you that, for ethical reasons, it is inappropriate that he discuss the matters with you in the manner proposed. Put simply, he is in receipt of a brief from me and ethical rulings prevent him from discussing the matters with you other than with me present.

However, I advise that, after discussion with Mr R. Mulholland QC, he has agreed that an appropriate alternative course would be for him and his junior Counsel, Ms Roslyn Atkinson, (with me present) to meet jointly with you, the Chief Minister and the Leader of the Opposition. Mr Mulholland considers it would be inappropriate to meet separately, the Chief Minister, the Leader of the Opposition, or you.

Mr Mulholland would explain their role and the nature of this work, whilst respecting such confidences as might be needed to protect, as per the normal course of investigations.

If you are available for such a meeting, I suggest you contact me as soon as possible and, dependent upon the availability of and acceptability of the proposal to the other parties, I shall arrange a meeting.

Your sincerely,
Peter F. Conran.
21 August 1990

c.c. Chief Minister
Leader of Opposition

Mr Ian Tuxworth
Member for Barkly
c/- Legislative Assembly
DARWIN NT 0800

Dear Mr Tuxworth

I refer to our telephone conversation of 21 August 1990.

As requested, I discussed with Mr Mulholland the prospect of you meeting with him directly in the absence of the Leader of the Opposition, the Chief Minister and me. Again for the reasons stated in my letter, he considers such a course inappropriate. As regards extension of the brief which might allow such a meeting, such an extension would not be necessary, given the extent of Mr Mulholland's brief. If Mr Mulholland considers there is a need for a meeting, then he is free to ask for a meeting, although again, in accordance with the ethics of his practice, an instructing solicitor would need to be present. Mr Mulholland has not at this stage requested such a course.

In our discussion, you adverted to information put before you to the effect that certain persons including a police officer wish to meet directly with Mr Mulholland. I have so advised Mr Mulholland. At this time it is considered that the appropriate course is that the information be made available to the Ombudsman, the Police Commissioner, or me, so that it can be passed to Mr Mulholland. If there are concerns that the information not be made known to any of us, then the information can be passed directly to Mr Mulholland on a confidential basis, eg in a sealed envelope delivered by a third party and posted in their presence. For my part, I give a categoric undertaking that any information I receive in such circumstances will be kept confidential, consistent with the proper discharge of my duties and responsibilities as a legal practitioner and Departmental Head. The information, if Mr Mulholland saw fit to pass it back to me, would not be disclosed to any party without Mr Mulholland's approval. That scenario might occur if Mr Mulholland considered there to be a need for further investigation and that any investigation so arising should be carried out by Northern Territory Police.

Given the above, could you indicate whether it is your intention to take up the offer made in my earlier letter.

Yours sincerely,
Peter F. Conran.
21 August 1990.

c.c. Chief Minister
Leader of Opposition
Mr R. Mulholland QC

Mr TUXWORTH: Mr Speaker, in response to the invitation to meet with Mr Mulholland, I would be delighted to meet with him and hear what he is doing. While he is here, I hope he has a few minutes to appear on the television to tell Territorians what he is doing, because I can tell you that 100 000 people would be delighted to know what is going on. They do not get much information about what is going on from the Assembly.

Mr Coulter: Do you have any information to provide to him?

Mr TUXWORTH: Mr Speaker, there are people who want to give Mr Mulholland evidence. I have had representations from them, and certainly they said things to me that I believe that he should be aware of.

Mr Coulter: Have you passed that information on to anybody?

Mr TUXWORTH: Mr Speaker, if the Leader of Government Business will just be patient ...

Mr Coulter: Have you passed that information to anybody, or are you holding that information?

Mr TUXWORTH: If he will just be patient, Mr Speaker, we will get to that point in a moment.

Originally, Mr Mulholland was asked to review 3 police files and, as a result of the 7.30 Report, a series of other issues were opened up. Since then, further allegations have been raised. I would like to say that now so much alleged information is floating around that it is very hard for anybody to know what to believe any more. I can assure you, Mr Speaker, that the public does not know what to believe any more. It is not unreasonable that people have an opportunity to find out and, if there were a full and open inquiry, they would be able to do so.

I will come back to some of the allegations that were made at the time. Let us deal with the allegation made on the 7.30 Report that a policeman, whom we will call Mr A, had slept with a prostitute, and that he had allegedly sought the help of the prostitute to get information to compromise a colleague, the inference being that that information would be used to enable Mr A to own his colleague. The allegation continued, stating that Mr A said to the prostitute that he had a contact in government to help if there were any problems. It has further been alleged that the same man is the bagman who has been collecting $30 000 a week. That sounds like an unbelievable amount of money and it sounds like a pretty tall story. Given the sensitivity of the subject, such matters must be addressed, and they will be. It is further alleged that this officer's wife has been employed in a very sensitive area of government which deals with law and prosecution. If that is the case, it presents a problem.

On the 7.30 Report, it was alleged that a Mr X was a policeman who allegedly taped the relationship between the prostitute, Rhonda, and Mr A, the officer to whom I referred earlier. It has been alleged also that the officer who taped his colleague in bed with the prostitute is aware of the $30 000 pay-off. That is pretty serious stuff. It is not tiddly winks. It has been alleged as well that a senior officer was told about the pay-off and told the officer who advised him to shut up about it and forget that he had ever heard of it.

Then there is the matter of Mr L, another police officer, who is also allegedly involved in taping the activities of his colleague in bed with the prostitute, Rhonda. It is alleged that he is aware of the $30 000 pay-off, and that there is a further senior officer, who we will call Mr Y, who allegedly used the name of a government member in doing a deal with the prostitute Rhonda. It was also alleged that this officer was aware of the $30 000 pay-off.

Mr Speaker, these are very serious allegations. I have not mentioned any names because I believe that is the sort of thing which Mr Mulholland and his team ought to be investigating so that, when he makes a report to this House ...

Mr Perron: What makes you think that he is not investigating it?

Mr TUXWORTH: I will come to that point in a moment.

When Mr Mulholland reports to this House, it ought to be on the basis that he has heard every bit of information that anybody in the community wants to offer in relation to these matters. It is quite possible that these allegations have no substance and let us hope, for the benefit of us all, that that is the case. It is important, however, that Mr Mulholland be seen to have dealt with them and laid them all to rest. Whatever Mr Mulholland's role is, there is no doubt that he is an appropriate person to conduct investigations into these issues. However, if he is not the appropriate person, then it is absolutely essential that someone else do it.

The questions which flow automatically from the allegations which I have just outlined are numerous. There are dozens of them. Let me run through a few of the obvious ones, because they need to be addressed. Who was the contact in the government? In fact, was there any connection at all between the officer concerned and a member of the government? Did the member of the government even know that somebody in town was talking about him in this way? Would the member of the government have condoned it and, more importantly, could the member of the government have assisted in any way if the allegations were true, and did he assist at all?

I raised the issue of the position of the officer's wife in the public service because it could relate in a very important and sensitive way to Mr Mulholland's inquiries in that somebody could have been obtaining information about government activities or surveillance relating to crime. Such a situation may not have been at all helpful to the government.

Let me raise the question of whether Mr X taped an illicit act with a prostitute. If he did so, did he do anything with the information? Or did he put the tape in his pocket and hope to use it in order to look after himself on a future occasion? If he did advise his superiors about it, what did they do? Did they take any action, or is it not true? Was the officer aware of, or did he witness, a pay-off? If he did witness such a pay-off, did he report it? If he reported it, was anything done about it? If nothing was done about it, why not?

In the case of Mr L, who was alleged also to have taped the sexual liaison between the officer Mr A and the prostitute Rhonda, what did he do with the tape? Did Mr Y make an offer to Rhonda, during the course of questioning at Berrimah, to seek the assistance of a member of the government? Was the assistance sought? Did the member of the government know that his services were being offered?

These are only some of the questions which flow from the allegations that have been made. As I said, the allegations are most serious, as are the questions which flow from them. I have sought a meeting with Mr Mulholland to put before him the matters which have been raised with me. I do not know them to be facts, but I know them to be allegations. I am happy to provide Mr Mulholland, in a private meeting, with the information that I have available to me.

Mr Perron: Tell us why you will not tell the Ombudsman.

Mr TUXWORTH: I will come to that in a moment.

If Mr Mulholland is aware of these matters, has investigated them or will cover them in his report, my concerns will be allayed. If Mr Mulholland has no interest in these matters at all, I would be interested to know that, and they can be pursued in another way. There is no doubt that, in the terms of the issues I have raised, Mr Mulholland has hobbles on both feet. He is not able to be made aware of the things that are being said and the allegations which are being made by people in the Territory. The Chief Minister established the inquiry and set out its terms and rules. The reality is that people who could contribute to the inquiry will not do so under the existing rules. The simple question is: will the government change the rules so that Mr Mulholland can receive whatever information is available to be given to him?

The Chief Minister and other speakers have made great play about the Ombudsman. I would be happy to see the Ombudsman carry out an inquiry and, if the government wants to move a motion on the floor of this House and give him a commission to hold an open inquiry, I will be the first to support it. If the government does not want to do that, it will be merely maintaining the charade. Both police and civilian witnesses want to give evidence to Mr Mulholland. They will not go through the Ombudsman, the police or the Department of Law. However, they should be given the opportunity to put their point of view to Mr Mulholland. If that happens, the Mulholland inquiry will have credibility in the community. If it does not happen, it will go down as one of the great whitewashes of all time. The losers will be the people of the Northern Territory and, in particular, the police force itself.

Mr EDE (Stuart): Mr Speaker, I would like to address 2 points. The Chief Minister has moved an amendment to the motion which would censure members of the opposition for their statements that must also tend to undermine public confidence in the Ombudsman. The amendment is extremely serious. It asserts that members on this side of the House have attempted in some way to undermine public confidence in an officer of this parliament.

The whole matter arises from statements made by the Chief Minister last week. He said that people with allegations could take such allegations to a number of people. He said that they could go to the Commissioner of Police or, if they did not trust him, to the Secretary of the Department of Law, Mr Conran, who would pass the allegations on in sealed envelopes. He also said that the Ombudsman could receive allegations and would pass them on directly. I see the Chief Minister nodding his head. That is what he said last week. He said that the Ombudsman could pass allegations on directly ...

Mr Perron: Or accept the evidence.

Mr EDE: Or accept the evidence and pass it on directly.

The honourable Chief Minister is wrong. If the Ombudsman had done that, he would have broken the law. That is where the whole farce of this amendment falls in a heap. For the sake of a cheap political point, the Chief Minister has attempted deliberately to misinform this House. He knows that he was wrong. I will quote the relevant provision, section 14(3)(a) of the Ombudsman Act: 'Where a complaint concerning a member of the police force is made direct to the Ombudsman, the Ombudsman shall, before carrying out an investigation, refer the complaint to the commissioner'. The

Ombudsman has to abide by the law. He knows that. He cannot do what the Chief Minister said he could do.

The Chief Minister has not amended the act to give the Ombudsman the power to do what the Chief Minister says he can do. Nor was the Chief Minister acting on the basis of a lack of knowledge. To demonstrate that, I will quote from his response to a question asked by the member for Koolpinyah on 3 May. She asked about the Mulholland inquiry and the work which would be done by the Ombudsman. In his answer, referring to previous complaints against police and so on, the Chief Minister said that 'the Ombudsman is advised of all complaints against the police'. He went on to say: 'That information is exchanged under a strict procedure which is laid down. The police and the Ombudsman carry out those investigations jointly so that both are totally satisfied that the matter is handled properly'. The Chief Minister knows what the procedures are. He knows what the law is. In an effort to score a cheap political point, he has tried to delude people as to the requirements of the act and he has fallen in an incredible hole. The basis for the censure of the opposition has collapsed totally.

The Chief Minister and the Attorney-General castigated members of the opposition and said that we were at fault because we did not realise there was no Mulholland inquiry. On the night of 15 August, the Chief Minister said that there was no independent inquiry and, in fact, no inquiry at all. I was shocked to hear him say that. I suppose that I must bear the same opprobrium as other honourable members on this side of the House and press representatives for believing that there was a Mulholland inquiry.

Mr Hatton: You were the only people who ever used those words.

Mr EDE: The member for Nightcliff says that we were the only people who ever used those words. It is true that sometimes we do not dwell on everything that is said by the members opposite. I know that we probably should. We try and we listen all the time, but sometimes we miss points. I know that the members opposite will not forgive us but, hopefully, in their heart of hearts, they may understand. The press also thought that there was a Mulholland inquiry. Of course, sometimes the press misses points which are made in this parliament and perhaps it can also be forgiven for believing that there was a Mulholland inquiry when we now know there is no such thing.

However, Mr Speaker, there is one group of people who listen all the time to what we have to say. They work to try to understand what we are trying to say, word for word. I refer, of course, to the staff of Hansard, those poor people who have to try to decipher what we are saying. Until Thursday 16 August, the titles in the Daily Hansard on all the questions relating to this matter were: 'Mulholland Inquiry'. Mr Speaker, not only were the opposition, the press and the public confused, but so was the parliamentary Hansard. I believe that, in our confusion, we are in good company.

Members opposite must accept the well-considered terms of reference proposed by the member for MacDonnell. His motion offers the only way out of this imbroglio. It offers the only path through the minefield so that we can restore confidence in the Northern Territory Police Force. There is no other motive behind the motion than the opposition's desire to vindicate the good name of the Northern Territory Police Force. Its reputation goes all the way back to the Northern Territory mounted police. People have worn the uniform with pride and distinction, and they are shocked by the allegations. For sure, 99.99% of the police force is not tarnished in any

way. Its officers are staunch, upright citizens and they want this mess cleaned up. The member for MacDonnell has found a way to do that, and we should take the opportunity which he has provided.

Mr COLLINS (Sadadeen): Mr Speaker, a great many questions have been raised here and there are no obvious answers. It is very easy to formulate questions and to run from one question to another. I believe that, when Mr Mulholland delivers his report, we will find answers only to some of the questions which have been raised. I am sure that he will receive a copy of the Parliamentary Record so that he can address the questions which members have raised here today. I think it is important that he do so and I tend to believe, from all that people have said about him, that he would see it as his duty to do so.

The member for MacDonnell suggested that people have tried to contact Mr Mulholland, as is their right. As Mr Alcorta said in the NT News, people have a right to do that. We surely know in our heart of hearts that any of us can try to contact a person by letter, fax or by phone. The Chief Minister confirmed that, but what he could not guarantee was the response at the other end of the line. As I understand what the member for MacDonnell said, when people have got through to Mr Mulholland's office, they have been advised to convey their information to the Secretary of the Department of Law. I do not remember whether the Ombudsman was mentioned. That poses the question as to whether Mr Mulholland has been gagged in some way. Has he been ordered not to receive direct information from people? Of course, this is something which Mr Mulholland must address. If he has been so limited, who would have imposed the limitations? It does not really add up.

My recollection of the debate relating to the appointment of Mr Mulholland and the announcement of the inquiry's terms of reference in May is that Mr Mulholland did not seem likely to be the type of person who would allow himself to be muzzled. That leads me to wonder whether there is a good legal reason why Mr Mulholland may not wish to receive evidence of a particular nature, such as in a face-to-face meeting with an individual in private. Certainly, that seems to be a possibility when one reads between the lines of the letters received by the member for Barkly. Of course, these matters can be brought out in the report. Certainly, I want some answers and I am sure that the House wants answers too. I understand that it will not be too long before Mr Mulholland's report is received. When that occurs, we may learn whether there are good, legal reasons which explain why Mr Mulholland does not want to receive information in private from a person.

The member for Barkly referred to a number of serious allegations which must be addressed. If there is substance to them or if a prima facie case can be established, it becomes a matter for the courts. Evidence can be received under the rules of evidence and the courts will then decide. Mr Mulholland's job, as I understand it, is to oversight the police investigation and thereby give extra credibility to it. I understand that he is no man's fool and that he has a great capacity to ferret out information. I believe we should wait until his report is brought down. Certainly, I believe that all matters which have been raised here need to be addressed by Mr Mulholland, because this House requires answers to them. I can appreciate that people may well want to give information to Mr Mulholland on an individual basis so that there can be some dialogue back and forth. However, there may be some very sound legal reason why Mr Mulholland does not want that to occur. I would be most concerned if anything happened to prevent him from doing his job properly, and I believe that these matters must be dealt with in his report.

The member for MacDonnell's motion calls on the Northern Territory government to 'appoint forthwith a solicitor independent of government'. How do you determine whether someone is independent of government? I wish I could be sure, especially at the tax office. The motion puts this course of action forward on the basis that 'police and other people with information relevant to the police investigation of 3 matters may be able to provide that information through the solicitor so appointed direct to Mr Mulholland QC secure in the knowledge that there will be an independent assessment of that information'. I cannot see how any independent QC or anybody else whose job is only to receive information and give it to Mr Mulholland will make us secure in the knowledge that there will be an independent assessment of that information. It is Mr Mulholland's job to do that. This solicitor will not make it all happen. I suggest strongly that he would be nothing more than a rather expensive letterbox paid for by the taxpayer.

There is no suggestion that the solicitor take the person wanting to give evidence before Mr Mulholland. All that is required of the solicitor is to take the evidence and deliver it to Mr Mulholland. What is so different in that as opposed to sending a registered letter? I believe that the terms of the motion are not well thought out because the solicitor merely takes the evidence and delivers it to Mr Mulholland. He has no power to influence in any way, shape or form how Mr Mulholland might deal with that evidence. People might as well use a letterbox. I do not support the motion.

Mr BELL (MacDonnell): Mr Speaker, I fail to see how anything that the Chief Minister or the Attorney-General said either supported the amendment to the motion or altered the need for a full, open and independent inquiry.

Mr Perron: That is not what your motion called for.

Mr BELL: Quite clearly, when the Chief Minister rose to his feet, he had not bothered to read the letter that I tabled.

Mr Perron: We have read it.

Mr BELL: He had not bothered to read that there are people who had been told that they had no option but to go to the police.

In answer to an earlier interjection from the Chief Minister, I am well aware of the wording of my motion and of its implications. I believe that people of the Northern Territory expect that type of sensible approach to be taken. It will have a chance of resolving this issue. If the government continues with the approach that it is taking at the moment, this issue will not be resolved. It will leave questions in the public mind. I do not believe that the current investigation is adequate. I have presented information that indicates its shortcomings. I believe that the letter from an informant's counsel has amply demonstrated concerns in that regard.

Let me pick up some comments from the Chief Minister. I know he is no particular friend of the Australian Broadcasting Corporation. He is given to denouncing it every now and again and he referred contemptuously to 'some expose on television'. I believe that we have been very well served by the media in general in this regard. If the 7.30 Report had not brought it to the attention of the public, the fact that there were people with information who were not prepared to speak to police may not have seen the light of day.

Mr Reed: No. They speak to the media.

Mr BELL: I would have thought that the member for Katherine had been in the parliament long enough to know that there are many people who speak to reporters about issues of concern to them. The problem is that the member for Katherine is suffering from CLP arrogance, that peculiar arrogance that comes from a long term in office. They believe that anybody who does not speak to them directly should not be heard. I am afraid, Mr Speaker, that a large number of people do not believe that.

What I was deeply concerned about in the comments by the Chief Minister was the suggestion that the opposition does not support the Ombudsman. The Ombudsman has been brought into this as a very late player. I was unable to hear all the comments by the Deputy Leader of the Opposition, but he indicated to me that he would draw to the Chief Minister's attention provisions in the Ombudsman (Northern Territory) Act to which the Ombudsman is bound. The Deputy Leader of the Opposition indicates to me that he did draw it to the Chief Minister's attention. I point out to the Chief Minister that there is a statutory obligation on the Ombudsman not to be independent of the Commissioner of Police where complaints against police are involved. I will read the relevant section again.

Mr Coulter: Okay.

Mr BELL: Have you got it there?

Mr Coulter: Yes.

Mr BELL: Section 14 relates to matters for investigation.

Mr Coulter: Read them all out.

Mr BELL: I will not read them all out because I do not have the time.

Section 14(3)(a) states: 'Where a complaint concerning a member of the police force is made direct to the Ombudsman, the Ombudsman shall refer the complaint to the Commissioner before carrying out an investigation'.

Mr Coulter: What about reading section 14(3)(b) and then (2)(iii)?

Mr BELL: I have read that. The Leader of Government Business has had every opportunity to contribute to this debate and chose not to. I am simply telling him that the Ombudsman (Northern Territory) Act does not allow the Ombudsman to act independently of the Commissioner of Police in respect of complaints against the police.

In relation to an answer to a question from the member of Koolpinyah, the Chief Minister said that some complaints are laid with the Ombudsman's office and some are laid with the police. That information is exchanged under a strict procedure which is laid down. That is what the Chief Minister said. Do not give me any of this nonsense about complaints against the police being taken to the Ombudsman and dealt with confidentially, because there is a statutory bar against that.

As far as the posturing nonsense from the Chief Minister was concerned, about our not supporting the Ombudsman, he ought to be ashamed of himself. The opposition has not proposed an independent inquiry because we believe that would be going over the top. We do not believe the evidence that has come to public light at this stage justifies that. We believe that the

Chief Minister has been totally irresponsible in rejecting this sensible course of action. His pious comments were really painful. I refer to his pious comments about upholding procedures and being truly faithful members of the Legislative Assembly. What pious nonsense! And what utter self-serving, self-congratulatory, pompous nonsense was uttered in total ignorance of the act under which the Ombudsman operates. He ought to be ashamed of himself.

As for his amendment censuring the opposition, he shows his ignorance. When this debate is reported, there will be many people who will be saying around their dinner tables that the Chief Minister is a dope.

Mr SPEAKER: Order!

Mr BELL: I will not be saying that of course, Mr Speaker. However, I can imagine how people in the northern suburbs will say to each other that the Chief Minister is a dope.

He referred also to the 'unprecedented procedure' that the opposition has proposed. It is not an unprecedented procedure. We have had legal advice in respect of such a procedure. It is neither unprecedented nor unacceptable in terms of appropriate checks and balances. The government has not put in place the sort of checks and balances that are necessary in a matter such as this. I believe that it stands condemned.

The Attorney-General said nothing of substance. It is not worth responding to anything he said. What he said indicated a misunderstanding of the operation of the Ombudsman. Basically, he said - and he can check the Hansard tomorrow - that the Ombudsman's role is primarily to investigate police. It is not primarily to investigate police at all. The idea behind the appointment of an Ombudsman by many western representative democracies in the 1960s and 1970s has been to give members of the public, in addition to representation by their local member, a source whereby they can complain about capricious action by the increasingly large bureaucracy.

As the Chief Minister well knows, to give the Ombudsman the task of investigating accusations between police - not about police by members of the public - as has occurred in this case, goes beyond the expectations that this Assembly has of the role of the Ombudsman or that anybody has of the role of the Ombudsman.

Mr Perron: Can he be trusted?

Mr BELL: I stress once again that it was only at the end of last week that the Ombudsman's name was raised by the Chief Minister.

As for the interjection from the Chief Minister, it is an obscene question. Do we trust the Ombudsman? The question is not worth asking and it is certainly not worth answering.

Mr Reed: You don't want to answer. That is lovely.

Mr BELL: Mr Speaker, there is no action by the opposition that gives rise to the question, ergo it does not need to be answered.

The member for Barkly suggested that this motion was inadequate. I reject that for the reasons that I have already outlined. I have said that this approach is sensible. It provides the independent channel that is required. At this stage, an inquiry under the Inquiries Act is not

justified. There may be circumstances that may come to light as a result of this channel that I have proposed that may cause that to be the case. I certainly hope that it will not. However, at this stage, I reject a proposal for an independent inquiry of that sort.

The comments by the member for Sadadeen indicated clearly his failure to understand some fairly basic principles that are involved here. He could not really understand why people could not approach Mr Mulholland direct. There are varying practices in various jurisdictions. In some jurisdictions, when a barrister is briefed, he is unable to talk with witnesses or those wishing to supply information other than in the presence of an instructing solicitor. It is very rigid in some jurisdictions. I understand that, in Hong Kong, a barrister does not speak to his clients until he meets them in court. That is a particularly strong form of the practice. However, there are many other jurisdictions where barristers will speak quite independently of solicitors. I do not argue with that judgment. I am simply a little surprised that the member for Sadadeen does not really understand it.

In conclusion, I am deeply disappointed that the government is not accepting this motion. I reject the amendment utterly. I believe that this government has set in train a course that will leave a cloud over important institutions in the Northern Territory.

Mr SPEAKER: The question is that the amendment be agreed to.

The Assembly divided.

Ayes 15	Noes 7
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Harris	Mr Smith
Mr Hatton	Mr Tipiloura
Mr McCarthy	
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Amendment agreed to.

Mr SPEAKER: The question is that the motion, as amended, be agreed to.

The Assembly divided.

Ayes 15	Noes 7
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo

Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Vale
Mr Smith
Mr Tipiloura

Motion, as amended, agreed to.

TENANCY AMENDMENT BILL
(Serial 242)

Continued from 28 February 1990.

Mr HATTON (Health and Community Services): Mr Speaker, I rise to speak against the introduction of this bill at this stage. In doing so, I would like to outline the actions that are being taken by the Department of Health and Community Services to follow up the review of tenancy legislation. Honourable members will be aware that many of the issues that are raised here have arisen out of concerns being expressed by some commercial tenants, particularly in retail establishments in the northern suburbs of Darwin, about some practices associated with what is, effectively, key money or entry payments to take out leases, and what is regarded as the impropriety of that practice. I remind honourable members of a number of debates that have occurred between myself and the Leader of the Opposition about these issues during question time and in a couple of adjournment debates Previously, I have given an assurance that we would be undertaking a comprehensive review of tenancy legislation.

Honourable members will be aware, particularly from the lengthy committee stage last evening, that the Consumer Affairs Branch of the Department of Health and Community Services has been exceptionally busy in recent times with the processing of the new trade measurement legislation and, more recently, the Consumer Protection Bill. There is 1 more piece of legislation which will be introduced in the immediate future, and which I alluded to last evening: uniform consumer credit legislation. That will substantially complete the review of consumer legislation for the Northern Territory.

There is one other matter that needs to be dealt with by the Consumer Affairs Branch and that is the review of tenancy legislation. I have now moved in respect of that matter and I can advise that it is intended that this will be done in very close consultation with the community and all the interested parties involved. I have established a working group to investigate and review this matter.

I can advise honourable members that this working group will be chaired by the member for Jingili, Mr Rick Setter. The member for Araluen is also a member of that review group. In addition, Mr John Carriere, the President of the Real Estate Institute and nominated by the Real Estate Institute, will be a member of that review committee. Mr Ian McGregor will be a general community and industry representative. As you would be aware, Mr Deputy Speaker, Mr McGregor has had a long and distinguished career in the real estate and tenancy industry and is well respected. He has retired from practice and therefore has no immediate vested interest in the matter.

Those people will form the review working group. We are inviting the Department of Law and the Department of Lands and Housing to nominate representatives to be members of this group because input from those 2 departments is particularly important with respect to tenancy law.

I will table this for the benefit of honourable members and make it available to the Leader of the Opposition. The terms of reference for the review of the Tenancy Act, the landlord and tenant issues, and the role of government in relation to tenancy matters in the Northern Territory are: to examine the adequacy of existing legislation and administrative arrangements relating to tenancy matters; to identify the nature and level of tenancy complaints in respect of both residential and commercial tenancies; to examine the need to broaden tenancy legislation to include commercial tenancies; to examine interstate measures, other relevant legislation relating to residential and commercial tenancies, and any alternative methods of regulation; to identify and clarify the rights and obligations of the tenant, landlord and agent to the landlord; to develop policy guidelines for tenancy matters, having regard to the special needs of tenants and landlords, and ensure consistency with the Northern Territory government's policy of fair trading; to examine the various payments, other than rent, made by a tenant or expected by a landlord, and determine the desirability of such payments with reference to any measures undertaken elsewhere; to regulate such payments and the effectiveness of those measures; to ensure that the review is conducted in such a manner that both tenants and landlords, in addition to any other instrumentalities, organisations or other parties with an interest in the real estate property rental field, have adequate opportunity for input; to consider the need for a broadening of the role of the Commissioner of Tenancies to include an arbitration service for landlords and their land agents, when in dispute, and whether the introduction of such a service is consistent with the fair trading concepts of the new consumer affairs legislation.

I think honourable members will recognise those as very wide-ranging terms of reference to provide a comprehensive and complete review of tenancy legislation for the Northern Territory, and to do so in a process of consultation with all the interests, be they landlords or tenants, commercial or residential, in the review of our legislation. We have been collecting information. I have not had a chance actually to review this as it has only just arrived in my office. We have received the New South Wales Fair Trading Amendment Bill, and the proposal there is to develop retail tenancy lease codes of practice. The review group will examine that and make recommendations.

The reason that I am opposing this Tenancy Amendment Bill is that we have maintained consistently that what is needed is a total and comprehensive review of the tenancy legislation, and we are in the process now of doing that. I could not realistically commence this process before this time because of the enormous work pressure that was being imposed on the Consumer Affairs Branch of the Department of Health and Community Services as a consequence of the very comprehensive consumer affairs legislation that was going through in addition to the normal, ongoing workload of the consumer affairs people. They have carriage of tenancy responsibilities. They are now in a position to devote their attentions to this, and they and I are very keen to get on with this task.

To that end, I have established this review group which I can formally announce is now in operation. As soon as possible, it will begin the process of reviewing the act. I do not believe that ...

Mr Bailey: Get yourself organised.

Mr HATTON: I remember the particular bill. I do not have my notes in front of me at the moment. I am relying very much on my research into the matter between sittings, which I try to do to keep myself across issues that are raised in this House.

This bill deals only with a specific aspect. I do not want this to be seen as a matter of the Leader of the Opposition playing politics. I understand his motivation in the exercise. I believe he would regard the approach that we are adopting as a responsible and appropriate course of action in dealing with this matter. Given that I met with representatives from both sides of the real estate industry, I am sure that he would agree that a complete review of the legislation is needed. Further, some serious concern was being expressed by our legal advisers as to the appropriateness or effectiveness of the proposals from the Leader of the Opposition.

I will not continue to speak just for the sake of speaking. It is our view that this bill should be defeated, and it should be noted that the government is moving to deal with the issue in a more comprehensive and appropriate manner by means of a complete review of tenancy legislation which incorporates those matters which are of concern to the Leader of the Opposition.

Mr BAILEY (Wanguri): Mr Deputy Speaker, I appreciate the brevity of the minister's speech because we are often accused of the same thing.

This is a serious matter. The honourable minister has tried to put forward a reason why nothing has happened as yet. Originally, the Leader of the Opposition spoke on this bill in November last year. It was raised the week before as an issue of concern and now, 10 months later, we hear from the honourable minister that he has finally moved to do something. The argument he used to justify taking so long was that legislation cannot be introduced until a total review has been undertaken. Earlier today, the honourable minister argued quite strongly that legislation has to be introduced as it is needed, because it takes too long to wait for a review. That was the view he expressed when we debated environmental and planning legislation. He has now used exactly the same reason to explain why he has sat on his hands for 10 months before doing anything in this instance. Mr Deputy Speaker, the minister cannot have his cake and eat it too.

A member: You can if you have the numbers.

Mr BAILEY: Yes, if you have the numbers.

The issue was raised last year in response to concerns being expressed by people in the community about their being ripped off by unscrupulous landlords to the extent of very large sums of money. In response to questions, the honourable minister said initially that he was unaware of that situation and tried to pretend that it did not exist. He was then approached by a number of people who gave him examples and evidence. From information that I have been given by people who approached the minister, I understand that he gave them an assurance that he would take some action immediately.

It was strange that, after conversations with landlords, the people accused of this activity, he decided that legislation to prevent the practice could not be rushed through. There could be no urgent legislation

to prevent the practice whereby people, who have built up a business through hard work, can have $150 000 demanded of them before a renewal of their lease can be negotiated. The minister said that his department had received queries from the Department of Law and that there might be some problem with the amendment we are proposing. He has never suggested what such a problem might be. He has never suggested any amendment. All he has done is delay the process.

If there are people who have been forced to pay money in the last 10 months in order to renew their leases, the responsibility for that must fall squarely on the shoulders of the minister because of his total lack of action over that period. All indications are that it will be many more months now before any positive action is taken. I suggest that nothing will happen prior to an election because this is the sort of issue that this minister is not prepared to deal with before the people. We will hear promises but we will see no action until after the election, when it will be the job of the Labor government to implement appropriate tenancy protection.

The people who initially raised this issue continue to feel that they have been abused by this government and by the minister. They had a commitment from him that swift action would be taken. It has been very demoralising for them to see him do nothing after they gave him information and obtained a commitment from him. Eventually, it was left to the opposition to introduce the bill which is now before the House. The government and the minister stand condemned for allowing the continuation of a practice which, to all reasonable people, is abhorrent. People work to build up their businesses only to have landlords tell them that it will cost them hundreds of thousands of dollars to continue to operate in particular premises. In such cases, the landlords do no more than supply the premises. They have nothing to do with the value of the business generated in such premises. Most of the states protect people from this type of blackmail whereby landlords will eject tenants who refuse to pay. It is simply blackmail in anyone's language.

This bill should be supported. I understand, however, that the government does not intend to support it even though it is the type of legislation which has the support of all fair and right-minded people. Of course, it would not be supported by those using the heavy-handed tactics which it seeks to prevent. This government and the minister responsible stand condemned because they are doing nothing to stop the practice. The minister's actions have been shameful.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I say to the previous speaker that he does not have to worry about the government not supporting him because I will support him in this.

Mr Hatton: That is going to do him a lot of good.

Mrs PADGHAM-PURICH: It might do him more good than if you supported him.

Mr Deputy Speaker, I support the intention of the legislation. I noted that the honourable minister said that, now that the consumer affairs legislation has been finalised, he will be looking at this matter. The practical problem with the bill before the House is that it is too simplistic. It does not deal with the issues in the required depth and detail. I am not a legal draftsman and I am not sure how one would go about this, but I believe that the legislation needs to address the problems where they begin. In this case, we are probably dealing with people who are not

Australians and who may not be au fait with the law in relation to these matters. Perhaps their knowledge and command of English is such that they are susceptible to being browbeaten by the landlords. However, I am not necessarily taking up the cudgels for the tenant against the landlord.

Before entering into any lease, a sensible lessee would think of the future, particularly the situation which could arise when the lease is terminated. Does the lessee have the right to renew the lease for a certain period and, if so, under what conditions? If something as simple as that is addressed at the very commencement of the lease, situations like this would not arise. I cannot understand why the bill makes continual reference to 'goodwill' in referring to this bribery. My understanding is that goodwill in any business is generated by the business. It has nothing to do with the landlord at all and it has nothing to do with the tenancy agreement. It refers entirely to the way in which the lessee or business person runs the business. It is generated by the relationship between the business and its customers or clients. It relates to why customers patronise one business in preference to other businesses, the situation of the business, the facilities offered, opening times and so on. In the course of a lease, assuming that the lessee has been businesslike and has built up a thriving concern, the lessee is likely to have installed fixtures and fittings. Such work may be carried out at the cost of either the lessee or the landlord. The value of such work, depending on who pays for it, relates to whether or not the lease has an increased financial value at the time it comes up for renewal.

One has to be wise to the ways of the world. The cost of living is increasing all the time. The cost of food, fuel and rentals is increasing and, of course, the cost of rent renewals is increasing. That has to be considered before we can deal with any legislation relating to this matter. I believe that, if some proprietors of businesses understood the English language better, they would realise that landlords were demanding very large sums of money in documents relating to lease renewals. There are many ways of dealing with such situations. If I were in that situation, an anonymous call to the Taxation Department would probably help me to sort out a Shylock-like landlord. When somebody demands a large sum of money in cash and does not want to give a receipt, that is usually for family reasons, friendship reasons or nefarious reasons. In this case, it would be for nefarious reasons. Such practices in these situations must be viewed with the gravest suspicion.

I repeat that I support the intention of the legislation. I do not believe that it goes far enough. It does not deal with the issue in enough detail. When the minister introduces legislation to deal with the matter, I hope that he will consider it in more detail. Whilst I believe that the rights of landlords must be protected, because they put up the venture capital to construct premises, the rights of small business people also have to be protected. It irks me somewhat that we have to enact more and more regulatory legislation simply because a few individuals indulge in shonky practices for their own financial betterment and to the detriment of other people.

In conclusion, I support the legislation. At the same time, I look forward to the more detailed legislation promised by the minister. I hope that we do not have to wait for too long.

Mr BELL (MacDonnell): Mr Deputy Speaker, I rise briefly to add my support for this bill. The contribution by the Minister for Health and Community Services contrasted dramatically with his attitude to the Consumer

Affairs Bill yesterday. If the minister is as deeply concerned about consumer affairs issues as he would like us to believe, he would support this bill, albeit as an interim solution whilst allowing his review to proceed. I find it quite extraordinary that, yesterday, the minister stressed the importance of considering the concerns of small businessmen as well as the private consumer, whilst today he refuses to support a bill which does exactly that in a related area. His determination to oppose this well-researched and well-presented proposal by the Leader of the Opposition flies in the face of his expressed concern for Territory consumers and the Territory business community. The government should support this bill and it should subsequently proceed with its review of tenancy legislation.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, I am disappointed but not surprised by the attitude of the minister. Politics is a pretty strange game, but one really requires a considerable amount of bare-faced gall to stand up and say: 'In 10 months, I have done nothing about this problem at all. I recognise that it is a problem, but I will not do anything about it for quite a while yet'. Meanwhile, people in the community, the type of small business people who are supposedly at the heart of the CLP constituency, are suffering. The minister simply says that the matter is too insignificant for him to attend to until the tenancy legislation is reviewed.

Mr Deputy Speaker, if you want a single example which indicates what is wrong with this government, this is it. The minister's attitude is that the problem is too small, too insignificant and applies to too few people and that it is good enough to say that it will be fixed at some future time. Frankly, that is not good enough. People have been placed under intolerable pressures by landlords in relation to this matter. So far there have been only a handful of instances of this type of behaviour by landlords. However, now that landlords know they have open slather for a few more months until the government finally takes the matter seriously enough to act, I am sure that we will hear of more examples. That is a shame and an indictment on the minister.

He is not prepared to support a very simple piece of legislation which will have the desired effect of stopping landlords demanding goodwill payments from businessmen and women who have built up successful businesses by putting in their life savings, in many cases, and a great deal of hard work. Every member of this House would condemn landlords' demands for goodwill payments. However, only a minority of members are prepared to do something about it. As I said, it is an indictment on the honourable minister and members opposite.

Obviously, a comprehensive review of tenancy legislation is both welcome and overdue. I must admit that I am a little concerned about the membership of the review panel, which does not seem adequately to represent consumers who, in this case, are tenants. I hope that, before the review proceeds too far, commercial or residential tenants will achieve some representation and a voice on the panel. Otherwise, it is unlikely to come up with a balanced review. Let me say once again that the government could easily have supported this bill if it were genuinely interested in protecting the interests of people in the community. It does not involve major questions of policy. It would help a number of people who are presently exposed to the activities of unscrupulous landlords, and it is a shame that the government has not seen fit to support it.

Motion negatived.

LOTTERIES AND GAMING (GAMING MACHINES)
REGULATIONS AMENDMENT BILL
(Serial 275)

Continued from 28 February 1990.

Mr FINCH (Racing and Gaming): Mr Deputy Speaker, in his second-reading speech, the member for Nhulunbuy raised a number of questions and suggestions on ways in which the current act might be amended to allow for cash payments for video-gaming machines. Of course, he did so despite the numerous attempts that we have made to indicate that such a move would be in breach of the casino operators agreement and, accordingly, would require some compensation for the casinos, voluntary agreement by the casinos, or the risk of some recourse being sought by the casinos from such a government decision. He suggested that I seek another opinion from the Department of Law in respect of the initial interpretation that was provided to me. I offered to make that interpretation available to all the licensed clubs and to arrange for their representatives to sit down with representatives of the Department of Law and the Racing, Gaming and Liquor Commission for a briefing. That has not happened.

In the meantime, the government has provided greater flexibility in relation to the prizes-only requirement for video-gaming machines in the clubs. The clubs raised some practical suggestions which have now been implemented. The difficulty of implementing cash payments goes well beyond the flick of a switch or a change in the legislation. It would require quite extensive monitoring and policing. I refer members to a recent article by the Australian Institute of Criminology which appeared in Trends and Issues No 24. The article is called 'Gambling in Australia'. It refers to a board of inquiry into poker machines in Victoria in 1983. It was found that significant criminal activity is associated with cash poker machines. That is quite horrific.

Mrs Padgham-Purich interjecting.

Mr FINCH: As the member for Koolpinyah well knows, the casinos are subject to quite extensive monitoring and supervision. They are very strictly supervised and policed.

I have been asked where in the casino agreement it is stated specifically that the casino operators are the only people in the Northern Territory who may offer cash prizes. As I have always said, it is not stated specifically in the casino operators agreement. However, reference is made in it to those games approved by the minister under clause 8 of the agreement. Clause 8.8(a) states that the minister shall not permit any person to legally organise or run games in the area covered by the agreement. The area covered by the agreement is the geographic area north of 18° south. Naturally enough, the Alice Springs casino covers the balance of the Territory and therefore the whole of the Northern Territory is covered.

In this context, 'games' are games approved by the minister under clause 8.3(a) of the agreement in pursuance of section 11(1) of the Casino Licensing and Control Act. One of these games is that played on poker machines. Poker machines are gaming machines pursuant to section 3(1) of the Lotteries and Gaming Act. They are an illegal device except where permitted by other legislation. The only other legislation that permits poker machines is the Casino Licensing and Control Act. They are

specifically not permitted by the Lotteries and Gaming Act unless configured as an approved gaming machine.

The member for Nhulunbuy referred to video-gaming machines, and these machines are approved gaming machines pursuant to section 2 of the Lotteries and Gaming (Gaming Machines) Regulations. The difference between an approved gaming machine and a gaming machine, under the definition contained in the Lotteries and Gaming Act and its associated regulations, is the ability to offer cash prizes. If cash prizes are legalised for video-gaming machines, the machines will be, by definition, the same as a slot machine and the government will be in contravention of the casino operators' agreement.

With regard to the differentiation between poker machines and video-gaming machines, the honourable member referred to them as one-armed bandits and video-gaming machines and elsewhere in the same second-reading speech as video-gaming machines and video-gambling machines. He stated that the difference was that one provided for an element of skill. While it is true that the old one-armed bandits provided no opportunity for the exercise of skill, the modern machines are far more diverse. In fact, all modern poker machines are controlled by a microprocessor which runs a computer program that controls every aspect of the game. In no case can skill influence a machine to pay out more than it is programmed to pay out. The only skill involved might be in allowing a player to lose less in a short period. In the long run, he will lose the same amount because the machine is programmed.

A suggestion was made that the very existence of video-gaming machines in clubs in the Territory is already a contravention of the casinos' supposed right. However, the government is not in breach of its agreement with the casinos as long as it remains an offence to offer cash prizes in relation to the video-gaming machines.

The fourth point raised by the member for Nhulunbuy was that, by restricting cash pay-outs, the government would be, effectively, ensuring that clubs do become smaller. When video-gaming machines were first legalised in clubs, the government's intention was to give clubs an alternative method of raising some dollars other than by chook raffles. The machines were legalised principally on the basis of providing entertainment as opposed to hard-core gambling. In addition, it was considered that the provision of a prize would attract interest from members. That they do provide the clubs with some additional income indicates that the original intention was successful, and that the return to clubs will increase as a result of the extra flexibility that has now been provided.

We would need to be very scrupulous in our scrutiny of machines, club managers and all others associated with the industry if we were to allow cash payments to be made. Certainly, it seems that, to date, clubs have accepted the additional potential that has been provided to them. If the honourable member had done his sums properly, he would have realised that there would be a greater turnover of machines and greater investment from club members to obtain the same profit. He would find that the benefit to the clubs would be quite minimal.

It is not enough simply to wave the wand. It would be necessary to implement greater scrutiny and would involve considerable cost. In New South Wales, there was a great proliferation of clubs in the 1960s and 1970s. Everyone saw pokies as the be-all and end-all and believed that they would save every club. There was great expansion in building

programs. The mixture of bad management, and the lack of economic viability of the machines in the longer-term, saw the demise or the takeover of many clubs. It was quite common, and it still is, for the bigger clubs to become yet bigger and for them to swallow the smaller clubs.

I do not believe that this matter is an issue. It has been a beat-up by the opposition. It should present the full facts to the clubs. The clubs would be no better off financially and would be subject to greater constraints. Some would fail as a result of competition from the stronger clubs which would be able to offer greater attractions to their members. The smaller ones, such as the bowling clubs, would suffer. I think it is better to leave well enough alone.

Mr EDE (Stuart): Mr Deputy Speaker, the minister began with his legal opinion. For a while, he basked in the cosy warmth of that legal opinion before he moved to his real reason for opposing this bill. He has his legal opinion. If you ask somebody to give a legal opinion, you can obtain one. We asked a couple of people for a legal opinion, and we have those opinions.

Mr Finch: Do you have a legal opinion? Are you going to table it? Are you going to present it to the commissioner?

Mr EDE: Mr Deputy Speaker, certainly we have a legal opinion on this matter.

Mr Finch: Are you going to hide it? It must not be much of an opinion.

Mr EDE: The minister said he had a second legal opinion, but he did not table that. Perhaps he was unable to find 2 people who would say the same thing. A problem that I have found with lawyers is that it is rare to find 2 who will come up with the same opinion.

The minister then differentiated between one-armed bandits and modern machines. He said that, while the original machines required the application of some skill, the modern ones require the use of even more skill. It seems to me that we can solve the minister's problem. I think he has the wrong machines. He thinks that we are referring to the modern versions of the one-armed bandits. That is not it at all. We are referring to a completely different class of machines. I am sure that the member for Nhulunbuy would be quite happy to show him what the difference is between the two. The minister will be able to see for himself that there is a generic difference between the 2 types of machines that are being referred to. One type of machine to which the member for Nhulunbuy is referring was not around at the time when the original agreement was made. It may be good luck for the clubs that they were not covered by the original agreement. I will not go through the second-reading speech of the member for Nhulunbuy in detail, but he did point out that it was simply a nonsense to fall back on a legally-binding agreement.

The honourable minister went on to give his real reason for opposing the amendment. It is because he believes that it is not in the financial interests of clubs to have the power to have video gaming-machines which give a cash pay-out. I think that many clubs in the Northern Territory would find that attitude rather offensively paternalistic. In Alice Springs, I have been approached by numerous clubs both large and small. People have said that they think that this is an issue of real importance to them. The clubs and their members would be eager to avail themselves of such a power. They believe it may enable their clubs to reattract some

people who presently frequent the casino. They do not believe that it would destroy any of their clubs.

The member for Nhulunbuy referred to a survey which involved 400 signatories which were in favour, from only 5 of the 70-odd clubs. There is considerable support for this proposal. It has been raised with me, as I said, by clubs in Alice Springs and by members of clubs who ask why this right is given to casinos which are owned by outsiders who operate for the benefit of outside interests in terms of their return on their investment, and yet it is denied to clubs in their own communities which are made up by, controlled by and work for the benefit of Territorians? They cannot understand why the minister wants to take this line. Why has the minister decided that, for them, it is no good? Why does he say, adopting a highly paternalistic position, that these are bad for the clubs but they are all right for the casinos?

It is considered to be all right for the casinos to make money from these machines and that cannot be because funds are returned to the Northern Territory Treasury. We know that, because we have seen how that process has collapsed with the casino licences. In fact, in the budget brought down yesterday, I noticed that it has become such a small item that it no longer warrants identification. The casino licences have become subsumed somewhere into some other area of revenue. That has disappeared. It cannot be that the minister is maintaining this position for purposes of economic rationalisation. The minister is being completely paternalistic in saying that the clubs cannot have these machines ...

Mr Finch: Legalistic.

Mr EDE: No, paternalistic. You missed the other part because you were out. Your legal opinion has been destroyed.

He is being hopelessly paternalistic in his attitude to clubs by stating that, simply because he believes that some of them will lose viability if they go ahead with this proposal, he will not allow them to have the benefits which will accrue not only to them but also to their membership. I do not know the total membership of all the clubs throughout the Northern Territory. Possibly the honourable minister does, but I can tell him that it is a fairly substantial proportion of the adult population. We do not believe that this ability should be granted to all clubs, willy-nilly. The representatives of certain clubs that I have spoken with have told me that, if they were thinking about introducing these machines, under their rules, the club's management could not take that decision unilaterally. It would have to canvass the views of its members and provide a process by which the membership could take the decision. That is up to the individual club. Surely, the club should be allowed to take on board the minister's view that smaller clubs will go broke and the larger ones will become larger.

Why does the minister lack faith and trust in the individual and in the market economy that he talks about? Does he have so little faith in the power of that market economy when it comes to the crunch? That is the basic reason that he gave in the end. It is paternalism. I think that the honourable minister should realise that that will not wash with the people of the Northern Territory who want to have this additional source of revenue for their clubs and for the benefit of their members.

Mr Finch: Give me a legal view to the contrary, and then we will reconsider.

Mr SPEAKER: Order!

Mr LEO (Nhulunbuy): Mr Deputy Speaker, my response will be short because, in fact, the minister has had 2 bites at this particular cherry. He debated this matter substantially in a statement he delivered during the last sittings of the Assembly and I think that my response was made then as it will be made now. The facts of life are that there is no legal reason for this amendment not to proceed. There is no legal reason why any act of this parliament will not succeed in law. It is a fact of life. I have read the agreement, and there is no legal reason why this should not succeed.

Members interjecting.

Mr LEO: Mr Deputy Speaker, either I will enjoy your protection or I will raise my voice. It is up to you. I have listened with patience to the fools opposite. Please allow me to be heard in silence.

There is no legal reason why this legislation should not proceed. This parliament has the ability to pass any law that affects anything in the Northern Territory, as we have seen too damned often, so let us forget the legal nonsense. I am not even disappointed that the minister and his colleagues have not supported this amendment. As I have said in another debate, in response to a statement, I am glad to trot out the government's attitude to this anywhere, at any time, to any member of any club. The reason for that is very simple: it is logical. It is pure political pragmatism, and I will repeat that anywhere. It is what members want, and it is pure political pragmatism. Those are the simple facts of life.

Clubs in the Northern Territory return far more to the community and the organisations which rely on their support within the Northern Territory than any damned casino ever has. I will say that to anybody, anywhere and at any time. There are 2 reasons why the opposition wishes to see this amendment accepted. First, the opposition sees it as an excellent part of our policy platform, and I make no apologies or excuses about that. Secondly, we see it as a very relevant economic measure - and, for God's sake, let us have some economic rationalism in this place. I do not care that the government opposes this legislation because it has just driven another nail into its own crumbling coffin.

Motion negatived.

MOTION
United Nations Convention on the Rights of the Child

Continued from 10 May 1990.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, before I closed my comments last time, I believe that I pointed out that the matter was one that would be raised with the Standing Committee of Attorneys-General. It was a matter that Cabinet ...

Mr Bell interjecting.

Mr MANZIE: Oh, that is not very original, Neil. Let us try and get through this quickly. Don't wind me up and I won't wind you up. We will make a deal.

I took the matter to Cabinet and the government came to a decision regarding the United Nations Convention on the Rights of the Child. As

members will recall, I expressed concern about problems involved with the Commonwealth government making international agreements in areas in which the states normally have jurisdiction. As a result of such an international agreement, the Commonwealth can then take over and legislate in respect of that area. It will have that power, and that was a fact that was reinforced by the High Court as a result of the Tasmanian dam situation. That was one point, and that situation has not changed.

However, the government's formal position was that it noted the intention of the Australian government to ratify the United Nations Convention on the Rights of the Child. We intended to emphasise the need for proper community consultation on the issue, because I think all honourable members would agree that very little in terms of educational information has been made available to the community at large, and there are many people with very genuine concerns who have not had those concerns answered. We agreed also to continue consultation with the Commonwealth with a view to ensuring that reservations to the convention be made on ratification of the convention to allow for differing regimes in the states and the Northern Territory in areas such as adult criminal responsibility. That was something that I had raised very briefly.

It was of concern to the meeting of the Standing Committee of Attorneys-General that, unfortunately, the Commonwealth brought the matter forward in a manner which is, I suppose, consistent with its past behaviour. The federal Attorney-General merely presented everyone with a letter which pointed out that the Commonwealth intended to sign the convention, and that was that. The letter indicated that the Commonwealth would consult with the states with regard to reservations to the convention prior to any ratification so that they could exempt those areas which caused some problems. There are minor areas where there could be some contravention, and these vary from state to state. However, in terms of genuine discussion and community education, the matter was removed entirely from the hands of any people in the states or any member of this House.

Mr Bell: You have written back to the federal Attorney-General?.

Mr MANZIE: Yes. So?

Mr Bell: Saying what?

Mr MANZIE: Talking about the sort of reservations that we would like the Commonwealth to exclude from ...

Mr Bell: What are they?

Mr MANZIE: They relate to areas of criminal responsibility for adults.

Mr Bell: Which articles?

Mr DEPUTY SPEAKER: Order!

Mr MANZIE: Mr Deputy Speaker, I do not intend to carry on a conversation across the floor. I think that, previously, I expressed in great detail the problems that we have. I was very disappointed that the matter was finalised by the Commonwealth without allowing what I consider to be an appropriate time for discussion and input, but that situation has passed.

I am pleased that there is time to allow further negotiation regarding reservations before the convention is ratified. I pointed out earlier in the comments I made that a number of the fears that have been raised by people are needless, although it is very easy for someone like myself to say that there is no problem. There will always be opinions that will be contrary to that. When the federal Attorney-General wrote to members of the Standing Committee of Attorneys-General, he pointed out some of the concerns which had been expressed. I will quote from that letter because it does answer some questions.

> There is widespread international community support for the convention. On an international level, over half the member countries of the United Nations have now signed, including the United Kingdom, Austria, Belgium, Denmark, Finland, France, the Netherlands, both East and West Germany, Hungary, Indonesia, Zimbabwe and the Philippines. Four have already ratified, namely the Vatican, which acceded to the convention on 23 April 1990, Vietnam, Ghana and Ecuador.
>
> In Australia, leading community organisations have declared their support for the convention, including the Australian Catholic Bishops Conference, the Uniting Church, UNICEF, the Federation of Ethnic Community Councils of Australia, the Australian Early Childhood Association, the Australian Council of Social Services, the Australian Council for Overseas Aid, the Secretariat for National Aboriginal and Islander Child Care, and the Young Women's Christian Association, New South Wales.
>
> I am aware that there has been a vocal and highly-emotional campaign waged against Australia becoming a party to the convention. A number of claims have been made in the course of this campaign, most notably: that the convention will undermine the role of parents and erode the family unit; that the convention will result in a loss of Australian control over domestic laws and practices regarding children, giving the United Nations power to intervene in Australian families; and that the convention will allow children to be exposed to pornography and to associate with prostitutes, drug-pushers and fringe religious cults.
>
> These and related claims put forward against the convention are based on selective reading and incorrect interpretation of the convention. Officers of your department have been provided by my department with responses which rebut these claims. Moreover, the public support of such institutions as the Catholic Church and the Uniting Church lends weight to the view that the few who oppose the convention are highly marginalised. Continued failure by Australia to sign the convention can only give credence to this inaccurate and misdirected campaign.
>
> In light of Australia's previously strong support for the convention in the United Nations and of the government's commitment to the protection and well-being of children in Australia and the rest of the world, I now advise you that I intend, after the forthcoming meeting of the Standing Committee of Attorneys-General, to advise the government to proceed to signature the Convention on the Rights of the Child.
>
> Yours sincerely,
> Michael Duffy.

Mr Speaker, I think that nothing further needs to be said. It is important to try to ensure that reservations are made. All states are looking at this, in an effort to ensure that what has been done can work without any problems in terms of day-to-day issues or even simply in terms of honouring the commitment being ratified. I am disappointed by the manner in which the exercise has been carried out. I will continue to have problems with the processes involved in the ratification of international conventions. In view of what has occurred, I believe that it would serve no purpose to pass the motion before us. However, I believe that it is worth noting that the member for Sadadeen has been very active and successful in passing the views of a number of Australians to myself, to the federal Attorney-General and to members in other jurisdictions.

Mr BELL (MacDonnell): Mr Speaker, the motion of the member for Sadadeen is absurd and the attitude taken by the government and the Attorney-General is pusillanimous. The attitude of the Attorney-General bothers me more than does the attitude of the member for Sadadeen. We are fairly used to the member for Sadadeen being absurd ...

Mr Collins: That is a typical socialist weapon and it will not work with me.

Mr BELL: ... but it is unusual to find the Attorney-General and the government adopting such a pusillanimous attitude to his absurdity. The government very rarely accepts motions of any sort to suspend standing orders, except those which it moves itself. However, in this case it made an exception. The motion was not moved on a General Business day, which is normally the only opportunity non-government members have to put forward motions. I can only imagine that an exception was made in this case because there is some sort of deal on as far as the next election is concerned. I cannot imagine what such a deal would be.

Earlier, the member for Sadadeen interjected with comments about radical, left-wing pinkos and so forth.

Mr Collins: Your words, not mine.

Mr BELL: Mr Deputy Speaker, as long as I am regarded as a radical left-wing pinko by the member for Sadadeen, I will be able to sleep at night. If ever he regards me as a fellow traveller, I will know that I am in real strife.

After it became apparent that the government was supporting the motion, at least to the extent of suspending standing orders, I took the trouble to obtain some information from the federal government in relation to the convention. As the Attorney-General pointed out in this evening's debate, state governments and the Territory government were approached to respond to a reasonable request from the Commonwealth about the extent to which they believed that the laws of their state or territory would be in conflict with the convention. I would have thought that, instead of trying to beat the federal Attorney-General over the head with a limp reed, the Attorney-General would simply have identified any areas in which he believed the laws of the Territory would conflict with the convention. If he was concerned that it would conflict with particular common law rights as far as the relationship between parents and children was concerned, he should have said so. He did not.

The member for Sadadeen simply raised a smear campaign. Probably, he has been talking to his right-wing mates elsewhere in the country and no

doubt they have been working themselves into a lather about this. The fact is that the international negotiations in relation to this United Nations Convention on the Rights of the Child have been particularly tortuous. For example, the rights of the unborn child are important to many people. That is a highly contentious matter which had to be considered in this context. However, the nations concerned have determined that they will support the Convention on the Rights of the Child in this form because they believe that it is likely to ameliorate massive human rights abuses around the world.

I believe that it does neither the government, the Attorney-General nor the member for Sadadeen any credit whatsoever when they become involved with an absurd motion of this sort. The government has adopted a position of pusillanimous quasi-support and quasi-criticism. It does not know where it stands.

Mr Manzie: You don't listen to what is said in here. I think it is about time you took a bit of notice.

Mr BELL: The Attorney-General has not explained why he accepted urgency on a motion, which is an extraordinary change for the government. I remind him that, on Thursday, in relation to a matter which has been the subject of a high-profile public debate in the Territory, the government refused to suspend standing orders. I will not rehearse debate in relation to the so-called Mulholland inquiry, but the government refused to accept urgency on that motion. I am surprised that it has done so in relation to this one.

To indicate the degree of the Attorney-General's pusillanimity, let me refer to remarks which he made in relation to this convention during the last sittings. After spending a considerable amount of time explaining that it contained nothing of real concern and that the concerns of the community might be largely unfounded, he said: 'I do not believe that the federal government should sign or ratify the convention while those concerns exist'. He was not prepared to do anything to allay the concerns but he is prepared to give his half-hearted support to this absurd motion. In fact, however, he believes that the concerns are unfounded. If that is not a dramatic contradiction, I do not know what is.

I will not take up too much time in commenting on the motion except to indicate that we believe that it is absurd. The member for Sadadeen made a couple of classic reactionary comments, apart from his overblown claim that this is the most important issue to have come before the Assembly for 10 years. His comment about the United Nations really needs to be highlighted. It was a doozey. At one stage, he said: 'I am no great lover of the United Nations. No doubt the ideas behind it were right, but I believe that today it is in the hands of people from repressive regimes and for whom I have no time. I believe the people of Australia need to be told'.

Mr Collins: Good. You have put it on the record again.

Mr BELL: Tell that to President Bush. Tell President Bush that he is the president of a repressive regime. I doubt that even the member for Sadadeen would regard Mr Gorbachev as the leader of a repressive regime any more.

Mr Collins: Oh, come on! Overnight, they have all become sweetness and light. You have to be joking. Get away!

Mr BELL: About the only satisfaction that comes from debating a motion like this is when one recognises that the paranoiac right-wing absurdities that inhabit the head of the member of Sadadeen cannot help bubbling to the surface. He is so far out on the fringe of the political concerns of Territorians and I only trust that he does not force his ideas down the throats of his constituents. I know that his absurd statements about the United Nations do not get a run in his newsletter.

Mr Collins: They do. You should read the last one. It went to your letterbox.

Mr BELL: I urge him not to run that line too hard because, whatever the shortcomings of the United Nations may be, I do not think that anybody here would want to deride an international forum of that kind.

In conclusion, I simply say that the opposition shares in the widespread support for the convention and condemns both the motion and the way in which the government has supported it. I know that I will be secure in the company of such radical organisations as the Roman Catholic Church.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in my electorate a couple of months ago, there was serious concern about the ratification of the United Nations Convention on the Rights of the Child. I wondered whether ordinary people were concerned about it, as one often does in relation to international agreements. However, I had no reason to doubt the sincerity of one of my constituents who visited my office one day to express her extreme concern at the implications of this convention for her rights and the rights of her children.

This woman is not the type of elderly or middle-aged woman whom one might perhaps expect to have fairly conservative attitudes. She is in her twenties, lives in the rural area and has children of preschool age. She was very concerned about the convention and she wanted to know what she could do about it. Because of her interest and concern, she and I put together a petition which we circulated in the rural area. That petition was presented to this Assembly. It was circulated for a very short time and, whilst I cannot recall exactly how many people signed it, it was quite a significant number. These people may not be important people in the sense that one does not see their names in the headlines. However, whilst they are just ordinary people in the Northern Territory, they are ordinary parents who are very worried about the implications of the United Nations Convention on the Rights of the Child.

I believe that, not only must politicians listen to what their constituents say and what they want, but also they must temper that with the way they themselves feel about the subject, and what their own conscience tells them, and decide whether they regard their duties as politicians as paramount or not. In this particular case, my views on ratification of this convention were the same as the views put forward by this young mother who came to see me. It is all very well to mock conservative and right-wing values. It is also very easy to mock family values because it is not fashionable these days to talk of these old-fashioned things. Unfortunately for those people who espouse these very modern views - which I regard as anti-family - the majority of people in the community are still old-fashioned, still conservative, and still family people.

Before we consider the actual convention, we have to realise something, and people do not need to be told this. If they give it a brief thought, they will realise the truth of it. One of the main causes of the

destabilisation of Australian society since the early 1950s has been the continual undermining of the traditional family. This has taken place in many ways, and it has been an insidious breakdown over all those years. I have to say that, no matter what their colour, governments have played a significant role in the process of weakening family values, family rights and family responsibilities. Governments have done this in many ways: by the encouragement of alternative lifestyles as being so much better than family lifestyles; encouraging de facto relationships as being so much better than family relationships; and by encouraging voluntary, single parenthood as being so much better than parenthood in marriage. I would like to say here that I do not present these views as those of a wowser. I have very modern views on these matters, but I am facing the facts here. Governments have also raised homosexual relationships to a status almost equivalent to that of the traditional family. This is being done in a number of ways.

One of the disturbing consequences of this irresponsible government behaviour has been the creation of an alienated teenage population. We see this alienated teenage population as the homeless youth in our cities. They have a subculture of their own, and they are to be pitied. They are people for whom we feel extremely sorry. They are the result of something over which they probably had no control. It can all be laid at society's door and society, in this case, has been exemplified by the encouragement of the situation by governments that has put these poor kids in the situation that they are in.

Since about the 1950s, the state governments have permitted traditional values and the authority of parents over their children to be undermined in the cause of neo-progressive or humanistic education which has, as one of its expressed aims, the separation of children from traditional values. The impact of this has resulted in the undermining of the traditional family and the role of the traditional family in society. We have seen the increase in family breakdown. We have seen an increase in child abuse. As a result of that rate of family breakdown, we have seen increased numbers of people become reliant on society for their welfare through the increasing welfare payments. We have seen an increase in the numbers of homeless children on our streets. We have seen an increase in illicit drug use, in juvenile delinquency and also, most unfortunately, in a great increase in juvenile suicide. All this can be laid at the feet of those governments which have encouraged the undermining of family life. Having seen the damage that has been caused, I do not believe that the social engineers who were responsible for this will admit that it was their fault, but those of us who have a slightly deeper appreciation of family values would lay the fault fairly and squarely at their feet.

The laws under which we live in the states and the Territory are quite capable of looking after the rights of the child. That applies particularly with the state laws. We do not need federal laws governing the rights of the child, family life and family responsibilities and rights. Much less do we need international law governing our rights, especially our rights and responsibilities in such a private situation as the family. It is bad enough having international law govern so many other facets of our lives, and we do not want it to govern our family life. That is private and it is our own.

The provisions of the United Nations convention which caused the most concern are articles 12, 13, 14, 15 and 16. I must say that the views that I am putting forward are my own, but they have been put forward too by the

Australian Family Association. Because they have been expressed by that organisation, I believe they are views that carry some weight.

Article 12 of this convention assures to the child the right to express views freely on all matters affecting him or her. This provision has clear potential to interfere with the relationship between parent and child. In any normally close family, the interrelationship between parent and child is the closest relationship that there can be. Second to that is the relationship between teacher and child. Article 12 has clear potential to undermine not only the rights of the parent but also the rights of good teachers.

Article 13 assures the child of the right to freedom of expression which is declared to include freedom to seek, receive and impart information and ideas of all kinds. This provision would make it very difficult for parents to resist exposure of children, in schools and elsewhere, to information and material which the parents might find objectionable on religious, moral or cultural grounds.

Article 14 declares the right of the child to freedom of thought, conscience and religion. Parents might find this article could create difficulties for them if they were trying to discourage their children from joining fringe religious sects, and we have all read recently of the trouble and the distress that the sect call the Moonies caused to good parents and good children some years ago. Article 14 could also make it very difficult for parents who are trying to encourage their children to adhere to traditional religious practices of the family.

Article 15 recognises the right of the child to freedom of association and to freedom of peaceful assembly. This could make it very difficult for parents to check the association of their children with undesirable and inappropriate people which could lead possibly to harmful relationships between the child and these undesirable people.

Article 16 includes protection of the child's right to be subjected to arbitrary or unlawful interference with his or her privacy. The difficulty for parents then may arise from the inclusion of the word 'arbitrary' which may permit children to resist intrusion by their parents into anything that they consider to be private. I am talking about young children at this point, and it could be considered that young children might order their own medical treatment. They could make decisions about matters at school which come under the rights and responsibilities of parents. However, article 16 could be read to mean that the child could make these decisions. We should not forget that the child is not a mature adult and would not have the knowledge and the background of a parent to make such decisions. The convention is completely unbalanced because, whilst it recognises the rights of the child, the child cannot be considered in isolation. The child must be considered in conjunction with its parent or parents. Therefore, if this convention really had the rights of the child at heart, it would consider also the rights of the child and the parent.

I think that possibly the United Nations Convention on the Rights of the Child could have some relevance in third world countries where children are starving. We see those harrowing pictures of little kiddies with their bloated bellies, obviously victims of hunger so bad that it is starvation before death, or they are victims of worm infestation. We see pictures of little kiddies that have been shockingly abused in these countries or sold into a life of slavery in various forms. That is not necessarily the fault of their parents. Social or economic situations could have forced it.

However, the countries in which these unfortunate situations occur are not the countries that will be signatories to this convention or, if they are signatories, they will not be the countries that will give 2 hoots about the United Nations Convention on the Rights of the Child, and these unfortunate practices and situations will continue. That is the situation that prevails with so many of the United Nations edicts. They seem to be taken up only by radical groups in countries that do not need them and, in countries that perhaps do need them, they are not adopted either by the choice of the people of the countries or by the governments of the countries.

I believe that the government of this Northern Territory is right in rejecting the provisions of this convention. On asking around in any community, one will find that by far the majority of people in the community have the same views as those expressed tonight by the Attorney-General and myself. These people wish to resist the provisions of this convention as it applies to them and their everyday life. I hope sincerely that this is only one of the conventions that the Australian government has signed. I hope that it finishes there. If the provisions of this United Nations Convention on the Rights of the Child are put into operation in the states, I can see many possible situations involving a gross intrusion into the relationship between parent and child which will be to the gross detriment of the child and will not do the parents any good either.

Mr BAILEY (Wanguri): Mr Speaker, I feel that it is necessary to correct some of the statements which have been made and to shed some light on the reasons why the member for Sadadeen has moved this motion.

Mr Collins: Yes, it was not strong enough.

Mr BAILEY: The member for Koolpinyah might like to know about some of the radical groups which have signed the Convention on the Rights of the Child. These include the Vatican ...

Mrs Padgham-Purich: I know all about the Vatican.

Mr BAILEY: You know all about the Vatican. I am sure that it is a radical left-wing group, probably communist into the bargain.

The member for Koolpinyah asked why there was a need for a specific convention on the rights of the child. In fact, the Convention on the Rights of the Child arose from the United Nations Universal Declaration of Human Rights and the International Covenants on Human Rights. It was perceived that there was a specific need to define the rights of children as a specific group. There are a number of previous declarations such as the Geneva Declaration on the Rights of the Child in 1924 and the Declaration of the Rights of the Child adopted by the United Nations in 1959. Such things as the Universal Declaration of Human Rights apply as well. There are many other areas in which the rights of children are covered.

It has been said that this convention is designed to protect the rights of children in third world countries. That is a major factor because one of the reasons why governments sign international conventions is to prevent the enactment of laws which contravene such conventions. For example, let us consider article 5 which states:

> State parties shall respect the responsibility, rights and duties of parents or, where applicable, the members of the extended family or community as provided by local custom, legal guardian or other persons legally responsible for the child, to provide in a

> manner consistent with the evolving capacity of the child appropriate direction and guidance in the exercise by the child of the rights recognised in the present convention.

In other words, a government which is a signatory to the convention cannot pass laws or regulations which take away those rights. It cannot make a law which fails to respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family and so on. In other words, the whole purpose of this convention is to stop governments from interfering with the rights of children and the families which nurture them.

Some of the comments made by the member for Koolpinyah suggested that she might not have sufficient information about the convention. For example, article 12 says: 'State parties shall ensure that the child who is capable of forming his or her own views has the right to express those views freely in all matters affecting the child'. The honourable member interpreted this to mean that children would be able to say things that their parents might not want them to say. It was strange, however, that she overlooked the phrase which qualifies the right: 'in accordance with the age and maturity of the child'.

Mr Collins: Who judges that?

Mr BAILEY: I will pick up that interjection. We all know about the judgments of the member for Sadadeen. For example, on the question of child abuse, he says that, personally, he does not believe that there are as many instances as some people would like to make out. In other words, he claims that, as a result of all his experience, he can tell us how many child abusers are to be found in the community.

Mr Collins: I have never claimed that.

Mr BAILEY: You said that there are less ...

Mr Collins: Than many claim.

Mr BAILEY: You are saying that, on the basis of your experience, you have a way of judging how many there are.

Mr Collins: Just information.

Mr BAILEY: Listening to the member for Sadadeen's speech on 10 May, and the way he described the taking away of parents' right to do whatever they like to their children, put me in mind of the type of debate which probably occurred 200 years ago when some people moved to abolish slavery. I am sure that, if the member for Sadadeen had been around then, he would have argued: 'I have paid good money for my slaves. Why should people try to tell me what I can do with them?' Perhaps, 100 years later, when people were arguing about the right of women to vote ...

Mr Collins: This is simply personal denigration.

Mr BAILEY: ... he would have said: 'Why should we give women the right to vote? We marry them. We make all their decisions. Why should they be allowed to make any decisions of their own, such as voting? If I want to beat my wife or whatever, that is fine'. Now, one step further along the line, the member for Sadadeen is saying: 'They are our children. We can do what we like to them'.

Mr Collins: If that is the best argument you can put forward, you deserve great condemnation.

Mr BAILEY: If one reads the United Nations Convention on the Rights of the Child, one sees that it contains no reference to taking away the rights of parents. It says that the state is not permitted to take away the rights of the child or the rights of the parents: 'States shall respect the rights and duties of parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a matter consistent with the evolving capacities of the child'. Unfortunately, there is more and more evidence that abuse of children in some families is such that it needs to be dealt with by legislative means.

Mr Speaker, I am sure that you are aware of a phone-in which is being conducted today in relation to the abuse of children in the home and other areas. The Northern Territory has legislation which deals specifically with the abuse of children and honourable members opposite have said on many occasions that they believe that it is some of the best legislation in Australia. It does have many good points and I am prepared to acknowledge that fact. I am sure that, when that legislation on the rights of children was debated, the member for Sadadeen would have been thinking: 'You can't do that because it takes away the rights of parents in respect of their children'.

I suggest that the members for Koolpinyah and Sadadeen should read the United Nations Convention on the Rights of the Child carefully. Any honourable member who has not read it should do so. I believe that it is a very useful convention. Our support for it aligns us with open-minded, free-thinking people rather than those who prefer to live in the dark ages and to believe that certain individuals have a right to exercise power over whomever they think fit.

Mr COLLINS (Sadadeen): Mr Speaker, the member for Wanguri reached a pretty low depth with the claims he made against my character. I have 3 children. I have been a school teacher. I have had a great deal to do with children and my conscience is perfectly clear. I do not believe that parents own their children, but I believe that they have responsibilities to raise, nurture and guide them. The ideas which he ascribed to me are ludicrous and my case rests as far as he is concerned.

I thank the member for Koolpinyah for her comments on the areas of the convention which are of great concern to many people in the community. She did an excellent job in that regard. Many people are very concerned. For example, prior to the meeting of the Standing Committee of Attorneys-General in Alice Springs, we held a public meeting at which a petition was circulated. The petition asked the federal Attorney-General not to sign the convention and to allow at least 12 months so that the people of Australia could be informed about its contents and so that a binding referendum could be conducted. We had only 24 hours or so in which to collect signatures but, if my memory serves me correctly, we presented the Attorney-General with a petition containing 445 signatures. In addition, we presented a statement on behalf of 83 organisations. These organisations had been approached only 4 or 5 days before the meeting. I think it was on the Monday that someone in Sydney started to ring around and get a network going. In the statement, 83 organisations, representing about 1.5 million Australians, said that they wanted time to consider all matters relating to the convention.

I was informed today that a Queensland segment in last night's 7.30 Report dealt with the ratification of the United Nations Convention on the Rights of the Child. Subsequently, a phone-around was conducted. I do not know how many phone calls were made, but 94% of the people involved said that the convention should not be ratified.

Mr Coulter: What is the Pope doing signing it?

Mr COLLINS: Yes, I would like to know. Why are President Bush and Margaret Thatcher signing it, if it comes to that? I have spoken with some Americans and some Canadians in recent days and, when I pointed out aspects of what this ratification will mean to them in their countries, they were most concerned, and the reason why we should be concerned is pretty straightforward. If I had the opportunity to re-submit this motion, I would word it much more strongly. There were certain things that I was not quite sure about but the member for Wanguri has summarised what ratifying this convention means.

I will refer to a document entitled 'On the Horizon: The New United Nations Convention on the Rights of the Child - A Preliminary Assessment of Legal Issues Related to the US Ratification'. It talks about declarations being 'soft law'. When a nation declares a United Nations convention, that is evidence of an intention to carry out the spirit of it. It is soft law. On the other hand, however, international conventions become binding on those nations which ratify them. They become binding law.

Last week in this House, I described the process which leads to the ratification of these conventions. The appropriate federal minister has carriage of the matter and, in this case, that is the federal Attorney-General, because he has jurisdiction over the Human Rights and Equal Opportunity Commission Act. He has to consult with his counterparts in the states and to obtain a reply from them. However, he is not bound by their replies. Even if they all say that they are opposed to something, he can say that he has consulted them and then go ahead. As I understand it, his recommendation then goes to Cabinet. After Cabinet gives approval for him to sign, it is tabled.

People with close experience of how these papers are tabled tell me that they are usually tabled with a bundle of other papers, generally on the last day of the sittings when the members of parliament have a sufficient information overload. They have things to do in their electorates and they want to get home to see their families. I understand that, if it remains tabled for 30 days and nobody objects, it is ratified and becomes binding on us. That would take away the democratic right of Australians to determine and change the laws under which they live. We often move amendments to legislation because problems arise. It is not simply a matter of the federal government relying on that odious 1983 High Court decision. If this convention is ratified, it takes over from the states the right to determine laws in those areas relating to children. It is not even a matter of their requiring Canberra politicians to enact the laws relating to children's rights and their protection and to change them from time to time. We would be binding ourselves to an outside body. Our sovereign rights would be sold down the drain.

This is not being debated in our parliaments because it is being kept as quiet as possible. Thank heavens, they picked on children. Australians are pretty apathetic, but we do care about our children. People are starting to wake up to the fact that all is not right. We are binding ourselves to this foreign body and it is undermining our sovereignty. Even

if we debated the convention in every parliament and determined that its provisions were excellent, and if we held a referendum in which all Australians studied the 54 articles and agreed to them, still I believe that we do not have the right to give away the right of future generations to determine the laws under which they will live.

There are some aspects of this convention with which we would all agree. There are other aspects that we are concerned about. No federal Attorney-General has the right to sign this document, table it and give away my sovereign right to determine the laws under which I live. My own power is small. I am one voter only, but I can lobby and so can every other Australian. We should determine the laws and we should be able to change those laws whenever we recognise that they are inadequate. I put that proposition to some Canadian and American people at a meeting recently and they were astonished. This would mean that we were no longer in charge. In respect of that section of law, our rights are being given away.

No wonder the federal government is attempting to be sneaky. It is the sneakiness and the deceit that worries me greatly. In fact, I believe a very strong case could be made out against the federal Attorney-General for treachery. Under the Commonwealth Crimes Act, treachery is a serious crime that is punishable by life imprisonment. It is ironic that there is only one person in Australia who can lay charges of treachery. Would any member like to guess who it is? It is the federal Attorney-General! Is he likely to hang himself? It is unbelievable that he is in that position. I think that 'treachery' is the only word to describe this. It is something which is damnable. It is stronger than what is described in this motion.

We should be kicking up a stink about this. I have asked Senator Grant Tambling to raise this with the opposition in Canberra on the grounds that it is giving away our rights to determine the laws under which we live. The opposition should watch for the tabling of this document and object to it. At least, there could be debate in the federal parliament and Australians could have a chance to know what is happening.

The message to the United Nations from our federal politicians and our United Nations representatives - I presume these are appointed; I have never voted for any - should be that Australia is a democracy. In Australia, politicians are the servants of the people. If the people of Australia knew about this, they would forbid the federal politicians to enter into any agreement with any foreign body that would take away our sovereign right to determine the laws under which we live.

These are important matters. I would have made the motion much stronger if I had known then what I know now. Because Australians care about their children, people are waking up and the message will spread. I believe the day will come when pressure will be put on the federal government to say to the United Nations that we are a democracy and that our politicians are the servants of the people and cannot enter into these conventions and be bound by them. What we should be prepared to do is to take the United Nations conventions and debate them at state and federal levels. We may well accept parts of them and enact them. We may even accept some in totality. However, that would be our decision. We would be able to change them. We would enact them, and we would not be bound by this foreign body.

I am disappointed that the Standing Committee of Attorneys-General seems rather like the Premiers Conference. The Treasurer indicates how much money the states will get, they kick and scream a bit and then they

acquiesce. This is a fairly weak position, particularly since the High Court decision of 1983. All the states ought to know that this has been a mechanism determined by the High Court. The High Court has its powers under a law of the Commonwealth government which is under the Australian Constitution. Thus, its power is less than that of the people of Australia as far as I am concerned. Its ruling is immoral and undermines the states and undermines the Constitution. The Constitution is the people's law over the federal parliament. It determines the limits within which it can operate.

Our Constitution contains the power for the federal government to ask the people of Australia for further powers. Obviously, the document was put together by politicians because nobody thought that there might be a need for the Australian people themselves to have the power to initiate referenda so that, if the federal government stepped over the line and there were suspect High Court interpretations, such as that in 1983, the Australian people could determine the matter. That is another issue which needs to be taken up.

The member for MacDonnell displayed merely that he is not interested in democracy. There were 30 members on the committee which put the 54 articles of this convention together over 10 years. The composition changed over the years. They were drawn from 155 to 159 nations. For some reason, we are supposed to bow down and do whatever they decree. I say that we should look at the good parts and reject the bad. As a democracy, Australia has the right to determine the laws under which we and our children shall live. That is what is at stake here.

The member for MacDonnell has demonstrated that he is not interested in democracy. This is not a matter for right wing or fringe right wing, communists or whatever. However, communists seem to be the ones who are more interested in this. They are used to being told what they are to do. Every Australian, of whatever political persuasion, who cares about this country should demand that we retain the right to determine our laws here in Australia. We will not have somebody giving away that right in a sneaky fashion which is un-Australian. If we care for this country, we must make a real stand against the federal parliament because all parties have been ratifying these conventions without thinking.

I thank the government for supporting the suspension of standing orders so that this matter could be brought on. I remind opposition members that, during 2 sittings, I asked the Attorney-General to take action himself. He did not see fit to do so, but he was gracious enough to allow my motion to be brought on for debate. This will not be the last time that I will be bringing this matter to the attention of the Assembly, in one form or another. Maybe the government should have a conscience vote - as I heard whispered opposite a moment ago - and allow its members to support this motion.

Motion negatived.

BUSINESS FRANCHISE AMENDMENT BILL
(Serial 299)

Bill presented and read a first time.

Mr COULTER (Deputy Chief Minister): Mr Speaker, I have presented this bill on behalf and at the request of the Treasurer. I move that the bill be now read a second time.

The purpose of the bill is to implement certain measures announced in the budget speech. As a consequence of the Commonwealth funding constraints, it has been necessary to increase the licence fees for both petroleum and tobacco. The licence fee for person's purchasing tobacco for retail sale will rise to 50%. The petroleum seller's licence fee will be 5¢ per litre, a rise of 1¢. At the same time, the maximum payment made to those persons who use distillate for off-road purposes has been reviewed. Payment will be 2¢ per litre instead of the current amount of 3¢ per litre. This measure will help spread the revenue burden more equitably across the community. The regulations are amended by the bill to effect the necessary variation.

The amendments will have immediate effect. However, because of the manner of assessment of fees under the act, a transitional period is included to enable licensees to make appropriate adjustments to their charging procedures. I commend the bill to honourable members.

Debate adjourned.

TAXATION AND ADMINISTRATION AMENDMENT BILL
(Serial 307)

Bill presented and read a first time.

Mr COULTER (Deputy Chief Minister): Mr Speaker, I have presented this bill also on behalf and at the request of the Treasurer. I move that the bill be now read a second time.

The purpose of the bill is twofold: first, to introduce measures to strengthen the legislation in so far as it relates to loan security duty and motor vehicle certificate of registration duty; and, secondly, to provide for a measure of relief from duty for some under the latter heading. From time to time, new methods of financing are introduced by financial institutions. One factor influencing the architects of new financing arrangements is the minimisation of tax. The documents associated with such schemes tend to be complex and often are developed to take advantage of technical uncertainty in the legislation.

With respect to loan securities, the amendments now proposed address such issues. The definition of 'loan securities' is extended to cover developments utilising certain bill facility arrangements. Similar legislation has been adopted already in a number of the states. The amendments will make it clear that, in relevant circumstances, this form of financing will come within the parameters of the act as originally intended.

Duty under the motor vehicle certificate of registration head is assessed according to the market value of the vehicle being transferred. It is apparent that some parties attempt to reduce the amount of duty to be paid by declaring the value of the vehicle to be less than its true market value. The amendment now proposed is directed towards eliminating this practice. It will require a declaration of value to be signed by the transferor and the declaration of consideration received to be signed by the transferee. There will be a $2000 penalty for false declarations.

In recognition of the difficulties facing totally and permanently incapacitated persons, the government will amend the act to provide for regulations to exempt such people from liability to pay duty in respect of a vehicle purchased for their own non-commercial use. Additionally, certain

special purpose vehicles, including motorised wheelchairs, will also be formally exempted from the duty.

Finally, it is proposed to enable the commissioner to reduce the duty to be paid in respect of passenger hire vehicles brought into the Territory and registered for part of the year only. This will assist the hire industry in meeting demands during peak tourist periods and will encourage local registration of these vehicles. Of course, should registration be renewed in the Territory, then duty will be payable in the usual manner. I commend the bill to honourable members.

Debate adjourned.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL
(Serial 298)

Bill presented and read a first time.

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

I am pleased to introduce this bill to the Assembly. The amendment proposed is designed to empower the Conservation Commission to make by-laws to provide for the imposition of on-the-spot fines in relation to the control of animals within all Northern Territory parks and reserves. The existing temporary Parks and Wildlife By-laws provide for the total prohibition of animals accompanying visitors into any parks and reserves, except where a sign has been erected, a notice has been gazetted, or a permit or written approval has been obtained from the Conservation Commission. In order to enforce these by-laws, Conservation Commission officers must use lengthy prosecution processes. In the past, our park rangers have been lenient in enforcing these by-laws. However, as honourable members would be well aware, visitor numbers to the Territory have increased markedly during the last few years, and there is no doubt in my mind that one of the major attractions of the Northern Territory is the magnificent diversity of our parks and reserves. We have come to the time when protection measures must be implemented. The Conservation Commission has been working tirelessly to provide adequate infrastructure within our parks and reserves. The measures I speak of now are of a different nature, but they are just as important as adequate infrastructure.

The pets in parks policy provides for restrictions as to where park visitors may take their animals. In doing so, provision has been made for the continuance of the Territory's unique lifestyle. Park patrons are offered the choice now of whether they wish to share their visit to a park or reserve with someone else's animal. Moreover, the pets in parks policy is in place to protect our environment. This policy will ensure that the potential for visitor damage to occur is minimised, and that the places that we all enjoy and take for granted now can be enjoyed by future generations. It is the government's intention not only to protect the environment within the parks and reserves, but also to ensure visitor safety and comfort now and into the future.

To enable the Conservation Commission to do this in an efficient and effective manner, it is necessary to amend the Territory Parks and Wildlife Conservation Act. Already, the act provides the Conservation Commission with the power to impose on-the-spot fines in relation to littering and the use of vehicles, vessels and aircraft. The proposed amendment will extend

this power in relation to the control of animals and is consistent with the current pets in parks policy. It will enable a person, who is alleged to have contravened a provision of the by-laws relating to the control of animals, to pay the commission a specified sum in lieu of a penalty as an alternative to prosecution. Mr Speaker, I am sure you will support the bill as being in line with the government's responsible performance in respect of parks and wildlife conservation and management. I commend the bill to honourable members.

Debate adjourned.

STATUTE LAW REVISION
(REGISTRATION OF INSTRUMENTS) BILL
(Serial 303)

Bill presented and read a first time.

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

Honourable members would be aware that the Northern Territory inherited many pieces of legislation from South Australia. Much of it was obsolete at the time of self-government. Over the 12 years since then, many of the more obviously inappropriate acts have been repealed by legislation, such as the Sources of Law Act and a variety of Statute Law Revision Acts.

The purpose of this bill is to remove the last of those acts relating to land that have no current function. Generally speaking, these acts were enacted in the times either prior to the Torrens system of registration of interests in land or when there was still much land held under the old system in South Australia. As the development of the Territory took place after the Torrens system became law, at no time has there been any practical application of these laws in the Northern Territory in respect of systems of registration of interests in land. Over time, however, various other pieces of more specific legislation have been enacted. For example, the Wills Act now provides for a Wills Register to be maintained by the Public Trustee. The Power of Attorney Act contains provisions dealing with the registration of powers of attorney. The Instruments Act deals with mortgages of personal property. Lastly, the Real Properties Act has been amended so that the memoranda of common provisions can be registered for cross-referencing purposes. Once the duplicated provisions are removed from the South Australian acts, it is clear that they serve no unique purpose other than as a place of safe-keeping for miscellaneous private documents. This is not an appropriate role of government. Further, registration statistics suggest that it is not a service for which there is any appreciable demand.

Turning to the bill, I draw the attention of honourable members to clause 2. It provides for the repeal of the South Australian Registration Acts. Clauses 3 to 6 deal, in broad terms, with consequential amendments. Clause 7 aims to provide adequate powers for the Registrar-General to provide for the continuing registration and holding of documents that serve some purpose. I commend the bill to honourable members.

Debate adjourned.

SUPREME COURT (JUDGES LONG LEAVE PAY) AMENDMENT BILL (Serial 289)

Bill presented and read a first time.

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

The purpose of the bill is to bring the Supreme Court (Judges Long Leave Payments) Act into line with its Commonwealth counterpart. When the Territory assumed responsibility for the Supreme Court in 1979, our judges were judges of both the Territory Supreme Court and the Federal Court and, obviously, it was desirable that the Territory act be modelled closely on the Commonwealth legislation. Both acts provided that judges, or their families, were entitled to long leave payments if, and only if, the judge completed 10 years service as a judge or died in office.

The Commonwealth act has been amended to provide that federal judges also receive pro-rata long leave payments if, having completed at least 6 years service, they retire because of invalidity, or they have reached the mandatory retirement age which is 70 in the Territory. Certainly, it seems unfair that those judges appointed shortly after they turn 60 can give close to 10 years service and receive nothing, whereas judges appointed just before they turn 60 receive a substantial payment. It seems unfair also to distinguish between dying in office and having to retire because of illness. I might add also that the present scheme is now out of step with other public service schemes.

The number of occasions on which it will be either necessary or desirable to appoint a person over 60 years of age to be a judge will be very few. Probably, such a situation would not arise more than once or twice in 10 years. It has happened once in the last 10 years. Similarly, the number of instances in which a judge will become permanently disabled or infirm while in office will be few also.

We are fortunate in having a bench of extremely high quality. We want to maintain those high standards. One way to attract the best candidates is to ensure that our terms and conditions are, in all respects, at least the equal of those of the Commonwealth. I commend the bill to honourable members.

Debate adjourned.

UNIT TITLES AMENDMENT BILL (Serial 296)

Bill presented and read a first time.

Mr MANZIE (Lands and Housing): Mr Speaker, I move that the bill be now read a second time.

The intention of this bill is to amend the Unit Titles Act to require that schedules of unit entitlements be certified by a qualified valuer. Before proceeding to the detail of the bill, I would like to explain what is meant by the term 'unit entitlement'. The entitlement of a unit determines the voting rights of the unit's owner, the quantum of the undivided share of each owner in the common property and the proportion payable by each owner of the contributions levied by the body corporate.

The entitlement of each unit is calculated on the basis of the unit's value in comparison to the total value of the unit complex. In simple terms, this means a person whose unit is worth more than their neighbour's unit has a larger unit entitlement than their neighbour does. This applies regardless of the size of the units; it is their value which is the critical factor. For example, if 2 units, A and B, are of the same size in a complex worth a total of $1m, but A is worth $120 000 and B is worth 80 000, then A's unit entitlement is 120 000 parts of 1 million and B's unit entitlement is 80 000 parts of 1 million. Therefore, A has a greater unit entitlement than B.

Section 16(1) of the Unit Titles Act, which relates to the conditions of approval applying to applications to subdivide a parcel of land into units, states: 'The minister shall not approve the proposals unless the scheme of unit entitlement is reasonable having regard to the respective value of the units'. To be satisfied that a schedule of unit entitlement is reasonable, the minister must consider the unit values. Given that valuations are a specialist area, it is also incumbent on the minister to take advice in order to determine the reasonableness of the schedule. The natural adviser to the minister on such matters is the Valuer-General, which is the Commonwealth's Australian Valuation Office. However, if a schedule has been prepared by a qualified valuer, it is reasonable for the minister to accept that professional valuation skill and judgment have been applied to the preparation of the schedule, and that it is therefore reasonable.

The Department of Law has advised that an interpretation of section 16(1)(b) of the Unit Titles Act implies that an applicant has a right to prepare his or her own assessment of unit entitlement and it must be accepted, without charge, if it is considered reasonable. What actually happens in these cases is that schedules which are not prepared by a qualified valuer are forwarded to the Australian Valuation Office for assessment of whether they are reasonable or not. This assessment attracts a charge of between $100 and $200, depending on the degree of investigation required, and this cost is borne by the Department of Lands and Housing.

Because this is a non-recoupable expense, it is proposed to amend section 16(1)(b) of the principal act to remove the right of developers to prepare their own schedules of unit entitlement which, due to the hit-or-miss manner in which they are often prepared, may be reasonable or not. Instead, it is proposed that the function of the minister to determine reasonableness should be replaced by a requirement that schedules of unit entitlement be certified by a qualified valuer. I should point out that this proposal is in keeping with the practices of most if not all other jurisdictions in Australia.

The bill seeks also to improve the definition of 'unit entitlement' and to define 'improved capital value'. Both of these items are, of course, essential for the understanding of schedules of unit entitlement. Both the Valuer-General and the Department of Lands and Housing consider there may be insufficient numbers of private, qualified valuers practising in the Territory, particularly in Katherine and Tennant Creek. For the time being, therefore, a valuer should be either a private valuer, if one is available, or a valuer who normally provides a valuation service to the Territory government - that is, the Australian Valuation Office. Developers will be able to use either valuation source to obtain certificates of unit entitlement.

Where applicants choose to use the services of the Department of Lands and Housing to obtain schedules of unit entitlement, they will be required

to pay fees which will be quoted by the Australian Valuation Office for each case. This method of charging will replace the present situation where the actual fees charged by the Australian Valuation Office are set down by a schedule in regulation 6 to the act. I commend the bill to honourable members.

Debate adjourned.

ADJOURNMENT

Mr REED (Correctional Services): Mr Speaker, I move that the Assembly do now adjourn.

Earlier in these sittings, I referred to community service orders and work undertaken by persons ordered to do so. Tonight, I would like to put on the record work done by prisoners incarcerated in the prison system throughout the Northern Territory. Such work is done for the community and benefits derive from it both to the community and to our prison system. A wide range of jobs is undertaken by our prisoners, a fact not widely known throughout the community. It is often thought that we lock our prisoners up and tend to forget about them until it is time to release them, when we find the key and let them out. That is not quite the case. Our prison system is much more structured than that and, as I will now indicate, some prisoners undertake some work that is very useful to the community and to members of our community.

In Alice Springs, for example, some prisoners of Alice Springs Prison are undertaking work on the Larapinta walking trail. Of course, as the member for Braitling has told us in the past, they have committed many useful hours to the construction of the Ghan Preservation Society, and I expect that most honourable members have seen the work that has been done there.

At the Senior Citizens Club in Alice Springs, prisoners from Alice Springs Prison undertake ground maintenance and assist with such other activities as fetes organised to raise money for the senior citizens. Similarly, at the Spastics Centre, ground maintenance and minor building maintenance is undertaken. Prisoners undertake ground maintenance and minor building maintenance at the Girl Guides Society as they do at the Riding School for the Disabled, where they have fenced an area and built a shade house and undertake ground maintenance on a regular basis. Some other projects, as requested from time to time, include work at the Show Society, such as erecting marquees.

Prisoners from the Gunn Point Prison Farm operate a 24-hour emergency radio service, plus broadcast of weather forecasts on the marine band every 3 hours. I am sure that is a very useful service to those people, and there are many of them, of course, who take advantage of the waters around Darwin to partake in some boating. The Gunn Point beach area is cleaned, and the public areas around the toilet block and the garbage dump are maintained on behalf of the Conservation Commission.

Prisoners from Berrimah Prison commit hours to the Keep Australia Beautiful Council in cleaning up the Myilly Point area. They deliver toys to Pregnancy Health, an organisation in Darwin. The Memorial Gardens at Chan Park are cleaned and rubbish is cleared, as is the dump area including the removal of coffee bush. Ground maintenance is undertaken on a regular basis at the Pensioners Village at Palmerston by prisoners from Berrimah Prison. I have had the pleasure of receiving phone calls from pensioners

who live at the village and they have expressed their appreciation of the work done by prisoners. Clearly, those people would not have the ability to undertake the grounds maintenance themselves. It is a matter of some relief and satisfaction to them that the services are provided by prisoners who, I must say, they have commended for the work that they do and the quality of that work. Ground maintenance is undertaken also at the Rural Old Folks Hall.

At the Northern Territory Aviation Museum, which we are all now familiar with, work has been done on playground equipment and on the grounds. Similarly, grounds maintenance is performed and lawns are mown at the Stuart Park Creche by prisoners, and areas are cleaned up and sheds have been painted at the RSPCA facility. Fences have been built and training areas have been constructed at the Dog Club for the Blind. The Royal Darwin Showgrounds have been cleaned up, and the cattleyards have been prepared for the shows, on an annual basis, over many years. The Humpty Doo Creche receives assistance from the prisoners. There is also an 8-hour back-up for Gunn Point and the St John Ambulance Service whereby officers from Berrimah Prison man radios for the period when Gunn Point is not operating.

Juvenile detention centres provide similar assistance to the community. They assist the Conservation Commission in eradicating mimosa and with fencing in Kakadu National Park. They clean up litter at the Arltunga Goldfield in Alice Springs, with projects also in Darwin at Holmes Jungle and the East Point Reserve. They are involved with building and maintaining ablution blocks at tourist areas in the Wildman Reserve. They clear litter and undertake ground maintenance at Shady Camp, a very popular fishing spot to the east of Darwin on the Mary River system, which would be very familiar to any keen fisherman in Darwin and the Top End. Certainly, I have received expressions of appreciation from fishermen who have attended those areas. They are very appreciative of the fact that the areas are litter-free and that the juveniles under detention at Wildman River undertake that useful exercise. They help out at the Old Timers Home and the Old Timers Museum and also provide labour for Hamilton Downs Youth Camp, a very worthy project to assist young people in the Alice Springs area.

Prisoners used to undertake these community activities are, of course, classified as not being dangerous to the public, and we are very conscious of the need to consider those matters and to ensure that the public is not put at risk by prisoners being out of prison for the time during which they undertake these duties. There are many benefits to the prisoners themselves. They have a feeling of achieving something rather than experiencing the continued boredom of being in prison. Of course, as well, they have the opportunity to learn some skills in cases where they undertake work, and these might be applied when they leave prison, to the benefit of both themselves and, in the case of many Aboriginal prisoners, their respective communities when they return there on release from prison.

Last, but not least, I must congratulate and thank the prison officers. Of course, without them, the community would not be able to experience these benefits, nor would the prisoners be able to partake in these activities which, as I have illustrated, are naturally of some benefit to them. Prison officers do a magnificent job under very difficult circumstances.

That puts on the public record the very wide range of works and very worthwhile projects that are undertaken by prisoners. It clearly illustrates that our prison system is much more complex, diverse and productive than it is often thought to be in the mind of the public. I

indicate to honourable members that, if they are aware of a worthy community group that might want some assistance, then they are welcome to bring it to my attention or to the attention of officers of my department because I am aware that they are always looking for projects which would be of benefit to the prisoners and which would provide some assistance to those needy people in the community who otherwise might not be able to avail themselves of services of this nature.

Mr FIRMIN (Ludmilla): Mr Deputy Speaker, I would like to touch on 2 issues tonight. Following on from the Minister for Correctional Services, I would like to say that it is likely that I will be taking up his fine invitation to approach his department for some assistance with a project that I am engaged on in my electorate. The reason why I raised that is twofold. I will explain that in a moment, but I will describe what I am actually doing in the electorate.

Continuous and illegal dumping of rubbish and stolen motor vehicles has been occurring at the bottom end of Ludmilla Creek over a number of years. Gradually, by means of continuous police surveillance and other measures, we are managing to deter the local banditry from dumping such vehicles in the area, and we have been removing the wrecks that had been dumped previously. We have experienced difficulties in sorting out the status of land tenure governing the bottom end of the area and the access ways in and out of the Ludmilla Swamp. That has taken some considerable time to sort out but, earlier this year, we managed finally to determine the actual ownership of the land in question. We have determined the status of the roads system and have now closed the access way into the swamp which was being used by people who were using it as an area close to the city in which to destroy stolen vehicles, cutting them up and stealing articles from them.

We have put in a bicycle access way and a walkway into the bottom end of the swamp area. Recently, I have had some assistance from the Department of Transport and Works and the Darwin City Council in cleaning up what we found at the bottom, which was the last of the original sewage ponds. It was creating a problem because mosquitoes were breeding there. We have filled that in over the last couple of months. The road system there is subject to inundation at times of maximum tides and is inaccessible when there is a 7.1 m tide. To ensure access through there for the project which I have under way at the end of this process, we need to raise the road level slightly. At the same time, some of the original rubbish that has been dumped there must be removed. I will be approaching the minister and asking for assistance with that.

The final part of the project is something that I have been trying to complete for a number of years. It is gradually reaching the tail end of its development in that we have now had a section of interesting mangroves surveyed to determine the number of different species that it contains. The Conservation Commission has checked the survey route and staff from the Department of Transport and Works have designed a boardwalk for erection in the swamp. When that is completed, the local schoolchildren and other interested people will be able to drive to the bottom end of the Ludmilla swamp area and walk to the start of the boardwalk which will enable them to walk through the mangrove environment and see exactly how a mangrove system works. As the area is very close to the city, I think this has the potential to become a very active tourist area when the project is completed.

I will be approaching the minister to see if prisoners can be made available to provide assistance with this project where no assistance is available at this time. I might add that the boardwalk itself will be

erected using volunteer labour provided by the Duke of Edinburgh Award Scheme participants, the Duke's Mob, who have taken an interest in this project for some time. Having completed similar projects in Litchfield Park and Gregory Park over recent months, they were looking for another project to develop. I put it to them a couple of months ago that they might like to be involved in this project, and they have agreed. On Monday, we will be arranging the time to start on the work that will complete this project.

The second matter that I want to speak on tonight was touched on earlier today in question time: the application for a liquor licence lodged by the Ludmilla Supermarket in Bagot Road. I would like to comment on the problems that residents of Ludmilla have experienced in the last 2½ years in trying to defend the lifestyle that they would reasonably expect to enjoy in a quiet suburban area.

Ludmilla has never been a particularly quiet suburb in that there have been some tensions in the area over a number of years caused particularly by a number of transients who travel through. The transients tend to be predominantly Aboriginal people who use the Bagot community as a base for their operations when they come to town to visit relatives, to visit friends who are in hospital or to attend sporting or cultural events in the Darwin area. They are people who have had some contact over the years with Bagot and see it as a continuation of their family groups. I have no problems with that. In fact, it has been encouraged over the years.

The unfortunate aspect is that the practice has always brought with it problems relating to alcohol use and abuse. The Aboriginal residents of Bagot have complained over the years of the problems that they have faced with people coming to use the facilities of their community. They cannot escape from that. Bagot is rather different from other communities throughout the Northern Territory. The other Aboriginal communities in the Northern Territory are not at the centre of influence, as it were, of a wide range of activities that the Aboriginal visitors from the Arnhem Land region, particularly the island areas, find desirable in Darwin.

Unfortunately, when they come to Darwin, several of them consume a great quantity of alcohol and, in doing so, create mischief in the community. There have been fights and even killings over the years, as has been well-documented in the press. Certainly, there have been considerable numbers of break-and-enters in the Ludmilla community. Over the years, I have worked very hard at retaining a good and fair relationship between the white community of Ludmilla and the people of the Bagot community, and I think I have been extremely successful in that. In fact, much of what might well have been called, in earlier days, the vigilante approach to the problems of the area has disappeared altogether.

The problem residents have been facing over the last couple of years is the additional pressure caused by the opening of more and more liquor outlets within a reasonable distance of the Bagot community. The problem has been compounded by the fact that vacant Crown land and other quiet areas which Aboriginal people used to be able to retire to when under the influence are now no longer available to them because these have been developed. The largest such area is now occupied by the Jape Homemaker Centre. People once used that area to escape to or as a place to sit before returning to the Bagot community. Other people would sneak into the Dick Ward Drive area where they would camp in the tall grass in some of the quieter suburban circuits there. In the last couple of years, however, the Housing Commission has built flats and units in those areas and Aboriginal people can no longer use them as in former days.

As a result of all these changes, people have been tending to take their liquor back to the Bagot community and that has been creating an enormous problem for the people of Bagot and for other local residents, a problem which was demonstrated quite amply at the time of the first application by the supermarket for a liquor licence. Not only did the local community become upset about the prospect of a further liquor outlet in the immediate area, but a very large number of Aboriginal people at Bagot objected strongly as well. This brings me to the letter which has been circulating in my electorate during the last day and a half. It bears today's date but, in fact, it was being circulated in my electorate yesterday by the Leader of the Opposition. It says:

> To the Residents of the Ludmilla Supermarket Area.
> Re: Liquor Licence Application for Ludmilla Supermarket
>
> The Ludmilla Supermarket has submitted another application for a liquor licence. The Liquor Commission advertised this application on Friday 17 August 1990. Interested parties have until 14 December 1990 to submit their comments to the commission.
>
> I know that this is a very controversial proposal in your area. If you want to make a submission to the Liquor Commission, the address is GPO Box 2037, Darwin, NT 0801. Under Liquor Commission rules, each submission must be accompanied by a $20 deposit. If you are opposed to the application and want to be part of a broader group, please contact my office and I will put you in touch with other concerned residents. Be assured that I will keep you informed of developments.

Mr Speaker, obviously that letter was circulated as a response to the question I put in this House on the previous morning. Clearly, the Leader of the Opposition saw it as politically expedient to race out and do a letterbox drop in my electorate because that area will become part of the new electorate of Millner. I am not raising the matter here because I am opposed to his trying to poach in my electorate, but to show that he did not do his homework. The outcome has been that he has further inflamed the community. My phone has been running hot.

When the Minister for Racing and Gaming alluded this morning to people collecting 50¢, he was not referring to the white community. When my staff member went to the Bagot community yesterday morning to talk to people about this matter, she found that Aboriginal people were taking up a collection of 50¢ per head to cover the cost of lodging an objection to the application for a licence. That was a result of this silly letter. Other people have been trying to get together an amount of $20 too, to make a submission to the commission. It just shows that the Leader of the Opposition ought to do his homework before he moves in a way that will inflame the community.

Mr Bell: It sounds as if he did not need to. It seems that people were pretty upset to start with.

Mr FIRMIN: I will pick up the interjection. Certainly, people are upset and I have just explained why they are upset. However, we were dealing with the matter quietly, through my electorate office, as you would do in your electorate and as other members of this Assembly would in their electorates. The matter was proceeding to a hearing. The objection was and is being handled by my office. Petitions are being taken up and will be lodged with the liquor commission, as occurred less than 1 year ago. The previous application was rejected only in January and, certainly, a very

strong argument will be placed again before the commission to ensure that the voice of the people who do not wish the application to proceed will be heard.

Mr BELL (MacDonnell): Mr Deputy Speaker, during question time this morning, I asked the Minister for Conservation a question with respect to limited tenure employment positions. My information was that the department's staffing allocation had been reduced by 60 positions. I accept his point about the need for fluctuating levels of limited tenure employment, particularly during peak periods in the tourist season.

In this evening's adjournment debate, I want to draw to the attention of the minister and the Assembly the real, human problem of young people who are unable to work. I prefaced my question this morning with a reference to the problems of unemployment in Aboriginal communities where, undoubtedly, the problem is most acute. It is also an area where there are fewer opportunities. For a variety of cultural reasons as much as anything else, there are limited opportunities for Aboriginal people to move around the country and find work in the non-Aboriginal community. However, an organisation like the Conservation Commission offers good opportunities for such people to work. Perhaps the pastoral industry is the only other area in which Aboriginal people, particularly young Aboriginal men, feel comfortable when working outside the traditional Aboriginal areas of employment. It is almost as though stock work is a part of the Dreaming.

I know that the Conservation Commission has done a great deal in terms of employing Aboriginal rangers, but I want to draw to the minister's attention this evening a problem experienced by Leo Abbott, who is a young man with 2 children. His family comes from Wallace Rock Hole and it is a matter of serious concern to me that, at an important time of his life, this young man has lost his job after 10 months employment with the commission and what I understand has been some excellent work at the Simpsons Gap National Park. I raise Leo Abbott's particular circumstances with the minister in the hope that some arrangement may be made.

I believe that interest in ranger work among Aboriginal people is important and that it is to be encouraged. It is very close to the ground and frequently it keeps people in contact with country in a way which might not occur in a major centre like Alice Springs or even one of the larger Aboriginal communities. It is worth emphasising also the point, which is frequently made in debates in this Assembly, that there is a connection between employment or the lack of it and alcohol abuse, and I think that the case of Leo Abbott is deserving of particular attention.

It is probably worth while to give some consideration to the level of employment of Aboriginal people, not simply within the Conservation Commission, which is an obvious area of interest, but in the Territory public sector generally. Statements have been made in this House about levels of Aboriginal employment in the public service. In times of constricting economic circumstances, hard consideration must be given to such matters.

On Sunday, I had the absolute pleasure, even if the journey was a fairly long one, of visiting Yulara for the great pram race. As the local member, I am frequently in the invidious role of the judge at community events. It is dreadful politics because you can never win. The actual pleasure of the day was really worth experiencing. I know that the people involved in organising the day's events are very keen to see it continue. The event was strongly supported by the Yulara community and there were some

wonderful entries in the competition, which was a neck-and-neck race. Points were given, not just for the race itself, but for the costumes of the participants. There were nannies, very old ladies and some extraordinarily dressed clowns. It was a gala day in the true sense.

The winner of the event was the Four Seasons. It had a brilliant entry: the little red engine. A great deal of effort had gone into it. By a shade of wit and whimsy, it won from On Top of The Centre, the new hotel at Ayers Rock, which had a very elaborate Formula 1 in miniature, including a child being pushed along in it. Third place went to a brilliant entry in engineering terms, the Sheraton's pedal machine. The Community Centre Committee organised the day and congratulations are due to a large number of people. The committee is chaired by Kathrina Bryen, and she has put a considerable amount of work into raising money, as have all members of that committee, by selling raffle tickets and undertaking considerable fund-raising for the very important purpose of setting up a community centre.

I know that the honourable minister has received representations in respect of the community centre at Yulara, and I will be presenting a petition tomorrow morning. I believe that the community centre is an important initiative. We do not like to talk about a community welfare function in a place like Yulara. We like to concentrate on the good times at a resort like that, but the fact is that there are casualties in an isolated community and I believe that it is important that the centre be got off the ground. I will not take the Assembly's time tonight detailing chapter and verse in that regard. However, I have read the Community Centre Committee's submission and it is particularly cogent. The other part of the community centre is to provide an adult education resource for external studies. That is another important area of community service that will be of value to the community. I will be looking forward to hearing of some support for that proposal from the government.

In the adjournment debate this evening, I want also to pass on my condolences to the family of the Reverend Tom Fleming who has passed away since the last sittings. Other members commented about the Reverend Fleming's contribution to the central Australian community over some 40 years. This evening, it gives me satisfaction to place on the Assembly record my appreciation for Tom's work. I was aware of his work at Yuendumu, and I was present at the Yuendumu Sports weekend when a church service was held to commemorate his moving on from Yuendumu in 1975. I felt the warmth in that occasion and I could experience the feeling of the Walpiri people for the Fleming family and for the 25 years of ministry that they provided at Yuendumu.

Subsequently, as a member of the National Trust in Alice Springs - and, I regret to say, not a particularly active member as a result of demands on my time - I had the opportunity to see Tom Fleming's work at first hand. I witnessed the effort he put into the heritage issue as well as more immediate and practical concerns such as the development of the Hartley Street School project and many others. I was impressed to hear of Tom Fleming's war record. He was a prisoner of war of the Japanese. I believe that, as an Australian, as a Territorian and as a man of the cloth, he made a great contribution to this country in every sphere of his activities. I want to pass on to his family my condolences and my appreciation for his life.

Mr VALE (Tourism): Mr Deputy Speaker, earlier this evening, the Minister for Correctional Services outlined the projects that prisoners from prisons in the Territory have been involved in. As he said, I have been

involved with one such project. Until August last year, as president, I was aware that the prisoners had contributed in excess of 135 000 man-hours to the Ghan Preservation Society. That is an incredible amount of time.

Mr Collins: Weren't there any women?

Mr VALE: No women prisoners came out. The prisoners who came took on some tough and backbreaking work. Probably, it stood them in good stead because, having served their apprenticeship, they have taken on an equally tough task now with the construction of the long walking path from the Telegraph Station out through the Western MacDonnells. It will be a massive project. When it is completed, I believe it will become one of the most popular walking paths in the world. Those men are doing an excellent job.

There is one project, however, that the minister did not list and, for historical purposes, I should put it on the public record tonight. They provided valuable assistance to the Northern Territory Cricket Association's curator in the installation of a turf pitch at the Gardens Oval. The first time that cricket was played there was an historic event with an internationally-rated side. The first ball on that turf pitch was bowled by none other than Dennis Keith Lillee. The Minister for Health and Community Services and a number of other honourable members were there. It was probably one of the most magical cricket matches that I have ever attended: it was serious, lighthearted and serious again.

Dennis Lillee had 2 overs to go when Jeff Thompson, his former mate in the fast bowling attack, came out. Lillee, who had been bowling off a short run, headed for the fence for the long run. He turned around, in that typical Lillee pose, and headed in. He had taken his first 2 steps when Greg Chappell held his hand up and stopped him. Then Chappell summoned all his fielders in and set 9 fieldsmen in the slips. It looked quite funny on the day. During the morning session, Max O'Connell, who is known both as an Australian test umpire and a former football umpire in South Australia, had had 3 or 4 LBW appeals made to him, and he denied each one of them. Someone gave him a seeing-eye dog to lead him out to the oval at the start of the second innings.

It was one of the best sporting functions that I have ever attended. I say that despite my fanaticism for football. The atmosphere was sheer magic. I must congratulate Wayne Herbert, the sponsors, the umpires, the players and the officials who participated. In excess of $50 000 was raised for Guide Dogs for the Blind. I was to make the presentations to the man of the match, Geoff Marsh, and the captain of the losing side, Greg Chappell. When I presented the cheque to Greg Chappell, I announced the total that had been raised. He took the microphone and announced that the players had all decided to donate their prize money and in excess of $5000 in prize money was donated.

It is interesting also that Dennis Lillee, Greg Chappell and a couple of other players said that Darwin is ideally placed to host, for practice matches, Australian players heading for South-east Asia or India. Just as importantly, it is well placed also to host English or West Indies sides on their way into Australia at the start of the summer cricket season. If that does occur - and obviously the suggestion will be followed up - it would provide a great event. It would assist in making cricket a much more prominent sport in Darwin than it is at present and would raise the standard of cricket here.

It was interesting to note that a Territorian, Kenny Vowles, came back from England for the match, and he played a very good game. I guess he felt pretty proud about that. On a more lighthearted note, the NT News ran a competition to pick the twelfth man. One of the fieldsmen broke his wrist and they brought on the chosen twelfth man, a Territory lad. He was honoured - although he said he felt a bit guilty later - to catch Allan Border out, 4 or 5 balls after he went on the field. The crowd clapped and cheered the Territory bloke and Allan Border walked close and tapped him with the bat. It was a really great day and a credit to all of those people who organised the function.

This evening, I want to speak about the Central Land Council. Last night, I spoke about Helmut Pararoultja, one of the men who led the breakaway movement in central Australia. Having represented a big bush electorate for 11 years, before it was cut up and I moved into the city area, I understand the frustration of the traditional owners. When the land rights legislation was introduced into the federal parliament, the then minister, Ian Viner, said the bill would lie on the table and that several months would be given to all of the community groups in which to comment on its contents.

The Finke River Mission people took copies of the bill and went right across the bush in central Australia. Patiently, they explained it in language to all the clan groups and recorded their comments. It was a fairly repetitious process because, one after the other, these clan groups expressed deep concern at the contents of the bill. The bottom line was that it did not recognise Aboriginal law. In essence, it was designed to set up a land council which was a European administrative unit and which would not represent Aboriginal land or traditional landholders. Further, they said that no one can speak for the land except the traditional owners.

As a result of that, submissions were sent to Viner. He rejected them out of hand. He said that the Finke River Mission people had misinterpreted the legal content of the bill and that they did not really know what they were talking about. However, I would point out that, before the Finke River people went bush, they obtained the services of Brian Martin, who was then practising law in central Australia. Later, Brian Martin became a Northern Territory judge, and he is certainly no slouch when it comes to interpreting legislation. The Finke River people were well-armed before they went bush. Those documents, and I have one of the original sets in my office, will become very important for historians and anthropologists in the Northern Territory. It is a great tragedy that the federal minister did not take note of what those people were saying.

During my 11 years in the bush, there was a continuing increase in the number of traditional owners who were becoming more and more concerned at the stance of the land council. They became more and more frustrated and, ultimately, they refused to attend land council meetings as so-called nominated delegates from their various communities. These numbers have increased. The movement of traditional owners pushing for breakaway groups has grown to represent many hundreds of Aboriginals in central Australia who want a complete split from the land council. They want to form their own small land councils, related to their family groups.

Before any member starts to shake in horror at the prospect of setting up a number of bureaucracies, I have always believed that it would be simple to amend the act so that, when any mining, oil or pastoral company wanted to negotiate for development on traditional land, the Aboriginals would have the right to nominate a lawyer of their choosing, in private practice or

otherwise, to negotiate on their behalf. The land councils have identified all the traditional owners and there is no problem with that identification if they are accurate although I suspect that, in some cases, there are glaring inaccuracies. One of these days, someone will open the Strehlow documents and prove that the anthropologists working for the Central Land Council have made a number of grave mistakes which have resulted in the death of Aboriginals in central Australia as a direct result of a mistake in identification of traditional owners. If honourable members want proof of that today, they have only to examine what the Aboriginal Land Commissioner said when he came from the Kings Canyon area. He said: 'These people are not the traditional owners'.

One thing has become patently clear. The land council is building a castle and it will not suffer any interference with or any breakdown of its power base. I will give a typical example. A group of cattlemen from New South Wales came to me last year or the year before with a proposal to put cattle out at Haasts Bluff. Members who have seen the Haasts Bluff area will know that it is magnificent cattle country with extensive, flat plains and good feed. The property was well equipped with bores, mills, cattle yards etc. This group was proposing to put so many thousand head on agistment and to form a company. Immediately on putting cattle out there, the Aboriginal groups would receive, without having to contribute financially, 20% or 25% interest in that company and they would have employment working with the cattle on the property. Each year, their percentage holding in the company would increase until, ultimately, they would have had a majority of the stockholdings in this company.

When these cattlemen came to me, I explained that, under the Land Rights Act, they must talk to the land council and then talk to the traditional Aboriginal owners. They did both those things. The traditional owners from the Haasts Bluff country came into my office and said that they had had some advice about what the cattlemen were proposing, and they were delighted with the project. However, the land council came back with some academic adviser who said that it was not fair and that we should sit down and discuss this, this and this. It was a frustrating experience which ended with the cattle people in New South Wales saying: 'The season has passed. We cannot move cattle in there'.

When the member for Stuart first entered this Assembly, he made a statement which I remember quite clearly. In reference to the Stuart electorate, he said: 'No bitumen roads have been laid in the Stuart electorate since World War II'. Of course, I had represented the Stuart electorate for 11 years prior to that and I knew exactly what roads had been built in the period that I was in the bush. They included the Plenty, the Tanami, the Ross River, the sealing of roads all through the Yuendumu area and the realignment and construction up through the hills. In fact, I knew where just about ...

Mr Ede: None of them are in my Stuart electorate.

Mr VALE ... every road came out, which creek crossing it finished up on, and what areas still required additional sealing.

One of the things that has ...

Mr Ede: Come back and have another go, Roger.

Mr VALE: I am glad that the member for Stuart has woken up.

In recent meetings with Aboriginals in central Australia, both in the Stuart and MacDonnell electorates, they have expressed to me a great deal of concern on 2 counts: the refusal of the Central Land Council to discuss breakaway land councils, and this has been put to them on a number of occasions and, secondly, the fact that both the member for Stuart and the member for MacDonnell refuse to assist. To my knowledge, they have never spoken in this Assembly of the need to respect the wishes of traditional Aboriginal owners.

Mr Ede: You have not been listening, have you?

Mr VALE: In this Assembly, you are not on the record even once as having done that.

Mr Deputy Speaker, it is a great pity ...

Mr Ede: Saying that land councils should develop? You want to read the debates.

Mr DEPUTY SPEAKER: Order!

Mr VALE: It is a great pity that both of those members tend to flirt with the Central Land Council. Let me point out, for both their sakes, that the number of Aboriginals who wish to break away from the Central Land Council is growing rapidly, and it is at their own electoral peril ...

Mr Ede: I reckon that you should nominate for Stuart. Come on.

Mr VALE: I would not mind taking you on either.

Mr Deputy Speaker, the member for Stuart and the member for MacDonnell provided an example of this when they made a 180° about-face on the Todd River Dam issue a few weeks ago. One day, they were supporting it and, the following week, when the land councils and others started to agitate, they backed away at 100 mph. Neither of those honourable members has the guts to act because they are captives of the Central Land Council.

Mr Ede: Come and fight me out there. I will take you on. It will be a good go.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, I was very pleased to hear the announcement this morning from the Minister for Mines and Energy in relation to the introduction of the RRT and the push that he is continuing to make to have the RRT introduced into oil and gas production, not only in the Northern Territory but throughout Australia. I was really pleased because the move for this started in 1982 when John Carrick and Doug Anthony were the joint Chairmen of AMIC. Talking to them about it was like talking to a brick wall. They were making so much money from the excise arrangements they had with imported crude that they were not the least bit interested in talking about doing anything to stimulate Australia's own production.

Senator Walsh came along in 1983 and the argument continued with him in 1984. There was not much progress with Senator Walsh either. He had a blind spot about it. Interestingly, most governments and people involved with the industry have understood for a long time that it had to come. It is very important to the survival of the industry and to the Australian community that the RRT is introduced as soon as possible.

Mr Collins: What is the RRT?

Mr TUXWORTH: The rent resource tax on the oil and gas industry.

The reality is that the ad valorem tax we have on wellhead production, coupled with the corporate tax system, is having a very injurious effect on our oil and gas industry and has had for some time. The oil and gas industry has been keen to get away from it, but has been loathe even to confess that there was a need for another tax regime in case it was accepted by the Commonwealth as their giving the nod for further taxation without any review of the tax system. The logic for having the rent resource tax is so obvious that it is amazing that it has taken us nearly 10 years now to get it and it will probably be 10 years before it becomes an effective tool.

The difficulty we have at the moment is that the tax system we use does not guarantee a return on capital for the investors and producers in the industry. It does not encourage the development of marginal or isolated fields, or even small fields, because it caters only for the big boys to play the game. The current tax system encourages poor oilfield practice in that, quite often, it is too expensive for companies to get the last residue out of oilfields and they walk away and leave it when, with a bit of high technology and good oilfield practice, they could extract every last gallon of oil. Regrettably, the present practices rob us - and I say 'us' meaning the Australian community - of the maximum return that the fields can deliver to the community that we give to other people to operate on our behalf.

I say to the honourable minister that I hope he can get the RRT going as quickly as possible and that, at an appropriate time, we should move to see that the existing corporate tax system on oil companies or oil producers is removed and that the RRT threshold is raised to a level to take account of this. If we want people to invest in the industry, it is important that we give them a guaranteed return on their capital because we cannot expect them to play dice with their shareholders' funds ad nauseam, which is exactly what they have to do at the moment.

Mr Coulter: A 7% return on their money.

Mr TUXWORTH: The minister interjects and says that it is a 7% return on their money. A person would have to be a mug to go looking for a business that would give a 7% return.

If the federal government is prepared now to review the taxation regime on the oil and gas industry, that is good. If it is prepared to take the next step, abandon the corporate tax and tax the industry only with the RRT, that would be even better. The sooner that happens, the better it will be for us all. Part of this equation is that the state governments have to sit down and be a part of the negotiation too because they have an entitlement to royalty in the same way that the Commonwealth Excise Department has. It is quite likely that the state governments may have to say to the Commonwealth that they will agree to the RRT, but that they want a percentage of it which is about equivalent to what they are receiving now in terms of ad valorem royalty at the wellhead. That augurs well, and I wish the minister good luck with this because it will to be a fine example of water dripping on the stone that eventually achieves the win.

Having reached that point, I would like to encourage the minister to take a step further with our gas, particularly in the Northern Territory, and to move to the point of having Territory vehicles converted to gas, using local production for the liquefication of our own gas. While this is

very small beer in terms of the number of vehicles we have and the amount of gas that we may draw down for it - and there is a certain amount of liquid in the line that could be used already - what is important is that it will set the scene for bigger things to follow.

I would like to say to the minister that, if it had not been for the pipeline from Palm Valley to Alice Springs powerhouse, probably the Alice Springs to Darwin pipeline would never have happened. It was that small beginning, and the learning curve that came from it and the confidence that was gained from it, that enabled people to take the next quantum jump and say: 'The first 80 miles turned out all right. Let us put on 1000 and see how we go'. If the minister were able to manoeuvre the Territory into a position where we could start to liquefy our own gas and use it in vehicles and in stationary engines all over the Northern Territory, we might start the beginnings of a very big industry, because of the things that would flow from it.

I say that because I drive around the Territory and I see large numbers of large generating plants in the most unlikely places that are consuming oil that we buy from every which way. You reach a point where you say that the Territory is simply a post box for other people's money. The Commonwealth sends us $1000m and we give it to Shell or BP or whatever and it goes straight out the door into someone else's pocket. In the meantime, we have managed to turn the lights on and maintain the air-conditioners. The cattle companies are the same, and so are many of the mining outfits in some of the remote areas. If we can start now to move to the next phase of getting all our small consumers, the stationary engines and the vehicles, on to liquid gas as a pilot exercise, the type of momentum that the minister was talking about this morning, in terms of providing gas to Asia, will generate itself from the enthusiasm and experience we will obtain from doing things for ourselves.

Mr Coulter: It is cheaper to bring LPG in from Asia than it is for us to strip it out of the line.

Mr TUXWORTH: The minister has interjected, and I am glad he did, to say that it is cheaper to bring it in from Asia than it would be to strip it out of the line.

Mr Coulter: In the meantime, we burn it at Channel Island.

Mr TUXWORTH: That may well be true but, from the experience of doing it, we may develop new technology and gain experience that we will never get if we do not have a go. We can bring it in from Asia. We could probably obtain it from other places just as cheaply. If you look around, Mr Deputy Speaker, you will probably find people like Mobil and Boral who would be prepared to dump gas from their refineries in the south onto our market at even cheaper rates than we could do it ourselves. However, the exercise is one of keeping Territory money in the Territory and not using ourselves as a post box for everybody else's resources ...

Mr Coulter: To what extent will we subsidise it?

Mr TUXWORTH: The minister asks the extent to which we will subsidise it.

Mr DEPUTY SPEAKER: I remind the Minister for Mines and Energy that this is not a substantive debate. It is the adjournment debate, and he may have the opportunity to speak in it at some time later this evening.

Mr TUXWORTH: Mr Deputy Speaker, I do not mind the interjections.

The minister asked how much it would cost to subsidise it. It is not necessarily a case of a subsidy being needed at all. If the gas is cheaper than the diesel or the petrol that is being used at the moment, then no subsidy would be involved. The gas may still be a little dearer than it would be if we brought it in from Indonesia but, as long as it is cheaper than the petrol and the diesel we are using now, we would be in front, and that is really the essence of the exercise.

In concluding tonight, there was another matter that I wanted to raise, and that relates to do the register of land ownership by foreigners that the member for Koolpinyah raised last week and I also spoke about. It sparked an article in last Saturday's NT News about land ownership in the Territory ...

Mr Hatton: I think it was the week before.

Mr TUXWORTH: No. The article came after the debate.

Mr Smith: The article came after you spoke, but I do not think you created an argument.

Mr TUXWORTH: No. I did not say that.

Mrs Padgham-Purich: After I spoke, I created the argument.

Mr Coulter: That is more like it!

Mr TUXWORTH: The point that I would like to make, and I have only a minute in which to do so, is that there is a need for us to be aware. The list that was shown of companies that were outside leaseholders of Territory land contained a very respectable group of companies. Some of them have been with us a long time. Some would go back nearly 100 years. What it did not indicate is that - and I think it is an important part of the consideration - although the title holding itself may be local or it may have a respectable front, quite often it is financed in a way that may not be in our interest. It would not hurt us to be aware of that at any given time. It is important to know the actual name on the plate, but so too it is important to know how the property is financed and where the money comes from.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, earlier tonight, I mentioned a matter which I believe can be considered as treachery. I now ...

Mr Coulter: You better be careful, Denis.

Mr COLLINS: He got out of it.

Mr Coulter: Pretty close though.

Mr COLLINS: I bring another matter to the attention of the House - a matter of deceit. I do put a small proviso on the matter because I have not had the chance to check totally the information which I have received finally from a friend in Sydney. This gentleman, George Turner, is a barrister. He describes how the Bill of Rights was strongly objected to by the people of Australia in 1985, aided and supported by the federal opposition. Opposition was so strong that, in June 1986, the federal government dropped the bill at the third-reading stage. According to

Mr Turner, it was removed from the Notice Paper some time in November 1986. Mr Turner states, however, that all the things which people objected to in the Bill of Rights were slipped into the Human Rights and Equal Opportunity Commission Bill, which is now an act of parliament. It was assented to in about December 1986 with, believe it or not, the support of the federal opposition.

I will tell a story here. At the time, I recall Senator Grant Tambling came to my office and said: 'You will be very pleased that the Australian Bill of Rights was defeated. We are proud to be associated with bringing the matter to the attention of the Australian people. Some people have expressed concern about the Human Rights and Equal Opportunity Commission Bill, but our people have had a look at it and they do not think it is too bad'. He gave me an example. He said: 'You might recall how, in the Bill of Rights, if an individual laid a complaint to the commission against another person, the person complained against did not have the right to know who complained against them or what the complaint was. Nor did the person have the right to legal representation'. He continued: 'In the Human Rights and Equal Opportunity Commission Bill, that no longer applies individual to individual. If some honest, hard-working, junior public servant sees that something is wrong, we want him to have the right to complain to the commission. It will not be a complaint by an individual against a government department. If that were the case, those complained against might take action which would affect the future prospects of the complainant, even to the extent of ruining his career'. That is how it was sold. Whilst that was the message which members of the federal opposition received, I would like to know who 'our people' were.

Tonight, I want to present a document which provides some details about the order in which things happened in the federal parliament, and some cross-references between the Australian Bill of Rights, which was thrown out, and the Human Rights and Equal Opportunity Commission Act, now a law of the federal parliament and a law of this country. As I said earlier, I have had an opportunity to do some cross-referencing with other people about the provisions that came from the bill and went into the act. I have not checked all of them - and this is a very important matter - and therefore I will not make a total claim. However, I believe that it should be on the record so that any person can go to the 1985 Human Rights and Equal Opportunity Commission Bill, of which I have a copy and which I intend to table, and check it against the Human Rights and Equal Opportunity Commission Act of 1986. By checking the documents for themselves, people will not have to take my word or the word of George Turner in terms of whether or not a gross deceit has been perpetrated on the people of Australia.

Mr Deputy Speaker, I seek leave to table several papers. The first is Mr Turner's paper on the deceit of the federal government, which is a heading that I have provided myself. The other papers are the Human Rights and Equal Opportunity Commission Bill of the Commonwealth and the Human Rights and Equal Opportunity Commission Act. I am aware that the act should not be too difficult to obtain, but sometimes bills are a little more difficult to get hold of.

Leave granted.

Mr COLLINS: The material is on the record so that it can be checked. I will stand corrected if Mr Turner does not have it right. During the next couple of months, I will take the opportunity to have the matter checked out for my own personal satisfaction so that, when I talk about it, I can say

that it is on the public record and I will not need to quote from or rely on any authority from George Turner, even if he happens to be a barrister.

I would like to raise another matter which has been brought to my attention by Mr Turner, a matter which he has been trying to raise in the public arena for a long time. It is amazing how people in the very highest places are ignoring it and refusing to act. It relates to section 44(1) of the Australian Constitution. I referred to it in a question to the Attorney-General because I had been advised by a federal politician that he thought that the Attorneys-General had actually discussed it. I wanted to check out whether that was the case. The Attorney-General is shaking his head to indicate that he is not sure, but it does not really matter.

Section 44(1) of the Australian Constitution relates to a disqualification for people who shall be incapable of being chosen or of sitting as a Senator or a member of the House of Representatives. I have read many of the papers put together by Mr Turner. In fact, I have another document of 156 pages which tells a story based on the Hansards of the federal parliament and identifies actions which Mr Turner has tried to make federal politicians face in relation to this section of the Constitution. From those papers, I have seen that the real nub of section 44(1) is conflict of interest. Let me read the section so that we have it on the record.

> Any person who is under any acknowledgement of allegiance, obedience or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power, shall be incapable of being chosen or of sitting as a Senator or a member of the House of Representatives.

There have been articles in the press about this. Indeed, an article on 29 May indicated that Senator George Georges had refused to renounce his dual citizenship. It is a complex question.

Mr Ede: There are about 4 people with dual citizenship and they are represented on both sides of the parliament.

Mr COLLINS: That is not the point. The Constitution is being breached. That is the point. If the Constitution is breached, our parliament is not properly constituted and I believe that we have a constitutional crisis. That should be of concern to us because we exist through an act of the federal parliament. If the parliament is not properly constituted, the acts of that parliament are invalid.

Members interjecting.

Mr COLLINS: Yes indeed. Some members might be concerned about their salaries and their pensions. Although we might laugh about it, I believe that it is a vitally important matter and one that needs to be resolved. However, for 10 years or more, federal politicians have been dodging and duck-shoving in the face of Mr Turner's efforts to get them to face up to it.

There was a recent High Court case in which an elected Senator from New South Wales was disqualified from sitting when it was found that he did not have Australian citizenship. In mentioning section 44(1) of the Constitution, the High Court said virtually that it was a matter for another day. Good as it is, the High Court has been known to deliver some very twisted interpretations of our Constitution, and I do not resile from saying

that. I recall its 1983 decision. However, even it cannot twist the intention of section 44(1), which is very clear.

I believe that there could be a fairly straightforward solution but it has to come from the Australian people. As I said earlier today, the Constitution is our protection, the instrument which limits the federal parliament. It belongs to the people of Australia. It is really our law over the parliament. That law has been broken. There are many references to the matter in the Hansards of the Commonwealth parliament and many people have tried to have the matter resolved, including Gough Whitlam, Doug Anthony and others. The existence of the problem has been known for a long time.

It has been pointed out to me that there is a prima facie breach of section 86(1)(b) of the Commonwealth Crimes Act, the section relating to the crime of conspiracy. It says: 'A person who conspires with another person to prevent or defeat the execution or enforcement of the law of the Commonwealth shall be guilty of an indictable offence. Penalty: imprisonment for 3 years'. If we face up to things honestly, we can see that we have a bit of a mess. However, I believe there is a way out. Gough Whitlam got it nearly right in 1975, when he said: 'We should go to the people and get them to change the Constitution'. Personally, I would argue that that part of the Constitution should never change. Members of parliament, whether or not by powers and privileges granted by another country, should never be in a position of having a conflict of interest. Imagine a situation in which the Minister for Defence had dual citizenship which had not been able to be renounced. No sensible person would want to be in such a position. Any Australian could say: "I question our Minister for Defence. He has divided loyalties'. It may not be true, but one would not want to be in that position.

I believe that the answer is to ask the Australian people for a moratorium on sections 44(1) and 86(1)(b). That would provide a gracious escape route if the people so desired. I am sure they could be persuaded accordingly. Similarly, the people would have to be asked to validate the actions of the federal parliament and the laws it has made. I will talk further about this tomorrow night, but I believe that the Australian people require a right themselves to initiate a referendum. It should be possible for them to do that if it were demonstrated that, say, 15% or more of the voters wanted a referendum to be held. The Australian people should be asked also to put into the Constitution that it prevents the federal parliament from making laws which ...

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

Mr EDE (Stuart): Mr Speaker, this morning, I presented a petition from 335 people relating to the upgrading of the Ti Tree Health Centre. I wrote to the honourable minister in February 1990 on this matter. I put it to him that, not only is Ti Tree a base for the township and Aboriginal communities in the area, but also it covers a substantial sector of the Stuart Highway. Consequently, the health centre is quite inadequate. We are extremely concerned, not only in relation to the day-to-day pressure in terms of servicing the local people but also in respect of accidents on the highway. There have been accidents on the highway which have stretched to the limit the ability of the clinic to handle them. Since the clinic was built in about 1977, road traffic has virtually tripled. There has been a large increase in the number of car accidents in which at least 1 person has been hurt. However, the clinic has only 1 examination couch. I have been

told of people waiting outside for treatment whilst others are being treated inside.

We now have 3 sisters, 3 health workers, a gardener and a cleaner. There are a further 6 workers working around the area. The clinic is a demountable and the work area for each person comprises less than 7^2m . The recommended size for such an area is, I believe, 10^2m . It has no facilities for people to wash their hands other than the kitchen sink and the basin in the bathroom. There is nothing for medical washing. There is no privacy. It can be very embarrassing. If a person is being examined in the clinic, anybody coming in will walk straight in on the examination. There have been times when people have had to lie on the floor because another sick person was on the examination bench. It is completely inadequate.

The people in the area had been hoping that some funds would have been made available before the end of the financial year. If that did not occur, they hoped the clinic would be replaced in this budget. It is most unfortunate that that is not the case. What is even more unfortunate is that, when the minister wrote back to me on 30 April, he got it wrong. Obviously, he had not been briefed thoroughly. He said that 'the centre, although small, is well maintained'. Of course, that is part of the problem in that area. If the Minister for Transport and Works was here, he would blush to hear the words 'well maintained'. A series of letters has shuttled between himself and myself relating to problems with the maintenance of the Ti Tree Clinic.

Mr Coulter: Doesn't it just require a new floor?

Mr EDE: No. It needs a great deal more than that. I will give the minister a ...

Mr Hatton: I have the response for you to this morning's petition if you would sit down.

Mr EDE: Mr Deputy Speaker, I would want an indication that it was a favourable response before I relinquished my place on the floor of the House.

For a long time, problems have been experienced with the down-pipe outlets, the air-conditioning, the electricity, the sewerage system etc. I have been corresponding with the Minister for Transport and Works about those.

In the same letters, I have been talking to him about the problems at Alpurrurrulam. What happened out there was outrageous. I am told that the standard of new works and maintenance is quite high in relation to urban works, but it is not the case in the bush, and the work done there demonstrates that. The work done by the inspectors is not up to scratch. I am told that they are extremely short-staffed and are unable to inspect contracts before payment is made. Quite often, because the inspectors cannot get out there, the contractor is paid for 85% of the contract, and only 15% is retained until the inspectors have viewed the work. When they discover that the works are nowhere near up to scratch, the contractor decides that it is not worth the 15% to go out and rectify the problems.

At Nyirripi school, the tops were left off the entire septic system and the inspection holes remained open for 3 months. This is in the middle of a sand dune. The sand dune continued to move, filled up all the french drains

and the entire system collapsed. People said that it was the fault of the Aboriginal people, but there was no way in the world that it was.

The example at Alpurrurrulam was another case in point. I was able to get a copy of the specifications from the original document. It indicates the various requirements with regard to the water supply: the pipe work, the brass fittings, the valves etc. An experienced plumber was out there. He was working on another job for the council. He examined the actual works as they were completed and he said that only 1 item accorded with the specifications and that was the tap on one of the sinks. Nothing else met the specifications - the sinks, the downpipes, the size of the pipes, the wastage disposal, the positioning of the wastage pipes, the positioning of the inlet pipes, the size of the inlet pipes etc. The work was never inspected and the contractor was paid. Numerous letters went backwards and forwards to the honourable minister before he finally said:

> It is obvious some problems did occur but, regrettably, the staff involved at that time - late 1987 and early 1988 - both with the department and the contractor are no longer in the Territory so a definitive answer cannot be provided to your question.

The basic problem is that the whole process takes so long. There is the lack of inspection. When you try to follow something up, there is delay and procrastination to the point where, by the time something is done about it, there is no longer anybody around who is responsible and nothing happens. The government has to go in, rip out all the works and start all over again. It costs an enormous amount of money. The contractor or whoever has been paid has flown the coop, and we never actually get to the bottom of it.

I have not been able to obtain a costing on this, but I believe that we are probably losing money. Probably, we would be better off employing more inspectors to ensure that we do not lose the money that we are losing on works in these areas. It is certainly a matter that I will continue to pursue with the Minister for Transport and Works. From the number of complaints that I have received, it would appear to be an increasing problem. I will quote from one. I would prefer not to use the persons' names because they are serving members of the public service, and their identity is not really relevant. It is more what is being said that is important. They said:

> Thank you for your time and effort regarding Transport and Works. The stories from all around us get worse and there definitely is a case to answer from many directions. Its seems no one wants to tackle Transport and Works head on, and so be it. I do not have that sort of time and energy either. Thank you for whittling away at them. At least you alone ... With all the verbal info I have received, I believe that it will not be long before an official inquiry will be called for.

Mr Coulter: Who was that letter addressed to?

Mr EDE: To me. With the information I have, I will not be asking for an official inquiry to be set up under the Inquiries Act into this matter. I want merely to put it on notice to this parliament, as I have already placed it on notice to the honourable minister, that there is a massive problem. Large amounts of government resources are being wasted on uncompleted contracts and work is not being done to meet specifications. I hope that, as as result of my talking about it here, he will finally take it

on board and institute within the department a full review of the procedures to see if we can get them up to scratch.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, tonight I would like to speak on a subject that causes me some concern. I believe the action of certain public servants, in their efforts to help a burgeoning industry, will run counter to the interests of the industry and, as a result, they could succeed in throttling it at birth or at least inhibiting its growth considerably. I refer to the application that has to be made before one engages in aquaculture. The Minister for Mines and Energy said that he has had some experience of this application form ...

Mr Coulter: I have still got it on my desk. I cannot work it out.

Mrs PADGHAM-PURICH: Believe me, Mr Deputy Speaker, I do not think it is in the interests of the industry as it applies to people who are interested in commencing a small aquaculture operation. I will go through it briefly.

We have heard quite a bit recently about equal opportunity and discrimination. Discrimination can take many forms. It can take the form of discrimination because of ethnic origin, sex, education and disability. It can also be directed at the age of a person. When applying for an aquaculture licence, the name of the applicant is required - and there is nothing wrong with that - address, residential and postal, telephone number etc. However, the date of birth of the applicant is required also. I cannot see for the life of me the relevance that a person's age has to their taking up an interest in aquaculture. It does not really matter whether the person is 8 or 80. Certainly, it should be of no concern at all to those public servants who are sitting in the Department of Primary Industry and Fisheries assessing the licence application. A person of 18 may be very competent and very active, but they may not have the necessary qualifications. A person of 80, on the other hand, may not be very active, but they may have the necessary qualifications.

Mr Coulter: But it is not their business anyway.

Mrs PADGHAM-PURICH: As the honourable minister said it is not their business how old the applicant is.

My remarks do not relate to those people who are taking up lines of aquaculture such as growing prawns and barramundi. They relate to the increasing number of people in my electorate in the Darwin rural area who are interested in red claw farming. In the course of completing this application, the proposed farm location must be described. The applicant has to describe the locality plan and supply a topographical map, not just any old map but a 'topographical map' of the exact site occupied by the farm and 'waterways and shorelines should be clearly indicated'. Shorelines would not be relevant if one wanted to farm red claw at Humpty Doo. Nevertheless, that is asked for, and the waterways are asked for. If one wants to dig a pond on a 5-acre block at Humpty Doo, the waterways in the immediate vicinity, perhaps on the next block, might be of interest, but I cannot see how the waterways of the Howard River, some 3 miles away, will be of much interest if one intends to have only a small pond of red claw.

Mr Coulter: Red claw are migratory. You have to put a fence around them. They run for water.

Mrs PADGHAM-PURICH: I am coming to that. At the moment, I am dealing with the description of the area.

It is required that the applicant supply a description of the area within the surrounding 5 km. Whilst this is an application for permission to farm red claw, one is required to nominate features of historical interest when describing the area. I have expressed an interest in taking up red claw farming and, if I were to pursue that, I would have to describe my area within a 5 km radius. As it so happens, the town of Palmerston falls within that 5 km area in my case and therefore I would have to describe intimately the town of Palmerston. I find that a little far-fetched.

The applicant is asked also to provide proof of ownership or lease arrangement. A copy of the current certificate of title for the property is required. I cannot see how it is the business of, and certainly it should not be the interest of, public servants sitting in the Department of Primary Industry and Fisheries to know whether the applicant has certificate of title to the land, whether they are sharefarming it, whether they have it under leasehold conditions or, in fact, what the status of the certificate of title is at all. If somebody wants to undertake cattle farming, wallaby farming or pig farming, they are not required to supply information of that kind to the relevant authority which, in this case, would be the Department of Primary Industry and Fisheries, but not the Fisheries Division. People in the Fisheries Division of the department certainly want to know a great deal, and I do not believe it is necessary.

Mr Coulter: Read on.

Mrs PADGHAM-PURICH: We come now to the description of the farming process for red claw. This involves supplying a detailed description of the production methods to be used on the farm: 'Please include details of animal production, product handling and processing'. I cannot understand how that is necessary on an application for a licence. It would be normal to expect that a person applying for a licence would know something about the industry that he is about to go into. If he has not done his homework on the subject of red claw farming, he should not be going into it. Indeed, I do not think that anyone would do so, because it costs a bit of money to start up and no sensible person will invest money unless they know what they will get from the investment.

My last remarks apply equally to the next requirement, which is headed 'security'. A detailed description is required of the security methods to be adopted on the farm. This is to stop the active escape of the livestock because red claw do crawl out of the water if the pH is not correct.

Mr Coulter: That is important. You can forgive them for that one.

Mrs PADGHAM-PURICH: But, one has not only to close but to lock the valves controlling the water input and output.

If I decide to go into red claw farming and I have spent a considerable amount of money on excavating a hole or the purchase of swimming pools, and have rigged up the piping and everything else connected with this project, the last thing I want is for the rotten little blighters to walk away and therefore I will erect barriers. However, I do not believe that I should be forced to give details of these arrangements in my licence application. It is something that any sensible person would do any way. I do not believe it is necessary for the Department of Primary Industry and Fisheries inspection

people to take it on themselves to impose those conditions on me. It is something I shall do anyway. Then one has to supply ...

Mr Coulter: Business plans?

Mrs PADGHAM-PURICH: I am coming to that.

The applicant has to provide plans for 'the recovery of stock in the case of accidental release'. If I had red claw, none of them would be released accidentally! I would make very certain that I kept the little blighters where they were supposed to be.

The applicant is then required to give details of security measures 'to minimise the entry and exit of rodents, cats, dogs and predatory birds'. My response to that is that, if all of these other animals knock off my red claw, I will lose a great deal of money and I will be financially embarrassed. It will be in my own interests to ensure that the red claw are secure from predators.

Mr Coulter: You are not allowed to touch the predatory birds. How will stop them?

Mrs PADGHAM-PURICH: That is true, Mr Deputy Speaker, if they are native birds.

The last piece of the information requested is a development policy. One is required to supply a detailed business plan for the proposed development of the farm over the next 5 years. That must include proposed production targets, details of the expected expansion of the farm, sources of finance and financial projections. That represents an unnecessary collection of knowledge by these public servants. If I could catch little red claw in rivers and billabongs in the Territory and set up a farming project in that way, I would do so, and they would not hear anything about what I was doing. I believe that that is a gross invasion of my business privacy.

Mr Coulter: That is the only way you will get into it after tonight.

Mrs PADGHAM-PURICH: We all know that things can fall off the desks of public servants. I am not saying that they would do the wrong thing, but papers lying on the desk of a public servant can be examined by unauthorised people. They can fall off their desks even as documents fall off the backs of trucks. If I were in serious competition with somebody else who was farming red claw, the last thing I would want would be for my business competitor to know the intimate details of my business and production plans.

All the matters that the application form asks about would have been arranged before one applied for a licence. Arrangements would have been made to obtain the requisite finance by one means or another, perhaps through a mortgage or a partnership arrangement. Some people would conduct their business on a sharefarm basis or they might decide to do it on their own. People make their plans in accordance with their decisions on those matters. Certainly, if a person is taking up red claw farming and they have invested a great deal of money, they will have a plan for the first 5 years or however long it takes for the project to become established.

I believe that another facet of this industry has to be checked very carefully. This form of application for an aquaculture licence implies that it will be used to farm red claw for commercial purposes. Most of the

inquiries that I have received have come from people who have a 5-acre or a 20-acre block. They want to put in a pond or 2 because they fancy a bit of red claw as a change from meat. They want it for their own consumption. I do not know whether the officers in the Department of Primary Industry and Fisheries have thought about this, but I believe that these people should be treated differently from the large commercial operators. In any case, I do not believe that the conditions applying to the application for an aquaculture licence will provide encouragement for the industry.

As red claw are a form of wildlife, I would be happy with a permit system. One has only to compare the way in which farming of other wildlife is dealt with. The approach is so much more sensible. I refer to animals such as wallabies, crocodiles or magpie geese. The Conservation Commission has a much simpler way of dealing with the matter. We all know the situation prevailing with the farming of crocodiles. I have not heard any complaints about it from the people who are engaged in farming because it is a sensible regime of control and permits.

Recently, a group of Aboriginals at Eva Valley Station were interested in going into wallaby farming. I was very interested to hear that. I rang a few people and told them I would be very pleased when they started because I have a little operation myself. Their program would need to run for some years before it would turn into a real farming venture. At the moment, it is in the breeding-up stage. The situation prevailing with this form of wildlife is very loose. In fact, I do not require any permits at all to keep the wallabies. However, were the Conservation Commission to decide to introduce a permit system, I would be quite happy about that because I trust the commission's common sense. That is because I have had dealings with it over many years, and I know I could trust its common sense not to intrude into my financial or personal matters in the way that this application form for an aquaculture licence seeks to do.

As well, I have a few specimens of magpie geese. These birds have been obtained with the permission of the Conservation Commission because I am interested in farming them at some later date if I can get them to breed under the farm conditions available on my land. I am not in a position to offer them access to a spread of water. I believe somebody else in the rural area has also been given a number of these geese to breed. The attempt by the Conservation Commission to encourage people to breed these birds is in complete contrast to the attitude of the Department of Primary Industry and Fisheries. The Conservation Commission is actively encouraging people to farm wildlife under certain conditions. I do not believe that the terms of this aquaculture licence will go any way towards doing that. In fact, I believe that it is time for the whole situation to be examined. The application for this aquaculture licence should be ripped up and thrown away and a more sensible one, which would encourage the industry, should be prepared.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, earlier tonight, you spoke about the Ludmilla Supermarket in your electorate. I share your concern in relation to the application that has been submitted by the Ludmilla Supermarket. From my soundings in and around the area, there is widespread concern about the prospect of a supermarket liquor licence being granted. That widespread concern is felt in the white community in Ludmilla north and the black community in Bagot. A good relationship has been built up between the black community and the white community in the area, Mr Deputy Speaker, and I know that the efforts that you have made in that connection have been appreciated by citizens in each of those communities. I think it would be unfortunate if anything happened to jeopardise that good

relationship, and I am aware that there is a concern in both communities that the granting of a liquor licence would do precisely that.

I think the attitude taken by the residents and by yourself is the appropriate one. Certainly, it has my support. I would be happy to support you in passing around the petition that has been prepared by your office to ensure that as many people as possible in the area have the opportunity to sign it. I take this opportunity to apologise to any residents whom I distressed by saying that it would cost $20 to lodge an objection. That pleasing change escaped my notice when it was made last year.

The second subject that I want to talk about also concerns the Ludmilla area, specifically the Ludmilla School. I had the pleasure to be present at the sports day at the Ludmilla School which was held last Friday. You were also conspicuous by your presence, Mr Deputy Speaker, and it was a very pleasant day. Having been present on that occasion, I am aware of the pride which the school community takes in the efforts it has made to enclose its hall. The community has raised $50 000 itself and, through a great deal of voluntary work by parents, including Gary Faehse, who is both a parent and an architect, the area has been enclosed for that sum of $50 000. A substantial part of that money, between $10 000 and $15 000, was contributed through the school council's handling of the re-roofing contract, and the remainder has resulted from fund-raising efforts. It has been a really terrific effort by the school council, an effort which the community has appreciated. Obviously, the building itself will be of considerable benefit to the wider community.

The school community was disappointed that no one from the Department of Education had yet been to the school to congratulate it on its efforts or even to look at the building. The people concerned are also disappointed that they are not getting much joy from the department in their efforts to air-condition the hall. My understanding is that the cost of installing air-conditioning would be $20 000. The school community has been looking for some contribution from the Department of Education as a recognition of the efforts it has made so far. At this stage, it has had no success. I would hope that, in the light of the efforts which the school community has made, the department might be able to reconsider its attitude on that matter.

The third matter I wish to discuss tonight is quite remarkable. In my electorate lives a woman whom, out of respect, I call Mrs Tunbridge, although many people call her 'Tunny'. She came to Australia in 1909, when she was a girl of 7. Together with her daughter, she is making plans to go back to England this year for the first time since 1909.

Mr Finch: She is in for a bit of a shock, isn't she?

Mr SMITH: It is a truly remarkable story, a 89-year-old woman returning to England for the first time in 81 years.

Mr Hatton: My office would be able to assist her greatly in that project.

Mr SMITH: Yes, and mine is doing so.

One of her reasons for going back is to look for any remaining relatives that she may still have in London. Unfortunately, she has not heard from a considerable number of those relatives since World War II. Many of her relatives lived around Portsmouth, and she has not heard from them for that period of years.

The interjection by the member for Leanyer indicated that she might find a few changes when she arrives, and I am not sure that she really anticipates all those changes. We have been talking to her about what she needs to do in terms of accommodation once she arrives in London. Her first response was: 'That won't be a problem. I will just hop off the plane and go to the Salvation Army'. I think that she might find that things have changed quite considerably.

It is truly a remarkable story, and one which my office is trying to interest the London newspapers in. It would not be very often that someone would return home, if she still calls England home, after 81 years. I take this opportunity to wish 'Tunny' bon voyage. I hope that she has a very pleasant time in England and I look forward to seeing her when she returns to Australia again.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I would like to speak tonight about one of my favourite subjects - the proposed flood mitigation dam in Alice Springs. I have spoken about the dam in almost every sittings that I have attended, but tonight I want to take a slightly different tack. Of course, the dam is of great concern to people in Alice Springs, and rightly so. A total of 6 lives were lost in the 1983 and 1988 floods. Property damage was extensive, and I have heard estimates of a damage bill of $3m from the last flood.

Some time ago, I received a fax from Lindsay Johannsen, who lives in the Jervois Range some 500 km from Alice Springs. He said that he believed that a dam in the Jervois Range would be of interest to people in Alice Springs and suggested that I have a look at it. At the time, a number of genuine concerns had been raised by Alice Springs residents in relation to the proposed flood mitigation dam, following the release of an environmental impact statement by the government. Several concerns were expressed, including a fear that the dam might leak and that, because of the surrounding rock formation, such leakage might cause stagnant ponds which could cause nasty smells, that large river gums downstream in the Todd would suffer and possibly be wiped out because of erosion of their root systems caused by the rush of water along the riverbed, that the environment upstream from the dam would suffer, that the normal fauna and flora would be adversely affected and that the dam would increase the mosquito population, posing a health threat to the people of Alice Springs.

In his fax, Mr Johannsen suggested that a trip would be worth while because it would provide me with information in relation to all of these concerns. At great expense to myself, I flew out there with a couple of other people to have a look. I was most impressed with what I saw. Whilst I understand that what I saw was not exactly the same as the proposed Alice Springs dam, it certainly gave me a very good idea of what we might be able to expect.

Lindsay Johannsen has lived in the Jervois area for 23 years continuously and prior to that as a young child. In his opinion, the whole area has been greatly enhanced by a dam built by the Plenty River Mining Company. The dam was intended to be used for the mine, but that ceased after some 6 months of operation. The dam is still there. It is approximately a tenth the size of the flood mitigation dam proposed for Alice Springs, covering 14 ha of surface area when full. It was built in the early 1970s and therefore has a 20-year history in central Australia. What I found most encouraging was that it had stood the test of time.

I believe that it is an example of what our dam in Alice Springs might look like. I was most impressed with what I saw. There were quite large gum trees, some 20 m or 30 m tall, all along the water's edge, with birdlife everywhere. We saw some swans while we were there and Mr Johannsen said that he had seen pelicans and brolgas actually in the lake. It is a fairly isolated place. When visitors arrive, particularly in the summer months, they visit the dam which is almost like a recreational reserve in one of our larger population centres. Mr Johannsen said that a number of Aboriginal people live in the area and that they also use the lake for recreation.

When the environmental impact statement on the proposed Alice Springs dam was first released, there was concern about leakage and stagnant ponds. That was evident at the Jervois dam, but I have to say that the greenery around the ponds was very pleasant in appearance. There was no stagnant smell. Indeed, the only smell I was aware of came from some cow pats, and there is nothing wrong with that. We covered quite a distance downstream of the dam and there was no evidence whatsoever that trees had been destroyed or were having difficulty surviving. In fact, quite the opposite was evident. Trees were flourishing, and there were plenty of smaller trees as well as larger ones. Upstream, tall gum trees were everywhere as well as smaller trees. It was really a most pleasant environment. Lindsay informed us that, whilst there were mosquitoes in the area, the fish in the dam seemed to prevent them from reaching numbers which might cause concern to people.

My impression of the dam was that it definitely enhanced the total area. It is a great spot. It lifts the tone of the entire area and I would describe it as an oasis in the desert. I raise the matter in this adjournment debate in the belief that it may be of interest to honourable members. The dam was really a model of 20 years of centralian experience and that, in itself, deserves people's attention. I wrote a letter to the relevant minister asking if he would fund a trip there for concerned Alice Springs citizens and, in his wisdom, he decided not to do so. Nevertheless, I intend to take concerned people out there. I notice now that new concerns are emerging among the residents of Alice Springs and that there has been an attack on the government in relation to Aboriginal people, suggesting that they may have been hoodwinked. Questions have been asked about the cost-effectiveness of the dam and about scouring downstream of the dam. I intend to pursue these matters when I return to Alice Springs and, hopefully, they will all be resolved to people's satisfaction, and we will end up with a dam in Alice Springs.

Mr FINCH (Transport and Works): Mr Deputy Speaker, I wish to speak briefly about 2 items tonight. The first is a rather distasteful subject, and I refer to an article in today's NT News headed: 'Council to study blowfly problem'. That article says that the Acting Lord Mayor had announced last night that he would be undertaking another survey of some 1000 households to find out how many garbage bins contained maggots and the reason for those maggots being there. However, he foreshadowed that, if there was to be a second bin collection each week, it would cost householders an extra $30 a year in addition to the $105 garbage collection rate they pay now.

Naturally enough, there is not really any need for a further survey. Having been door-knocking in my electorate over the period that the wheelie bins have been in place, it is extremely clear that it is not simply a matter now, after such a long period of implementation, of its being up to the residents to fix the problem. It is a fact of life that flies will lay their eggs on plastic bags enclosing garbage. If there is such a widespread

and prolific problem in the middle of the dry season, as it is now, council should recognise that there is no need to conduct a further survey.

I am pleased that Alderman Jan Collins, who I know was in favour of a twice-weekly collection right from the start, has called formally for that to be implemented now. It is a little late for council to make that decision now but it is better late than never. Of course, Jan Collins will be the next member for Millner, and the Leader of the Opposition will not need to worry too much about all the issues that he raises now because, after the next election, Jan Collins will be sitting this Chamber in his stead. Jan Collins pointed out that there was no need for any more surveys which would only delay the implementation of the second collection.

I wish to raise not only the distasteful concern about maggots etc, but an even more distasteful aspect of this whole issue, and that is that, out of that $105 per annum that every ratepayer in Darwin pays for 1 wheelie bin collection per week, the contract rate for picking up that wheelie bin is in the order of or just over $50 per annum. The margin is supposed to take into account the overheads. With collections made from some 18 000 bins per week to administer, the cost cannot warrant that garbage rate. Even if council employed someone on a full-time basis to follow in a vehicle as the collections were made to ensure that the contractors were doing their job, and clearly that is unnecessary, and it paid that person, say, $50 000 - or let us give council the benefit of the doubt and say $100 000 - per annum, that is still only a very small amount per household. It would amount only to $3 or $4 from the mark-up of $55 per household, and it would certainly be easy to manage. At the very outside, the charge at the Shoal Bay facility could not be more than $25 a year per household.

From the original tender which allowed people to price proposals for 1 or 2 collections a week, it was seen that there was only about $21 difference between a single or double collection. If the option had been adopted up front, that would have been covered easily by that rip-off charge - and I call it a 'rip-off' quite deliberately - of every ratepayer in Darwin. Every household is already paying more than enough to cover that second collection a week. For the Acting Lord Mayor to be advocating that it will cost another $30 a year is nonsense. That would be $30 a year multiplied by 18 000 collections whilst at present $0.5m is being snaffled away by the local council from ratepayers' garbage rates. The garbage charge is supposed to cover cost recovery only. The council needs to put all of its figures on public display so that people know what they are being taken for in relation to this matter. Let us have no more dilly-dallying with surveys. Whilst door-knocking, I have observed, particularly in the vicinity of blocks of units, that it is not simply a matter of 1 or 2 bins that stink. Outside those blocks of units, there may be 6 or 8 bins and the problem reaches really intolerable proportions.

The other matter I wish to raise is on a far more positive note. It relates to an industry that is much-maligned by the general public: the waterfront. I might add that it is an industry that is critical to the economic climb that is needed in this country. We hear all sorts of noises about microeconomic reform and about what is happening here and there, but the reality is that it is happening in the Port of Darwin. I want to pay tribute to all of those people who have been involved in the progress that has been made over the past 4 or 5 years, but most particularly over the last 2 years, in bringing about a far more efficient industry there.

Since 1988, a joint stevedoring company has existed that has involved waterside workers and a private enterprise company, along with competition

from Conaust, which is Australia's largest stevedore. That has provided customers with not only competitive prices but improved performance as well. For all of those who really were concerned that there might be some negative sides to the entry of a joint venture involving the wharfies, let me say quite categorically that the reality has been very positive.

In regard to the requirements under the waterfront reform that is being undertaken at present, 2 enterprise-based agreements have been lodged already with the unions and the Waterfront Industry Reform Authority. These are being negotiated now and discussions will resume in about 3 weeks time. Let me say that, with the very positive attitude shown by all players - unions, the Port Authority workers, and the users of the port itself - I am quite confident that we will have the first resolved enterprise-based agreement. It is unique and, of course, it will be put in place to address the specific needs of the Port of Darwin.

I need to acknowledge here some of the earlier work that was done by the Minister for Health and Community Services when he carried the ports and fisheries portfolio. Some of the work that was done in the early days did not quite get through AEWL, which is the employers' association. In fact, it was the barrier to some innovative, integrated work force proposals at that time. However, we are in a different day now, and I am extremely confident that, in addition to the improvements that have been made to date, we will have an agreement for the formation of a 3-way joint venture arrangement between the 2 stevedoring companies and the Port Authority to employ all stevedoring labour in the Port of Darwin and hire it out to competing stevedores.

The company will set up specifically as a labour holding company. In the longer term, opportunities will be there for the full integration that was spoken about some years ago. It will take time to implement but, given training and multi-skilling opportunities, I am sure that, with the positive attitude being displayed at the moment, we will see the full benefits of that coming to all of the port's users. When linked into transport systems generally, and with the completion of the north south railway, it will provide a most efficient and integral part of Australia's transport infrastructure.

Since 1982, despite the loss of fuel oil as a significant freight commodity into the Port of Darwin as a result of the gas-fired power station, the tonnages have been the highest since self-government. They have climbed steadily. The main reason for that is the improved reputation of the port, which has the lowest disputation level of Australian ports by a mile. We can now turn around ships in single shifts. The other night, the John Sanders unloaded 35 or 40 containers. It came in at about 4 pm and was gone before dark. Sulphur boats are being unloaded in a fraction of the time it used to take.

Offshore gas will play a major part in the Northern Territory's development and in Australia's economy. All the rig tenders that are here now - and more are expected - are receiving excellent service. The users of the port have indicated great satisfaction in that regard. Of course, minerals form part of our exports and that helps with our national economy as well.

When I discuss the Port of Darwin with some of my interstate colleagues at the Transport Advisory Council, they are quite impressed with what is happening here. For example, we have an advisory body in the port that not only meets the guidelines but was actually used as the model for the

recommendations. Our efficiency task force has been in place for some 4 or 5 years. It is extremely efficient and very frank in its discussions on what can be improved and how it can be improved. The chairmanship is shared among port users, the Port Authority and the unions. The next will be chaired by a representative of one of the unions. They are extremely cooperative meetings.

The various structures of the Port Authority meet the recommendations of the review. In relation to our commercialisation, our accrual accounting, our corporate plans, our performance indicators and records, we can claim quite proudly that we are at the head of the bunch. Ironically, I believe we will see the acceptance of the enterprise-based agreements in the Port of Darwin which will meet the obligation that Senator Collins has placed on himself to obtain some agreement within a year. It is true that he placed a fairly onerous task on himself. I must acknowledge that he did throw himself into that part of his portfolio responsibilities with his total energy. I am pleased to say that, in this case, politics have played absolutely no role. It has been bipartisan all the way. I will be absolutely delighted to see the Port of Darwin acknowledged as the model for all ports in Australia.

Mr HATTON (Health and Community Services): Mr Deputy Speaker, I rise to respond to some matters that have been raised in the adjournment debate. Before dealing with 2 particular matters, I must support the comments of the Minister for Transport and Works on the infamous wheelie bins. The figures that the minister gave tonight demonstrate the need for a major investigation into what has been going on within Darwin City Council in respect of this matter. A 110% overheads loading, which is something between $50 and $105, needs to be investigated.

I can confirm what every other member knows: Darwin is slowly developing a black tinge from the flies breeding in the area. It is a major concern for all of us and we would like to see a second bin collection. When the council went from 2 bin collections to 1 per week, it also went to 1 operator in the truck. There was no corresponding discount for the ratepayers. We still cop the same rate. All the productivity benefits went straight into the kick of the council. The ratepayers are entitled to expect to receive something on account of that in the form of a decent garbage collection service.

Quite apart from that, apparently the driver of the vehicle is not permitted to leave the vehicle. If some smart kid comes along the street in the middle of the night and moves your bin back a foot from the kerb, it will not be emptied that week. You will have to wait another week to have your garbage removed.

Mr Finch: There would be lots of crawlies by then!

Mr HATTON: There sure would be. And a few kids around Darwin take great delight in either pushing the bin back from the kerb or turning it around. The bins are a major problem, and the council must rethink the whole issue.

To turn to another subject, on Thursday 16 August, the member for Sadadeen raised the matter of the taxi subsidy scheme which is not, in fact, operated by the Minister for Transport and Works. It is operated through the Department of Health and Community Services under a program know as HACC. I would like to take this opportunity to respond briefly to the member for Sadadeen and to provide some information to honourable members.

The taxi subsidy scheme for people with severe disabilities was initiated in 1984 by the Department of Health. The scheme is funded now under the Northern Territory/Commonwealth cost-shared Home and Community Care Program, administered through the Disabled Persons Bureau of the Department of Health and Community Services. The scheme has been operating in Alice Springs since 1985 and is being introduced to Katherine and Tennant Creek with funds allocated this year. The scheme cost approximately $35 000 overall in 1987-88 and in 1988-89, escalating to over $60 000 in 1989-90, a pattern occurring across Australia in relation to similar schemes.

Applicants may be eligible to participate in the scheme if they are unable to utilise public transport because of a severe permanent mobility problem or because of a severe permanent medical condition which restricts mobility. Where a disability involves a slight impairment with total loss of sight but without a physical mobility problem, the applicant must undergo a mobility assessment by the Northern Territory Visual Impairment Resource Unit before a decision is made on eligibility to participate in the scheme. Applicants may also be eligible if they are unable to utilise public transport because of a short-term mobility problem - a situation which the member for Sadadeen might like to think about. The scheme may be used to assist a care giver of a severely disabled child or adult with extra transport costs associated with that care if they do not want to utilise public transport. All applicants are subject to a personal interview by way of an office visit or in their own home. Medical evidence may be required to substantiate eligibility. The assessment will take into account the manner in which the applicant's transport needs are currently met, and approval to be accompanied by an attendant may also be granted.

As a result of the escalation in costs, nearly doubling in 1989-90, stage 1 of a review was carried out by departmental staff early in 1990. Stage 2 will be undertaken by an outside consultant. This review is expected to commence in early September. The review is being undertaken to ensure fairness to all with the advent of revised eligibility criteria and assessment procedures as well as the likelihood of a new fee structure. All current participants in the scheme will be reassessed over a period of approximately 12 months following the conclusion of the review. Taxi companies have been, and will be, involved in the review of the scheme. The consultant will conduct interviews of consumers and other interested parties in Darwin, Alice Springs, Katherine and Tennant Creek. The woman referred to by the honourable member for Sadadeen will be scheduled for an interview by the consultant in that process. I trust that that information will assist the member for Sadadeen to understand the nature of the scheme and the processes which are in train to overcome the type of problems he raised in the House last week.

The other matter I would like to deal with is that which has been the order of the day for the member for Stuart - the Ti Tree Health Centre. This morning, a petition about the centre was presented to the House and, this evening, the member for Stuart spoke on the subject. I would like to set the record straight in respect of his selective quoting of correspondence which I sent to him in April of this year in response to his letter. He quoted the section in my letter which says, 'The centre, although small, is well-maintained', and accused me of having it wrong again, before going on to talk about maintenance and a range of other matters. The section which he quoted comprised half a line in a 5-page letter. I might read the letter from that point:

> The centre, although small, is well maintained and provides an adequate base for service delivery to the immediate area. Ti Tree

Station, Ti Tree 6-mile, Stirling and Neutral Junction all have small centres and employ Aboriginal health workers. The nurses from Ti Tree visit regularly.

In the event of a disaster, Ti Tree staff have on hand a disaster kit which is readily transported to the disaster site. Responsibility for temporary shelter and accommodation is delegated specifically to the Department of Education. The large primary school building at Ti Tree is used for shelter.

On my recent visit to Ti Tree, I inspected the premises to which you refer and am very conscious of the matters you have raised. The accommodation and conditions of staff in communities are of utmost importance to me and my department. A recent survey of all building assets in central Australia has enabled my department to prioritise the needs of communities. The funding of the new clinic at Ti Tree is part of this planning process. In particular, the nurses' accommodation needs have been referred to the Department of Lands and Housing.

Not only was I aware and had not got it wrong but, in fact, I had visited the Ti Tree Health Centre and many other rural health centres in the last 12 months. I met with the nurses and discussed many of the issues that the member referred to. I was and am very aware of that. I am also aware of many other health centres and of nurses' accommodation that require upgrading. With the inevitable limitations on available funds, we have to prioritise the work we are doing. Honourable members will be aware that, last year, a number of health centres were upgraded.

The upgrading of the Ti Tree clinic is in the department's program, but it is not in this year's capital works program. Other health centres and clinics have a higher priority. Following the allocation of funding for health centres in this budget, Ti Tree and Bagot now share top priority for the next round of capital funding for the upgrading of health centres. In this budget, the upgrading of health centres at Port Keats, Peppimenarti, Bulla Camp, Robinson River and Hodgson Downs is programmed for 1991 at a cost of $1.4m. This is a continuing program, and health centres are upgraded according to a priority list based on community needs. That is not to say that there is no need to upgrade the Ti Tree centre, but we have to allocate the work according to its priority rating. As I say, Ti Tree, along with Bagot, is now at the top of the list.

As far as housing is concerned, 2 houses are under construction at Ti Tree. The Department of Health and Community Services has put in a bid with the Department of Lands and Housing for one of them. We feel reasonably confident that a house will be allocated by the Department of Lands and Housing, and this would solve the accommodation problems for the nursing staff at the Ti Tree Health Centre. I trust that that answers the honourable member's questions in relation to this matter.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

PETITIONS

Flood Mitigation Dam in Alice Springs

Mr EDE (Stuart): Mr Speaker, I present a petition from 353 concerned citizens requesting the Assembly not to proceed with building the flood mitigation dam in Alice Springs. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly, we the undersigned citizens of Alice Springs in the Northern Territory respectfully request that the flood mitigation dam as proposed by the Power and Water Authority not be built. The environmental damage caused by the dam would be too great. Fully adequate flood protection can be achieved by other means that have not properly been addressed by the current environmental impact statement. The river is the heart of Alice Springs and to choke off the natural flow of the river would leave the town seriously degraded. We, as in duty bound, will ever pray.

Community Services at Yulara

Mr BELL (MacDonnell): Mr Speaker, I present a petition from 367 electors of the division of MacDonnell requesting the Assembly to provide essential community services at Yulara. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned electors of the division of MacDonnell respectfully showeth that there is a clear need to provide at Yulara: (a) welfare services in circumstances of personal crisis and family breakdown; and (b) coordination services for those wishing to pursue a range of post-compulsory educational services by external study. Your petitioners therefore humbly pray that sufficient funding be made available in the coming financial year to provide such an essential community service, and your petitioners, as in duty bound, will ever pray.

APPROPRIATION BILL 1990-91
(Serial 297)

Continued from 21 August 1990.

Mr SMITH (Opposition Leader): Mr Speaker, in the life of every young state a time comes when the enthusiasm and potential shift towards the achievement of maturity. This shift is both subtle and pervasive. It is marked by a steadying, a strengthening and a certainty of purpose. There comes a time to take stock, to consolidate and to move forward with maturity and purpose. There comes a time to settle down and plan a future with a sense of security and some predictability. There comes a time to accept

responsibility. Everywhere in the Territory, people feel that that time has come.

A Smith government is ready to accept that responsibility. We have explored the vast and rich estate of our inheritance. We know the wealth that lies within and beneath the soil. We have pastures and farm lands that could feed a nation, mineral supplies for generations of industry, and energy stockpiled for our future needs. We have all this, together with the wide horizons of such natural physical beauty that thousands more people come each year to see and to say that they have seen. Above all, we have our people: the richness of our cultural mix with its combined strengths of Australian heritage, Aboriginal culture and Asian tradition.

This is the awesome and accepted sum of our potential, and it is in acceptance of that potential that the shift towards maturity has begun. That maturity demands careful and competent management. This decade will see the Territory become the pivot of movement in economic power from the south to the north of Australia and, as that power swings around and as the rest of Australia sees that its future lies with Asia, it will see that the Territory, through its people and its position, is already there.

The next decade will see land rights mature from an issue of cultural survival into the basis for economic power for Aboriginal Australians, and it will impose on government an absolute responsibility to provide all Territorians with the social standards of housing, education and health consistent with our wealth - in other words, to treat all citizens equally. In this shift, in these achievements in this decade, we will establish our right to statehood and this is why Territorians everywhere can feel that the time has come to steady, strengthen and prepare.

Only a Smith government can supply that steadiness, strength and certainty of purpose. Only a Smith government can combine our commitment to social development and economic growth based on a healthy and growing private sector, an efficient and focused public sector, and a caring and a just society.

Mr Speaker, let us look at the CLP budget. This is an election budget. Unfortunately, it confirms what Territorians have felt for some time. It proves that the CLP is not managerial but opportunistic. It lacks certainty and direction. It is prefaced by only 1 strategy: holding onto power at any cost. It provides no leadership and it puts off the hard decisions. At its base, this budget is a lie. It proves once and for all that the CLP government is not up to the great challenges that are ahead of us. It cannot act responsibly and it lacks the maturity and the courage to put this Territory on a special course.

Last year, the Institute of Public Affairs predicted that the 1990 Territory budget would be a tough one. It said:

> The Territory government's resolve to live within its means has weakened, and a proposed 8.3% increase in Consolidated Fund expenditure has been financed by drawing $8m from reserves and borrowing $33m from its own cash reserves. The Territory faces a wider revenue gap next year with nowhere to turn but to comb through the Territory's limited taxation base again.

And that is exactly what it did.

This is a budget based on hope and illusion: the hope that something wonderful will happen and the illusion that the development fantasies will come true. Territorians have the good sense to know that this budget has understated its expenditure, overstated its income and ignored the growing debt. The government knows that the budget will not last until Christmas.

I could spend my time attacking the figures and pointing out the lost opportunities, but this is an election year. Territorians and Territory business want to know our strategy for dealing with our current economic condition and ensuring that our potential is fulfilled. Therefore, I speak as the next Chief Minister so that Territorians will know how we will do it differently.

Government is the single most important player in the Territory economy. It must be disciplined. It must have a strategy for the economy. It must have a coherent approach to achieving its objectives. Budgets and, more importantly, the economy are about managing. They are about responsible management and achieving our enormous potential. Territorians share our belief in that potential, and the starting point for achieving it is partnership. Governments do not know it all, and no political party has all the answers. It is essential that a government listen. Within 3 months of assuming government, I will convene the State of the Territory Conference. It will involve politicians, public servants, unionists, business people and representatives of Aboriginal and community organisations. The members opposite will be invited too, because this will be about all Territorians sitting down together to define our future. Such planning will take place in the context of our policies announced during the election campaign. At the end of the conference, my ministers will have the economic action plans for the first term of a Labor government, and everybody will know where we are going and how we will get there: a partnership in planning, a partnership for action.

Labor is committed to a thorough overhaul of the framework of government to provide a long-term approach to the economy. Labor will open the books. Open government brings discipline to decision making. If the subsidy deals with the Sheratons, Yulara and the Darwin Joinery, together with the casino takeover deal and the subsequent extension of the poker machine monopoly, had been subject to public scrutiny, the results would have been different.

The next part of the framework is to impose financial discipline in government. I make this commitment. Taxes and charges will not increase in real terms in Labor's first term of government. This imposes a discipline on us for expenditure of the public's money and provides predictability for Territorians and Territory business. We will initiate program budgeting; that is, programs that are costed in advance, monitored, and reviewed regularly for all achievements. No longer will government departments be able to put forward budgets based simply on the previous year's expenditure plus a percentage for inflation. Ministers will be held accountable for managing this process.

We will introduce triennial funding in Territory government planning. That means savings through continuity, guaranteed levels of expenditure, and long-range planning. The first to have triennial funding will include the Tourist Commission, Police, Fire and Emergency Services and Aboriginal health services. We will rationalise the provision of services. We will work with the Commonwealth to achieve real savings for the Police, Fire and Emergency Services, and Aboriginal health services. We will rationalise the provision of services. We will work with the Commonwealth to achieve real

savings, eliminating duplication and coordinating approaches. We can work together on delivery of services in education, in health, and in the delivery of services to Aboriginal communities. Our aim is to make the most efficient use of the taxpayer's dollar and to ensure that the community, as a whole, benefits.

We will show the community that Labor in government is willing to work harder and to lead by example. We will reduce the number of ministries from 9 to 7. Savings from this move alone will be in the order of $1m a year. We will eliminate unnecessary government advertising, which has been abused by the CLP in the past. Telling Territorians what a great place they live in is like carrying coals to Newcastle. We estimate that upwards of $1m can and will be saved by ending this waste.

We will manage our debt. At a per capita basis of nearly $10 000, the Territory debt is the highest in Australia. It must be brought under strict control. Labor is committed to a full review of our debt situation and will provide forward estimates of debt over a 5-year period. We will undertake a program of asset management. We will develop a register of all government assets including land, buildings, vehicles and equipment. We must know what we own and what it is worth. This leads us into management replacement and maintenance programs and schedules. Budget processes will be streamlined by this standard business practice.

The cornerstone in our approach to restructuring the management of government is to develop an absolutely independent public service. Labor will define clearly the responsibilities of ministers and departments. The government will set policies and the public service will implement them. Promotion on merit will end the CLP domination of the public service and ensure that advice is realistic and not just politically comfortable. As well, new standards of accountability and a new system of performance-based agreements will be developed for senior executives. The end result will be a more professional, independent and effective public service. This improved and professional public service is fundamental to our approach to restructuring the management of government, and we will match it with a code of ethics for all government ministers.

Mr Speaker, we will put our house in order. We will exercise discipline. We will give Territorians a say in their future. That is the framework for administration.

Now, I turn to the framework for our economic future. The Territory's future depends on the efforts of Territory businessmen and women who have made a commitment of money and effort to the Northern Territory. They want 2 things from government: certainty in their dealings with government, and the ability to get on with the task of creating jobs. Labor will provide support for small business through creating that steady business environment. Business will know the procedures for dealing with government. There will be a level playing field, and there will be no favours. My government will ensure that Territory businesses are at the centre of its approach to economic development.

Labor governments in Western Australia and Queensland, a Labor government in the Territory and Senator Bob Collins as Minister for Northern Development will provide a unique opportunity to approach economic development across the north of Australia in a coordinated manner. The nation is looking to the north. The north must coordinate its approach to economic and social issues into the 21st century. Already, preliminary discussions with state leaders have brought agreement on 6 broad areas for

further discussion. These are: a common approach to the federal government on northern development issues; integrated tourism marketing to reduce costs and promote across-the-north travel; inter-governmental infrastructure planning in areas such as roads and resource development projects; joint post-deregulation negotiations with national and international carriers for northern air services; common business incentives to promote small business growth throughout the region; and planned specialisation in education and medical facilities to establish regional centres of excellence. This approach recognises the special plans and potential of the Territory, and the need for a cooperative effort to fulfil that potential.

A Labor government will establish Trade North to coordinate and effectively assist Territory firms wanting to export, and to encourage foreign investment in the Territory. A key feature will be the effective combination of our efforts and the efforts of Canberra-based departments, particularly Austrade. Trade North will have a private sector board of management, with industry and union representation. It will bring together the government's export and trade-related expertise. It will absorb Trade Development Zone Authority staff and staff from other departments involved in export and trade. The Trade Development Zone will be integrated into the local economy by being brought under the Trade North umbrella.

The next few decades will see dramatic economic growth in northern Australia and Asia. Labor is committed to cementing the Territory's place as a key regional centre. Major elements of this are: development of an integrated transport network, including port facilities, road networks to the south, east and west and, later, a railway line; promotion of education, health, sporting and cultural links; promotion of exports and attraction of foreign investment through the integrated services offered by Trade North; and development of Darwin as a regional centre supplying services for the near Asian area.

The Territory economy relies on the well-being of regional economies as much as it depends on Darwin. Labor in government will treat our regions as areas of potential growth and areas where job development is needed. We will eliminate the Berrimah line. Regional centres will no longer be colonies of Darwin. As part of this commitment, Labor will establish regional facilitator positions to work with entrepreneurs in the community to generate jobs and business. Tennant Creek and Nhulunbuy will be the first communities to receive these positions.

Resource-based industries are a major generator of wealth for the Territory and for the nation. We will negotiate infrastructure arrangements with companies at the project planning stage, before a sod is turned. We will formalise arrangements in development agreements. We will negotiate infrastructure assistance and return for those development agreements, linking new projects to local resources. There will be no more disputes over such issues as who should provide the doctor, who maintains the roads, and who provides the childcare facility. No more taxpayers' money will be spent on running electricity lines to development sites where power is either not wanted or the users are not prepared to pay for it. We will require developers to be good corporate citizens. Also, we will require commitment to the involvement of local companies in the construction, supply and operating facets of their business. Developers seeking assistance from the Territory will be expected, in return, to see themselves as part of the Territory economic community and committed to its development.

A Labor government will review the mining royalties legislation to determine whether it is an impediment to development in the Northern

Territory. My government will provide clear guidelines to all companies on the environmental assessment steps that need to be taken to get a project off the ground.

Labor recognises the changing attitude of many Aboriginal communities to mining on Aboriginal land. I have asked my colleague the shadow minister for mines and energy to develop ways in which government, Aboriginal communities, land councils and mining companies can cooperate in examining the broad range of issues concerning exploration and mining on Aboriginal land. We will replace confrontation with cooperation. We will provide an economic base for Aboriginal communities and, at the same time, increase the Territory's productive capacity.

Labor will ensure there is a consistent approach to exploration and mining across government departments, and will identify department officers to work projects through the system. Oil and gas have enormous potential to provide benefits to the Territory. Already, they have made a vital contribution to the Territory economy. The federal government's review of the resource rent tax, announced in the budget, will have a dramatic impact on the level of exploration. The Smith government will build on that foundation to ensure that Darwin becomes a major resource centre for physical resources and for expertise.

The prime objective is to find major new consumers for Territory gas. Labor's top priority is the pipeline to Gove. Already, Labor has had preliminary discussions with Aboriginal interests on the route for this pipeline. I have also had preliminary discussions with the Queensland Minister for Mines and Energy on the prospect of Territory gas being used for Mt Isa. The North Australian Economic Community will, in the future, provide a broader context within which important questions of resource management can be rationalised right across the north.

Tourism is the most significant job creator in the Northern Territory, employing close to 10 000 people. Labor will support the industry through: guaranteed triennial funding to the Tourist Commission to enable it to plan in advance; priority upgrading of facilities along major highways; working within the framework of the North Australian Economic Community to encourage the promotion of northern Australian destinations; and, encouraging the Northern Territory University and TAFE to work in conjunction with the James Cook University to provide a full range of tourism training courses across the spectrum.

A Labor government will work to re-establish the processing of cattle in the Territory. Less than 30% of cattle turned off are slaughtered at Northern Territory abattoirs. Nearly two-thirds are exported live either interstate or overseas. This trend must be reversed. Labor will consult with the industry on research and market development to move this industry back to its more traditional place as a cornerstone of the Northern Territory economy.

Changes in land tenure need to be made, and my colleague the Deputy Leader of the Opposition will develop this point in his remarks. I can advise that a register of foreign land ownership will be established by a Labor government.

The horticultural industry is an increasingly important element of the Territory economy through the commitment of individuals, resources and energy. Labor will provide the support necessary to ensure that it remains competitive. This is an export industry, part of Trade North's

responsibilities. Labor will build the roads and coordinate cold storage facilities planning to allow this industry to develop. We will coordinate research into alternatives to freezer vans to move our produce south.

The identification and release of good arable land, with adequate water resources and in parcels large enough to support profitable enterprises, will be another initiative. It is vital that we continue research into new varieties of plants, fruits and vegetables and that we provide support to industry groups in their marketing efforts.

Mr Reed: That is why we bought a research station.

Mr SMITH: That is why you have closed down Tortilla Flats.

This will include field research into blockages such as quarantine requirements.

The construction industry has long been the most important private enterprise job generator in the Northern Territory. A combination of lower government capital works programs and a declining population has led to a contraction of the industry. We have the opportunity to bring some order to the industry. Labor will work with the industry to ensure that, as far as is practicable, the government capital works program evens out the workload in the industry, to develop forms of contract to give greater security of payment to subcontractors on government financed projects, and to develop a tendering process which recognises that the lowest price is not necessarily the best price.

We will structure the Tender Board to ensure that relevant expertise is available in assessing tenders and their prices. We will maximise the involvement of local business, including the construction industry, in development projects through development agreements. We will establish a builders licensing board to protect consumers and to preserve the good name of businesses which offer a quality product. We will ensure that departments pay within 30 days of receipt of their bills.

Mr Coulter: Now it comes within 2 weeks. People will be pleased with that.

Mr SPEAKER: Order!

Mr Vale: Smile Terry, you are on candid camera.

Mr SPEAKER: Order! The Minister for Tourism will remain silent.

Mr SMITH: Trade North will promote special expertise in our building industry, particularly the capacity to build in cyclone prone areas, across the North Australian Economic Community and into Asia.

Through the North Australian Economic Community, Labor will provide a larger market area for all our manufacturing and secondary industry. Manufacturers wishing to be involved in export will be eligible for assistance through Trade North. We will give local manufacturers the best possible chance to compete for work and new projects through arrangements under the development agreements. Labor will continue to support the operations of the ISO, another successful Labor initiative.

Labor plans to establish a defence industry liaison unit within the Department of Economic Development. This unit will develop the defence

support industry and identify potential contracts in Australia and the near Asian area. Let me give you an example, Mr Speaker. Certainly, we will have the 2nd Cavalry in the Top End. With it will come the Leopard tank, a sophisticated piece of modern machinery. The liaison unit will discuss with the defence forces and local business how the support and maintenance requirements of the Leopard tanks can be met locally.

It is all very well and proper for a government to work hard to develop industries which will provide jobs for Territorians. However, it is a fact of life that, if we are to ensure the fulfilment of the Territory's great potential, all Territorians must have the opportunity to fulfil their individual potential. That is, after all, why we want to generate wealth - in order to improve the quality of life for everyone. The basis for providing people with the opportunity to fulfil their potential must be that they will not be discriminated against and will have a fair go. Labor will legislate for equal opportunity and, as you are aware, Mr Speaker, I introduced draft legislation to that end last week.

Education will be one of the highest expenditure priorities of my government, to guarantee a skilled work force for strong economic growth, to ensure genuine equality of opportunity for all Territorians, irrespective of socioeconomic or cultural background, and to enable all individuals to develop their full potential to contribute to a more harmonious and productive society. Labor will commit resources to education to ensure that our retention rates to Year 12 recover and start moving towards the Australian average. We will commit resources to provide teachers who are fully qualified in their subject areas, so that our kids have the best opportunity for a productive future. Local recruitment of teachers will be increased, staff turnover decreased, and expenditure on non-educational matters, such as recruitment and relocation expenses, reduced. We will work with teachers and their representative bodies to ensure an adequate reimbursement package to get teachers to stay in remote area schools. We will also increase the number of fully-qualified Aboriginal teachers.

Labor's approach to health will be one of prevention rather than cure. We will direct more effort to preventing ill-health by providing more services at the local level and by encouraging people to accept responsibility for their own health status. My government will reduce the human and economic costs to the community of alcohol abuse. That problem costs the community $200m in lost productivity, road accident trauma, family disruption, violence and other crime, child neglect, deaths and illness. As a start, we will move responsibility for the liquor commission to the health portfolio. Revenues from the commission will be invested in the promotion of good health and the provision of services.

Women are the majority of health carers and users of health services. Their needs in both roles must be supported in the health care system. We will ensure that services, training and development opportunities recognise the health needs of all women. Labor will give special emphasis to the training of health professionals in women's health perspectives. Particular attention will be paid to the needs of women who are caring for others, women with disabilities, and the needs of those with different ethnic backgrounds.

We will pay more attention to public health. Provision of adequate water, sewerage, hygiene, housing and access to information is essential to a healthier Northern Territory. It is through this approach that we will be able to contain the cost of health care while ensuring the needs of Territorians are met. It is a long-term approach, but it is a necessary one.

The 1990s will be the decade of environmental management. Care for the environment cannot be considered separately from issues of development. They must be taken together and at the earliest stages of planning, not as an afterthought. A Smith government will overhaul planning and environmental processes to achieve these aims. Planning and environmental matters will be brought together in a Department of Planning and Environment. Labor will introduce resource management legislation which will bring together legislation covering planning and environmental management. Environmental standards will be set for air, soil and water quality, noise levels and waste management. Clear procedures will be outlined in relation to EIS requirements and for approval of projects. The Smith government's aim is to develop the Territory whilst protecting and enhancing the values which make the Territory such a wonderful place to live.

My government will recognise Territorians' needs and rights to a secure life. To ensure the first security, the Smith government must and will sustain the rule of law. The government will protect the law-abiding. The first line of defence is a police force, and we must protect that line. We must provide it with the resources, training and support it needs. This means setting in place the basic structural reforms which will enable our police officers to do their job rather than being handcuffed to typewriters and paperwork. It means that any attempt to corrupt the police force will be met with implacable and ruthless opposition. Those who would undermine the police do not threaten governments; they threaten the whole of our society.

Because the community's second line of defence against crime is the community itself, initiatives already introduced by Labor, such as Neighbourhood Watch, are to be extended. My government will do more. It will recognise that young offenders pose a long-term threat to society and to themselves. Therefore, it will introduce a juvenile intervention program designed to cut short the criminal career - not a do-gooder program, Mr Speaker, but a do-better program.

The broad vision of a Labor government in the Territory and all the interlocking elements of that vision are focused on a single point - the family. We no longer want to have people seeing the Territory as a tour of duty. We want people to make the Territory their home for their entire lives and for the lives of successive generations. My government sees the well-being of families as the starting point for government policies. We see it as the whole point and the whole purpose of being in government. That means providing people with secure jobs. It means providing the opportunities people need to prosper. It means providing whole-of-life services. It means maintaining the quality of life by protecting our environment and safeguarding our freedom and rights. It means government that nurtures careful growth to bring long-term employment and security for the family. It means government focused on a stable cost of living and services like housing.

For the public servant, it means putting pride back into the service. It means direction and stability and the knowledge that you can and will do your job without political interference. For those vital people running a home, it means being able to balance the household budget. It means better education for their kids. It means a more sensitive health care policy. It means being able to stay here and watch your grandchildren grow up. For our teenagers, it means staying on at school and making a career here. It means having a great, open, safe place to grow in. It means going out into the world, knowing you have a place you will always call home. For the

youngest, for the smallest, for the most vulnerable, it means a government determined to leave this place better than we found it.

Mr Speaker, we know our vast and rich estate. We know the extent of our resources. We know our time in the nation's destiny has come - time to show the rest of Australia the benefits of social and cultural cohesion, time to demonstrate that we are the link between Australia and its neighbourhood in Asia. This is our opportunity, and Labor in government will not waste it.

Mr COULTER (Mines and Energy): Mr Speaker, I intend to pay as much attention to the Leader of the Opposition's response to the 1990-91 budget as he did to the budget itself, and that is precious little. I have been a member of this House since 1983, and never in all the years since then have I witnessed such a blatant misuse of the time of parliament.

The speech by the Leader of the Opposition was a speech for the Labor Party faithful at a fund-raising lunch at the Jade Garden. Most definitely, it was not a fitting speech for today's reserved time in the Assembly, the time which we extended to him through every possible courtesy, the time we allowed to him to look over all the budget figures, the time he was given to muster expert advice, the time in which the Leader of the Opposition could have fulfilled his clear, public duty to examine the 1990-91 Territory budget with a critical eye, and the time in which, normally, he would be expected to offer Labor's alternative financial management plan. This he did not do. Instead, we heard 30 minutes of soapbox rhetoric, a remix of Labor's various policy announcements, a fistful of cliches and a sermon from the Labor pulpit. He provided no figures, no examination of the budget, and no alternative financial management plan. His contribution was a gross dereliction of his duty to the House, to his party, to his supporters and to the Territory public. From his speech, we can all safely assume that he has endorsed the Territory government's budget, because he has provided no detailed criticism.

Before I pass on to matters real and positive, I will spend a brief time looking at what the Leader of the Opposition did say. He said he would not increase taxes and charges by more than the inflation rate. I suppose that means we could expect an immediate 8% increase in electricity tariffs under a Smith government. In fact, he might want to apply that retrospectively to the government freeze on electricity charges dating back to October 1986. Maybe he is talking about a 40% rise in electricity charges. An 8% increase across the board on Territory taxes and charges would cost Territorians an extra $13m in the current financial year.

The Leader of the Opposition said that he would institute program budgeting. Already, we have program budgeting. We have a detailed and sophisticated budget review process before, during and after each year. We have presented program information for the past 3 years, and we have actually appropriated budget activities which are aggregated programs for the past 2 years. He said that Labor would manage debt. Where was he last week? In Antarctica? Obviously, he took no notice at all of the comprehensive and detailed debt management statement delivered in this House by the Chief Minister and Treasurer.

He said that Labor would introduce common business incentives to provide business growth across the north. This is naive in the extreme and it would massively disadvantage the Territory business community. The CLP government believes in looking after Territorians first.

He said that his much-vaunted Trade North would absorb staff from other departments and authorities involved in export. Our biggest exports by far come from mining and the pastoral industry. Does this mean that Trade North will gobble up the Departments of Mines and Energy and Primary Industry and Fisheries?

He said that Labor would manage the economy in a responsible and disciplined manner. Yet a detailed costing of his promises, plans and proposals shows that, to pay for them all, he would have to find $187m in addition to existing NT budget outlays. How would he do this without imposing a huge cost on Territorians or without wholesale sackings throughout the public service, which is the Labor answer in Tasmania.

In summary, the Leader of the Opposition delivered 3 pages of motherhood statements; 1½ pages of cliches criticising the budget, without any figures or details to back up that criticism; and 25 pages of pre-announced policy press releases. Altogether, he has given us a total of 170 paragraphs, of which 140 paragraphs are devoted to endorsement of existing government programs, leaving just 30 paragraphs of pre-announced Labor policy fluff, shamelessly stolen from the Labor disaster states of Western Australia and Victoria. That was what we heard.

Let me bring this debate back into a constructive perspective. Despite the limitations imposed on us by the federal government's determination to do all its cost-cutting through the states via the Premiers Conference, the 1990-91 Territory budget continues to foster a climate in which the Territory progresses and prospers. I will demonstrate that by exploring some of the budget initiatives contained within the portfolios under my administration.

I refer firstly to the Department of Industries and Development. Let me sharpen the appetite of honourable members with a list of projects currently coming on line or which will come to fruition in the next few months with the help and assistance of the department.

Mr Ede: Big-bang Barry.

Mr COULTER: This is not blue-sky stuff, not even 'Big-bang Barry' stuff. I am talking about hard and fast commitments, projects which will happen.

Mr Ede: Like the battery factory? Do you remember that one? You cannot even remember your own projects.

Mr COULTER: I cannot remember it. Do you want to give me some details about the battery factory?

Mr Ede: I will have to drag out your own press releases.

Mr COULTER: Have you any other information?

Mr Ede: Yes. Manganese enrichment gear was going to be used, and we were going to get into the battery building business. Remember?

Mr COULTER: Yes, it went to Tasmania. We can buy Tasmania cheaply. We have had it on offer for a while. We are just considering our options.

Mr Ede: You are the only ones who would even think of buying it.

Mr COULTER: The receiver is still trying to make up his mind whether or not to annex it to New Zealand.

Mr Speaker, let us have a look at some of the projects which are coming up and which will contribute to the Territory economy and Territory job-creation. The first example is the dimension stone processing plant currently going through the final stages of a feasibility study. There is little doubt that the construction of an $11m development will start at Berrimah by the end of the year. Of course, this is a very desirable project because it will involve substantial downstream processing of Territory granite resources for the first time. I understand the plant will provide direct employment for about 20 people.

A factory manufacturing electrical components and representing a $3m to $4m investment from Asia is likely to be operational before the end of the year, with the only decision yet to be made relating to the site. This factory would be the first stage in a 3-stage proposal involving an ultimate investment of about $20m and several factories. Plans for a paint manufacturing plant in Darwin have been finalised this week. This will be a joint venture between a local company and a large corporation from mainland China and will represent an investment in the range of $5m to $6m. Construction should start during the next 6 months. A Brisbane-based firm has completed plans to set up a small plant in the Darwin port area to manufacture valves and associated products. It will be servicing and supplying the Territory mining industry, particularly the Nabalco operation at Nhulunbuy, and providing import substitution. And, a new bakery will be established in Darwin at a cost of about $1m within the next 3 months. It is a direct result of the Touche Ross import substitution study commissioned last year by this government.

Next week, I will be opening a factory built by ICI at Berrimah to manufacture emulsion for use in explosives. This meets a substantial and growing Territory market within the mining industry. A small local business with an exotic flavour is being established in Darwin to export Territory shark fin to Singapore. Later plans for the enterprise include shredding and packaging of shark fin - in other words, downstream processing.

Honourable members will have heard me speak before in this House about Modular Medical Products, a Darwin company manufacturing innovative wheelchairs. This company is now expanding rapidly and is currently exporting an initial 20 wheelchairs to Hong Kong. A local firm is establishing a joint venture in Darwin with a Singapore company to grow and export Territory orchids. The joint venture guarantees a substantial market in Singapore. It will also mean improvement of breeding and growing techniques through cross-fertilisation techniques.

Outside Darwin, the story continues. In Alice Springs, a company is close to opening its plant to manufacture batteries for diesel generation. These particular batteries offer substantial fuel cost reductions to diesel power plants at remote localities in the Territory. A number of tourism projects are also ready for introduction in the Alice Springs region. One is a new caravan park and 2 others involve unique Territory experiences for tourists. A joint venture between a Norwegian and a Western Australian company will be set up at Pine Creek to produce emulsion for explosives, similar to the ICI facility at Berrimah which I mentioned earlier. In Katherine, plans have been finalised for a salt processing plant which will refine local salt for domestic and export markets.

The list of projects goes on and on, and I do not have the time today to mention them all. The common thread is that all have been attracted through the Department of Industries and Development, through assistance and advice, and the introduction, identification and promotion of markets and opportunities. There are many more projects which could be classified as highly prospective but it would be premature to discuss them at this stage. The budget continues and expands the department's program of assistance and advice to existing businesses within the Territory.

A fortnight ago, I had the pleasure of opening Business in the Community in Darwin, a private sector initiative offering business help and advice. This was set up with seed funding from the department, which will continue to have an active role in an advisory capacity. The department will continue to offer specialised help in the private sector, particularly in such expert fields as financial modelling. The department continues to operate small business workshops in the Industrial Supplies Office. The business centre in Territory Perspective is being expanded and, this year, will open a central Australian perspective in Alice Springs.

Capital works expenditure at the Trade Development Zone has been reduced from just over $8m to $5.6m this year. The bulk of this will be used to complete existing factory buildings. The reduction is a result of timing uncertainty about Asian companies which had proposed to be operating in the zone by now, but which have been delayed by Commonwealth authorities, particularly the Department of Immigration, in the wake of the Hengyang saga. Nevertheless, prospects for the zone continue to look extremely bright. Not one perspective zone entrant has disappeared as a result of the unfortunate Hengyang matter. A long list of companies are still anxious to establish factory operations at the TDZ, from areas such as Hong Kong, China, Singapore, Malaysia and Indonesia. Recruitment and training programs are being put in place to address the critical question of skilled labour availability. We have to create a pool of Australian labour supplemented by specialised skills which may have to be brought here from overseas. All parties - the Territory, the Commonwealth and the trade union movement - are working constructively on this matter.

Mr Speaker, I have said this before but it needs to be said again. The Territory needs a thriving and expanding Trade Development Zone to establish a solid manufacturing base. The zone is bigger than Hengyang. It is bigger than any of its participating companies. 1989 was a spectacular year for the zone in terms of growth and promotion. 1990 has been somewhat less successful, to put it mildly. However, the zone will continue and it will grow rapidly towards its potential. Despite Hengyang, it remains a cornerstone of future Territory economic development.

I turn now to the Power and Water Authority. A number of major projects are listed for implementation this financial year. They include construction of a 40 km powerline to the Goodall Mine. That is the one that the Deputy Leader of the Opposition will be hanging from in a few weeks time. It will be completed in October at a cost of about $2m. It extends the government's vigorous campaign to expand the Territory power grid by connecting large-scale mining operations, thereby producing economy-of-scale benefits for all Territory electricity consumers. Also included will be: conversion to spark ignition and use of natural gas by the Elliott Power Station, and the supply of electricity, sewerage and hot and cold water to the Kings Canyon tourism project. The hot water will be generated by using waste heat from the local power station.

A feasibility study will be undertaken to determine whether water from the Alice Springs town basin can be purified and, if so, to what degree. It may be that desalinated basin water can be used to augment the supply from the current Roe Creek bore field, or perhaps used to irrigate parks and gardens.

A new $500 000 power station will be supplied for the Mt Liebig Aboriginal community, which has a population of about 300. The Ron Goodwin Power Station in Alice Springs will be upgraded, with provision of a $2.1m, 22 kV line. This will increase reliability of power supplies throughout Alice Springs. Almost $1m is provided for sewerage systems on Aboriginal communities. Provision is made for the $15m program for construction of a flood mitigation dam for Alice Springs, including a $3m cash allocation for design and earthworks. This is conditional, of course, on the acceptance of a final environmental impact statement. Upgrading of power, water and sewerage facilities will be undertaken at 4 Aboriginal communities in the Katherine region, at a total cost of $860 000. Also, the budget provides a $500 000 greening subsidy for the 6 major local government councils, for irrigation of parks and nature strips.

The focus of Mines and Energy activities in this financial year will be: the continuing development of the oil industry, particularly in the Timor Sea; development of gas resources and gas processing industries; the possibilities and probabilities of new gas pipelines to Gove, Queensland and South Australia; extension of the power grid to major mining sites; and the development and expansion of mining operations throughout the Territory.

Mr Ede: You are just copying Terry Smith's speech.

Mr COULTER: Mr Speaker, either the Leader of the Opposition has been keeping the articles which Frank Alcourta has been writing over the last 10 years, or he has been following me around Australia. Indeed, most of the 140 paragraphs in his 170-paragraph speech were an endorsement of government policy and came from what I have been saying for many years in various places including, of course, the North Australian Development Seminar, for which he knocked me. He said that my comments were irresponsible and absurd. Today, he stood before this House and used my very words as part of his response to the budget. Well, it will not work. Members of the opposition may be able to hum the tune but they do not understand the words. They do not understand what development means.

Until very recently, the opposition had no mining policy. It had a very detailed bee-keeping policy but its platform contained no mining policy. Yet the Leader of the Opposition had the cheek to get up here today and talk about mining and creating jobs, and the resources of the estate. We have over $12 000m-worth of resources in this estate. It is locked up for one reason only - because of federal government policy. The members opposite are not fair dinkum.

I was discussing the federal Treasurer, and whether or not he is fair dinkum, with my colleague the member for Ludmilla. This country is on its knees, and the federal Treasurer appears on national television and talks about 0.5 percentage points of GDP. He is very plausible indeed, but surely he must realise the reality - that this country is crippled. The member for Ludmilla remarked that, if Treasurer Keating had been the captain of the Titanic when it hit the iceberg, he would have convinced the people on board that he had only stopped for crushed ice for the cocktails, and probably he would have gotten away with it! The reality is that this country is going down the gurgler and that people are hurting. Small businesses are going

bankrupt at the rate of 1 every 3 minutes. Unemployment is rising, and no relief is being provided on interest rates.

Even the Japanese are turning away from us, with fire sales of hotels around Australia because of the Labor-induced pilots' dispute. Who will ever forget the Prime Minister's comment about '6 hours at the stick', which so aggravated and inflamed that situation? The dispute bankrupted the tourism industry in Australia. That is what we have to contend with. It is all very well for Mr Keating to stand on national television arguing percentage points of GDP. The real fact is that people in the community are hurting. People are going bankrupt.

Doesn't the Leader of the Opposition, the champion of small business, know that, every 3 minutes, a small business closes down because it can no longer operate in Australia? Doesn't he know that, other than the Goodwin platform, there is no $1000m project anywhere in Australia? There is none. There is a $104m repairs and maintenance project at Nabalco, a project which will tidy the plant up and bring in a bit of new technology. Whilst that is a significant project in Territory terms, it is also being looked at as a major project in national terms. It is now considered to be a major project by the likes of Bechtel, which has been to my office recently looking for work. This country is bankrupt.

Thank goodness we have had a CLP government in the Territory - and I say that with all sincerity. Because we have had the guts to do many of the innovative things, we will miss this depression that the country is heading into and the recession that it is in now. It is no use talking to me about soft landings. We are in a nosedive on full throttle. If the member for Stuart does not believe that, I have lost confidence in him, because even he is an economic realist who must understand that people in the community are hurting.

Mr Ede: If you reckon the Northern Territory could quarantine itself from a national collapse, you have rocks in your head.

Mr COULTER: Go and have a fireside chat with Cassandra, your father-in-law. If he will not send you a letter, I will buy you The Australian and you can read what Cassandra has to say. If he is not sitting down with you and talking a bit of sense into you, I am totally disappointed in the family. I know your father-in-law well. He has given me a tune-up from time to time. He is a political realist and, if some of his realism is not rubbing off on you, we are in trouble. I am sorry to bring the family into the debate ...

Mr Ede: It makes it a bit hard to debate the point.

Mr COULTER: ... but he is an economic realist. He is one of the very few in the federal Labor Party who do understand that we are in trouble. There is no need for all this rhetoric about soft landings when the fact is that we are in a nosedive on full throttle.

We will escape it here in the Territory. We have done it before. Not long ago, on self-government, really Darwin was a public service town with a garrison mentality. We were a post box, as the honourable member for Barkly said. Today, we have a horticultural industry which has grown in value from $400 000 6 years ago to $23m today. We are turning off 330 000 head of cattle. We are exporting $1000m-worth of minerals. In 1990-91, we will export almost $800m-worth of hydrocarbons or certainly utilise it, and that includes the gas fields. We are now self-sufficient in our grain industry.

We have our own university, and an education system second to none. We have private hospitals, private generating sets and even private powerlines. This Northern Territory, this one-sixth of Australia, will survive this recession. We will pay our way. Every Territorian can be immensely proud of our exports.

The Leader of the Opposition talked about north Australian development. Its existence has suddenly dawned on him. It is doing fine. It is a little how Maggie Hickey was until the Deputy Leader of the Opposition became her campaign manager. Without him, she got within 16 votes of the member for Barkly. When the member for Stuart turned up, she lost by 360 votes.

Mr Ede: Never mind. She will come back.

Mr COULTER: Northern Australian development is doing fine, thank you very much, without the Leader of the Opposition. Above the 26th parallel, there are 1 million people in Australia. These people export $185 000m-worth of wealth, 44.4% of Australia's total exports. We do not need the Leader of the Opposition. We do not need another Maggie Hickey story. There are probably people who would pay him to stay away.

I liked the Leader of the Opposition's story about how he talked to the Queensland minister about Queensland taking Northern Territory gas. He did not say what the Queensland minister said. I can tell him what the minister said, because he told me! So much for cooperation across the borders!

What sort of help does the Leader of the Opposition really think he will get from Western Australia? Members of the Western Australian government are trying to survive long enough to see who will pay for the Christmas cake. They are having a whip-round. The place is finished. Recently, I spoke to someone who sells a well-known brand of mining equipment. In a period of 8 months, 3 Perth-based salesmen have not sold 1 item of that very well-known equipment. I understand that membership of the Western Australian Branch of the Chamber of Mines has dropped by 50%, and I would not be surprised if somebody ended up in jail as a result of the Western Australian government's involvement in petrochemical deals.

Victoria is in a similar situation, as is Tasmania which received $50m extra from the federal government this year so that it could make redundancy payments to public servants. That was the reason for its $50m special assistance grant. What Labor has done to this country is a disgrace, and I congratulate people like Senator Walsh on their economic rationalism.

Mr Ede: You did not think he was such a good fellow a few years ago.

Mr COULTER: No, I didn't. I will admit that. He tuned me up on a couple of matters which I went to speak to him about. However, at least I could talk to him. He knows the hard facts and the realities of life. Ask him if he reckons we are in for a soft landing. Ask him, or read Cassandra in The Australian. He will tell you all right. He agrees that we are in a nosedive on full throttle.

I turn now to the mining industry. The key factor in integrating the offshore oil industry with the Darwin business community will be the construction of the offshore supply base in Darwin. A feasibility study for the $50m project will be completed shortly and I have the confident expectation that the international ADDCAP consortium will begin construction soon after. By the end of October this year, the Territory will have

5 offshore oil wells and 3 onshore wells producing more than 100 000 barrels per day. By the end of the 1990-1991 financial year, that output is expected to grow dramatically. It is estimated that 22 offshore wells and 6 onshore wells will be running, resulting in exploration expenditure of more than $220m.

BHP is spending $694 per minute on exploration in the Territory. The next biggest spender in this part of the woods would be the Northern Territory government, which spends $5m every working day. That is the extent of the task that we have been entrusted with in this budget, and the honourable Treasurer is doing an excellent job. He is the longest-serving minister in Australia today and he has done a great deal for the Northern Territory, unlike the captain of the Titanic who, when his ship crashed into the iceberg, told everybody that he had just stopped for crushed ice for the cocktails. Under our Treasurer, we have had nothing but growth, growth, growth and jobs, jobs, jobs. We are very proud of our Treasurer.

Feasibility studies are currently under way for a gas-stripping plant, gas reticulation in Darwin, an LPG import and storage plant, an industrial wax plant, a major LNG export plant, an ammonia/urea plant and an oil refinery.

Honourable members will be aware that the 1990-91 financial year will be an extremely important and decisive 12 months for mineral and hydrocarbon industry growth. There is neither the time nor the opportunity today to explore this matter in the manner that it deserves. For the benefit of honourable members, it may be that it should be the subject of a substantial statement to this House during the next sittings, and I will give this strong consideration in the next few weeks.

Mr FINCH (Transport and Works): Mr Speaker, the Leader of the Opposition has given a classic example of just what the opposition has to offer to Territorians. No matter where one sits politically, one has to say that, when a member abrogates his responsibility to comment constructively on the budget put forward for his constituency and fails to offer some constructive alternative, it is abysmal. I will not reflect on the Leader of the Opposition. That has been well and truly done. Nor will I reflect on the Deputy Leader of the Opposition, who is stuck to his seat now.

Let me speak very constructively about what this budget contains for Territorians. In doing so, I wish to acknowledge the contribution of the Department of Transport and Works - one of those departments for which I carry responsibility - in what has been yet another tough year. In summary, again the department has managed to do more with less. The department's staffing numbers have continued to decline over the last 4 years. There has been a decrease of about 110 in the last 3 years, despite an increase in overall activity. The department is an extremely efficient organisation, particularly when one compares it with similar construction organisations interstate.

The Roads Division has the lowest staffing level per productivity output of any road authority in Australia by at least 50%. The division's construction works are carried out almost entirely by the private sector and in a most efficient manner. Some 98% of our road works is carried out by the private sector, providing great value for the taxpayer's dollar. The department has 3 or 4 road gangs engaged on maintenance work, mainly in central Australia. Apart from that, even grass slashing on the road verges is contracted out.

All building maintenance is carried out by the private sector in an efficient and effective manner. When one listens to the Leader of the Opposition's very hollow echoes, he would somehow look for a future in the hands of the business sector. Of course, the Territory government has been doing that for its 4 consecutive terms in office since self-government. If we look at the actual levels of expenditure, the total Transport and Works budget is $243m. That is a modest budget, but adequate given the department's history of efficiency in the delivery of service. The capital works appropriation is $139m which represents some 57.6% of the department's total budget. When to that is added the repairs and maintenance work, it will be noted that the flow of capital works and maintenance work that is undertaken across the Territory is being advanced with an absolute minimum of administrative cost. The department has about two-thirds of the total capital works budget. Of course, it is responsible for the majority of capital works and much of the maintenance carried out on behalf of most government departments.

Our current staffing level is 1259, a decrease of 111 since 1987-88. The public works allocation is $93.99m. That will allow the department to undertake many valuable works for its clients such as Lands and Housing and the Supreme Court. That cash represents a very effective injection into jobs within the Northern Territory economy. Some of our major public works for this year include a multi-skills training centre at the Northern Territory University, court reporting facilities in the new Supreme Court, the development of Ormiston Gorge and construction of a technology facility at Batchelor College.

We have seen the federal capital works program decline from $59m in the budget before last to some $52m - out of which it spent only $39m in cash in the Territory - to a $34m budget in the last financial year. We do not know actually what was spent, but we believe it was about $28 to $29m. This year, it is so bad that the federal government has not even produced a capital works program booklet. The people in industry who are relying on the federal Labor government for small contributions to their workload this year will be absolutely mystified. Last year, we had a budget paper which indicated to us some of those horrific figures. The decline is there. We heard the Leader of the Opposition speaking about the new 5th Cavalry Regiment. He might be ahead of us and have some of inside information.

Mr Hatton: We have not had the 2nd Cavalry yet.

Mr FINCH: We are still waiting for the 2nd Cavalry, but the 5th is apparently on the way. What is really required for industry is the figures on what cash will be flowing into the economy. For the first time, the Hawke government has failed to tell us what industry can expect. That must surely ring some ominous bells for members of the public.

Let us look at the role that the Supreme Court project has played. Almost 1000 people have been employed directly or indirectly over a significant period. The equivalent number of full-time jobs there is in the order of 340 people. There are at least that many off-site as well - people involved in supply organisations and manufacturing, and in all of the various support services. That is quite a substantial number. A decision was taken by the CLP government 2 years ago to proceed with the Supreme Court building and the Parliament House project over a 4-year period and this has provided an average injection of $25m a year into the construction industry.

It is all very well for the Leader of the Opposition to talk about the construction industry still being in a depressed state. He is the one who says categorically, along with his coalition partner, the member for Barkly, that they would stop this project forthwith. They are the ones who will answer to those 1000 people. The same will apply to the Parliament House project. They will tell them that they will have to line up with their families in the dole queue.

Mrs Padgham-Purich: Build things in the rural area.

Mr FINCH: Mr Speaker, we have had the member of Koolpinyah and the member for Barkly telling us for 2 years that there are many projects that could be undertaken in place of the Supreme Court building and Parliament House. However, not one alternative has been suggested. When you consider the $30m decrease in the federal budget over the last 2 years and a $70m decrease in building expenditure by the private sector, the small injection from the Supreme Court project - a building that was justified - was more than warranted.

With regard to road funding, over the years, we have seen a tremendous improvement in the road network throughout the Northern Territory although, of course, some thousands of kilometres have yet to be brought up to scratch. We have some 29 000 km of gravel roads throughout the Northern Territory which will take many years yet to bring up to standard and that includes some 7600 km of roads on Aboriginal communities. To bring the roads, the 109 airstrips and the 13 barge landings in Aboriginal communities up to a reasonable standard will cost $72m. When it is appreciated that all expenditure on those items comes out of the Territory budget and not 1¢ from the federal coffers, it can be understood why the department is putting forward to the federal Department of Transport and Communications a substantive paper on the reasons for which the federal government should accept some of the responsibility for meeting those requirements.

The members for Stuart and MacDonnell make great mileage about how this is not done, that is not done and something else is not done properly. In the adjournment debate last night, we were told about something that had not been done properly. It was said that PVC pipes had been used instead of copper pipes. Heaven forbid! The amount that we have to spend to bring those services to Aboriginal communities is much more in dollar terms than it is for suburbia. Of course, the commitment comes entirely from the CLP government and 100% of those works come from the CLP government. Do we ever receive any recognition for that? Is any encouragement given to this government to go to the federal government and ask for a fair share on behalf of those constituents of MacDonnell and Stuart? Never! All we hear is criticism that somebody used a piece of PVC pipe instead of a copper pipe so that we could have that health centre in operation before the commencement of the wet season.

Mr Collins: What is wrong with a PVC pipe?

Mr FINCH: There is nothing wrong with a PVC pipe. Transport and Works people are making decisions like that on behalf of the constituents. Despite the nonsense coming from the member for Stuart, their efforts are appreciated by the residents of the Northern Territory. The effectiveness with which they provide services is above that of any other instrumentality in Australia. The department's utilisation of the private sector is unsurpassed internationally. That is part of the track record of this government. It is not a hollow claim made about what the Leader of the

Opposition would have us believe the Labor Party might be doing in years to come.

Great emphasis is being placed on completing the national highway system. There has been a gradual 7-year decline in funding for the national highways by their owner, the federal government. In the last 2 years, that has declined from $30m to $20m. However, I am pleased to say that there has been a turnaround, and I acknowledge the commitment of the federal minister, Bob Brown, who visited the Northern Territory to see at first hand the state of that road. That road must be among the worst of Australia's national highways from the point of view of safety. It is still a single-lane sealed road for some 400 km of its length. Originally, the cost of upgrading was to be $300m but, because of the innovation and enterprise of the Department of Transport and Works, it will be developed to a reasonable 2-lane standard at a cost of $94m.

Mr Collins: Where is that, Fred?

Mr FINCH: I am talking about the stretch of the Victoria Highway from Katherine to the Western Australian border.

That demonstrates how this government is able to cooperate meaningfully with its neighbours in Queensland and Western Australia. We have participated in joint representations which have placed on the federal agenda the highway connections to Western Australia and Queensland. Honourable members will be delighted to know that, as a result of joint representations, we have some upgrading programs now for the road between Mt Isa and the Northern Territory border. Such achievements are a direct result of cooperation between ourselves and the states.

The Leader of the Opposition is kidding himself if he thinks that cooperation between the Northern Territory, Queensland and Western Australia would be easier if all 3 had Labor governments. That is nonsense. There are issues, and there should be issues, on which each would disagree. That is because, quite simply, we are different. We have different problems which need different solutions. The Leader of the Opposition would also be kidding himself - and this shows his lack of grasp on reality - if he thought that, automatically, he would get support from the federal government, simply by virtue of his leading a Labor government. That would be absolutely against the normal rule. One has only to talk to members of the South Australian and Western Australian Labor governments to see how they get on in relation to matters of transport and infrastructural development.

The Northern Territory has had genuine support from the Commonwealth in relation to roads, and I acknowledge that. However, I have some concerns because the announcements in the federal budget are a little difficult to sort out. A number of figures have been used for the federal contribution to road works, ranging from $48.6m to $53m. At officer level, we are endeavouring to sort out what that difference of almost $5m means. The federal minister made an absolute pre-election commitment to some $94m cash supplementary funding, of which $17m is required this year. I am sure that he will come good. However, as it reads at present, the budget does not demonstrate that. Therefore, I will hold my breath, unlike the federal member, Warren Snowdon, who said rather disparagingly on ABC radio the other morning that those who pooh-poohed the pre-election promises of total cash funding now had to swallow their words. I am not ready to swallow my words yet. I will not relax on behalf of Territorians until we receive the full $17m cash, $9m of which is referred to in the budget speech.

In terms of the funding of Territory roads, when one considers that some $3m-worth of work has been transferred back to the Department of Lands and Housing, the budget compares quite reasonably and favourably. The remainder of our emphasis will be on tourism-related development. Another substantial amount will be spent this year in Litchfield Park and on the Kakadu Highway. The Kings Canyon road and the commencement of the Luritja Road in central Australia are other focal points of this government's road program for the forthcoming year.

On the surface, honourable members may think that there has been some winding back in the maintenance commitment. One must remember, however, that last year we had some $5m-worth of one-off flood damage in Alice Springs. The net commitment to maintenance of our valuable road assets, comprising some 35 000 km, is only marginally below that of last year. Not only will existing assets be maintained, but the works flowing through to the smaller contractors will be quite beneficial.

I turn now to the Darwin Port Authority. There is a marginal increase in the authority's expenditure, but that comes substantially from debt servicing. This current budget contains the final payment on the Ro-Ro. Last week, a ship with a full cargo of motor vehicles was unloaded in not much more than an hour. This is a most efficient system, paid for at Territory taxpayers' expense and now almost paid off under a debt-servicing arrangement.

From reading the budget papers, it may appear that the situation on the waterfront is pretty much on line. Behind the scenes, however, we are leading Australia in terms of waterfront reform. I am delighted to say that waterfront efficiencies, both in the Darwin Port Authority and throughout the stevedoring industry, have been magnificent to say the least. Last month alone, the idle time proportion - which is a measure of the efficiency of the stevedoring industry - was only 9.9%. That is the lowest it has ever been in the Port of Darwin. We are hopeful that the new enterprise-based agreements, which we believe will be the forerunner of waterfront reform in Australia, will be settled in a matter of months and will lead to even greater improvements for and on behalf of Territorians, for and on behalf of those who wish to avail themselves of an integrated freight service from South-east Asia through to the rest of Australia and, in the interim, for and on behalf of the gas industry, which is very much dependent on activities on the waterfront.

In budget terms, the TAB is on the move. Honourable members will be well aware of the progress made, with a 20% increase in turnover during the last financial year. We are forecasting another 10% increase this year, and that may prove to be a modest prediction. In my humble view, we will see the $50m mark reached. In 5 years, turnover has gone from about $18m to $45m. That is a tremendous record. The integration of our system with the ACT and Victorian TAB systems has resulted in greatly increased interest among punters and, of course, has produced a great return to the racing industry.

The figures are well above those projected in the Bennett Report. Honourable members would be aware that we adopted the Bennett Report as the basis for racing industry development over a 5-year period. When we look at the profits which our TAB has produced, it is clear that the level of returns here is much higher than in any of the states, which usually have a 50% return to industry. One can see for oneself, if one visits the Alice Springs or Darwin Turf Clubs, or any of the provincial areas, just what has been done with those dollars. Much of the credit, of course ...

Mrs Padgham-Purich: You have to give some credit to the turf clubs.

Mr FINCH: That is exactly what I was going to say. Much credit must go to the work of the turf club committees and their secretary/managers who have achieved a great deal with the TAB funds provided to them. This year, profits have been so strong that an additional $500 000 has been returned to Consolidated Revenue which will be used, of course, for and on behalf of all Territorians in various government activities.

In respect of racing and gaming, things are moving extremely well. Honourable members will be aware that, with virtually no change in the budget, we have been able to raise more and more revenue by means of lotteries, scratch lottos and Sportslotto. Last year, well over $5m was distributed to sporting organisations throughout the Northern Territory and this year will be no different. The growth is still there and Territorians right across the board, young sports men and women, as well as some of the more mature participants, will benefit from travel votes, coaches in residence and other grants to various sporting organisations.

In summary, there is a great contrast between the approach of this government and that of the Labor opposition which espouses a conglomerate mixture of free enterprise thought and socialism because it is not really sure which is which. At the moment, it is adopting the Bob Hawke approach of attempting to be in tune with the flavour of the month. The big dilemma, of course, is that the opposition does not really understand the business of government because it has never been there and done it. It has made absolutely no criticism of any aspect of the budget and, in effect, has endorsed completely the policies and approach of this government.

The rules of parliamentary conduct would not allow me to describe the Leader of the Opposition's efforts to jump on the band wagon as hypocritical, but he tried to claim the ISO as a Labor initiative. Honourable members have been told time and time again that, some 9 months before the Leader of the Opposition made any noise whatsoever about the ISO, I had reported to the then Minister for Industries, Hon Nick Dondas, that in fact we ought to be supportive of the ISO.

Mr Hatton: And there was a press release.

Mr FINCH: There was a press release from the ministerial council meeting at which I represented the then minister.

The Department of Transport and Works is the most efficient roads and construction authority in Australia. It has a level of morale which, if he took the trouble to acquaint himself with it, would certainly embarrass the Leader of the Opposition when he talks about political cronyism. The only political cronyism in the system is zealous Labor followers who would condemn any view at variance with their own and who show an absolute lack of tolerance. Many a story could be told about some of the victimisation which occurs in that respect because, when it comes to that type of thing, members of the Labor Party are experts. When it comes to budgetary matters, thank goodness the Territory is in the hands of a CLP government which is concerned about jobs and minimising costs to constituents, which is absolutely all those constituents wish to know about.

Debate adjourned.

MINISTERIAL STATEMENT
Recycling in the Northern Territory

Mr HATTON (Conservation): Mr Speaker, as you would be aware, recycling is an aspect of resource use and waste management which is growing in prominence throughout Australia and the rest of the world as an integral and necessary part of sustainable development. Society generally has become concerned about the need to reduce, reuse and recycle materials currently being discarded into the waste stream. In these times of diminishing non-renewable resources, and within the overall context of our desire to achieve sustainable development, it is clear that the throw-it-away approach is no longer an acceptable response. The government has been grappling with these issues for some time and, while we have never been in doubt about the desirability of reducing, reusing and recycling appropriate materials, there are monumental problems to be overcome in establishing permanent, effective programs.

Nevertheless, the potential benefits to the community are so significant that we have been prepared to make a considerable commitment to overcome these problems. We see the benefits to the community of these programs as including conserving natural resources by reducing the demand for raw materials, saving landfill space and reducing disposal costs by decreasing the volume of municipal waste, creating employment and income-generating opportunities through the growth of recycling industries, and reducing the emission of greenhouse gases.

In the government's discussion paper, 'On Balance - Towards a Conservation Strategy for the Northern Territory', which was released earlier this year, the recycling of non-renewable resources is clearly acknowledged as an essential component of sustainable development. The paper states:

> Waste material recycling programs and incentives will need to be investigated and fostered. Surveys will need to be conducted to determine the extent of waste material available for recycling and the viability of using recycled materials such as paper.

The Northern Territory government has taken such recommendations seriously, and I would like to take this opportunity to inform the Legislative Assembly of the progress we have made to date and the likely prospects for recycling in the Northern Territory in future.

Because reducing, reusing and recycling waste materials are world-wide problems, the Territory cannot develop its own strategy and policies in isolation. Indeed, because of the relatively small volume of our waste, and our isolation from reprocessing facilities and potential markets for recycled products, the Territory is very dependent on what happens elsewhere in Australia. The Territory fully supports the Australian and New Zealand Environment Council's adoption of a paper-use policy which incorporates principles for the efficient use of paper, paper recycling, waste minimisation and education programs by government. In fact, the Northern Territory government is implementing many of these principles. ANZEC is encouraging recycling also for its contribution to the reduction of greenhouse gas emissions.

In that context, it is interesting to note that the production of just 1 aluminium can from raw bauxite results in the emission of about 1 kg of carbon dioxide. Recycling that same can results in a saving of 90% of the carbon dioxide emission. The Northern Territory's dependence on the

national and even international situation is very obvious. With paper recycling, the major problem here is the lack of reprocessing facilities and the lack of a sufficient market. This can lead to the ridiculous situation of paper being collected, supposedly for recycling in the Northern Territory, and freighted interstate where it goes into landfill because of the lack of a market.

Investigations into the resolution of problems of this nature are in progress throughout Australia and any action that the Territory takes must be, and will be, in line with national objectives. For instance, the Industries Commission is currently inquiring into recycling and will report on the current level and possible costs and benefits of recycling, both in terms of economic and environmental considerations, and on any institutional, regulatory or other arrangements subject to the influence of governments in Australia which affect the incentives to recycle or reuse products, and will advise on their effects and on any appropriate changes to these arrangements. These are basic questions which must be resolved if recycling is to have a viable, long-term future.

The Northern Territory government began to explore its options some time ago and already it has adopted some important measures in respect of paper usage. For example, the daily Hansard is now printed on both sides of the paper and all government departments have adopted practices to make more economical use of paper. Earlier this year, the Chief Minister advised all ministers to seek the cooperation of their departments and authorities to reduce paper consumption and to use recycled paper where appropriate. These principles have been adopted throughout government.

The government is involved directly in recycling, as distinct from merely collecting materials, through the Work Health Authority. As a service to the public, it collect noxious waste, including unwanted chemicals and oil-based products. The authority attempts to find uses for these materials. It has been notably successful with all of those products and sometimes with other products such as industrial solvents.

The Northern Territory's highly-successful Environment 90 Conference in March, sponsored by this government, provided valuable information to the general public on waste management and recycling. I have supported and endorsed the schools' aluminium can recycling program by Comalco, which was launched this semester, and I have written a letter to school principals encouraging their support for this program.

I have publicly supported the K-Mart oil recycling program by attending the program's launch in Darwin recently. I am also pleased to report that this government is supporting the co-sponsorship between the Conservation Commission and the Territory Anti-litter Committee of 1-day recycling seminars in Darwin and Alice Springs towards the end of August. These seminars will bring together representatives of community, government and industry specifically to address the problems of recycling in the Northern Territory and they will be important steps in the exchange of information on recycling.

Efforts are already under way in the Territory to collect and recycle certain used materials. A number of Territory businesses have been operating successfully for some years. Recycling schemes for engine oil, cooking fat, electrical cable, ferrous and non-ferrous metals, aluminium cans and film processing liquid are examples. These very commendable efforts have not always been successful, due invariably to the conditions which make it so difficult to put together economically-viable recycling

operations in the Territory. The collapse this year of the Darwin business, Vital Recycling, which operated a waste collection service, was indicative of these problems. On the other hand, Alice Waste Recyclers, which collects cardboard, aluminium, steel, glass, engine oil, cooking fat, clothing, batteries and plastics, has been operating with noticeable success in Alice Springs and also collecting some materials from Tennant Creek and Yulara. However, the principals of that business have advised me that absorbing freight costs to get materials to reprocessing centres interstate will be one of the major obstacles to further development of recycling in the Northern Territory.

In Nhulunbuy, the residents are concerned about the number of glass bottles being discarded, currently about 12 000 stubby bottles a week. While aluminium cans are being collected by community groups and sent to Darwin for forwarding for recycling, the system does not appear to be suitable for glass, primarily because aluminium fetches 75¢ a kilogram in Darwin, while glass fetches only 2¢ a kilogram. Even without freight costs, it would not seem commercially viable to recycle glass from Nhulunbuy.

One of the factors which has encouraged this government to develop a recycling strategy, despite the obstacles, has been community support. Already, there has been a high degree of community input to the early stages of our activity in this area and I am aware of the very positive attitude of various community organisations, such as the Keep Australia Beautiful Council and the Territory Anti-Litter Committee, of schools and of community groups. Some of the organisations and groups have promoted their own recycling programs for items such as aluminium cans and glass with varying degrees of success, but all with a very high degree of enthusiasm for the task, and for that we owe them a great deal. Their activities have helped to raise the community awareness and support for recycling which is essential if government-sponsored programs are to be effective.

I should mention also the valuable work of the Total Recycling Advisory Committee, a community-based organisation with government representation which provided a significant portion of the information and stimulation which brought us to this stage. TRAC members included representatives of the Darwin City Council, Palmerston Town Council, Litchfield Shire Council, the Conservation Commission, the Environment Centre, the Department of Industries and Development, CSIRO and the private sector. This broad community representation helped to raise public awareness of the issues involved. One of the conclusions that came out of TRAC deliberations was that a full-time position for a recycling officer was needed to consider future directions. This coincided with similar advice the government received from another quarter, and I will refer again to this later.

The community support that has been forthcoming for recycling has been overwhelming at times. I am pleased to be able to say that this support has extended to the opposition. The opposition spokesman on planning and the environment proposed a bipartisan approach on recycling, which I accepted. This government welcomes the opposition's decision to take recycling out of the political arena. Clearly, there is nothing to be gained by political point-scoring in an area where we are all trying to achieve the same ends.

Against this background, the Northern Territory government decided this year that, while we would continue to make progress in a small way in specific local areas, we needed to seek expert advice on ways to facilitate and improve our handling of the broader issues of recycling across the Northern Territory. To this end, Mr Ray York, Recycling Officer with the Western Australian Environmental Protection Authority was invited to come to

Darwin in May this year to conduct a recycling study. Mr York has been involved in the development and implementation of successful recycling schemes in Western Australia which experiences similar problems to those in the Territory in terms of population and distance to reprocessing centres.

Mr York's report and findings were based on discussions on recycling with representatives from government, industry and the community. His major recommendation was that a full-time Northern Territory recycling officer be appointed immediately to address the local situation. I am pleased to announce that, in keeping with this government's commitment to recycling and responsible waste management, I have already acted on his recommendation by approving the appointment of Mr Rob Curtis as the Territory's Recycling Officer. Mr Curtis is attached to the Conservation Commission's Environmental Protection Unit.

Mr Curtis began work on 9 July and, as recommended in Mr York's report, will undertake a cost analysis for recycling as a basis for an effective strategy. He will be investigating all aspects of local recycling, including collection, sorting, identification of materials, and recycling opportunities, the viability of local reprocessing and the possibility of freight subsidisation. By necessity, Darwin, as the Territory's major population centre and the one with the greatest transport costs to reprocessing centres, will be the initial focus of this analysis. However, the analysis will be extended to include the whole of the Northern Territory.

In keeping with the recommendation in the 'On Balance' paper, the recycling officer will determine the extent of waste availability for recycling in the Territory and the costs of recovering and recycling this waste. This study will enable us to determine what programs will be most effective and what incentives and assistance government may need to provide in order to facilitate and improve recycling Territory-wide. The Recycling Officer has also the important role of ensuring dissemination of information among all parties involved in recycling, as well as being the main contact point for any communication or queries from industry and the community on recycling matters.

Mr York's report further recommended that longer-term action, such as door-to-door collection services, community education, government assistance, should be introduced. Such matters will be addressed in more detail once we have the results of a thorough cost analysis. One of Mr York's major recommendations was for the establishment of a recycling storage depot facility at the Shoal Bay waste disposal site. This would be an essential first step towards the establishment of a recycling strategy. It would allow the potential of local waste materials to be assessed and would provide the necessary consolidation of materials prior to any reprocessing or freighting to other centres. I am pleased to announce that the government has decided to proceed with this and will establish an appropriate facility as soon as possible, in close consultation with the Darwin City Council. We will be consulting also with existing operators who may be affected. A further facility will be developed in Alice Springs in consultation with the Alice Springs Town Council and private industry.

It is intended that these facilities will be the first stage of a comprehensive Territory recycling strategy and will be in keeping with the studies we are undertaking towards this objective. Of necessity, facilitating and improving the collection and reuse of waste in Darwin has been the initial focus of the government's approach and the proposed facilities will provide several advantages in this regard. For example, they will provide a centre for the separation and storage of recyclable

materials until viable quantities are collected, a depot for materials not collected by other means, and potential opportunities for the sale of collected or composted materials to recyclers and residents. They will offer residents a choice between kerbside collection and drop-off facilities.

We will be looking also at how the Northern Territory's smaller regional centres could benefit from these facilities. It may be possible to make use of existing transport systems to put in place a Territory-wide recyclable waste collection network. Options such as this will be fully explored with a view to allowing as many regional centres as possible to participate in recycling activities.

Clearly, the development and implementation of an effective recycling strategy in the Northern Territory is not a simple task. Many factors and interests must be considered. The government recognises and understands this. That is why I have indicated that these 2 recycling facilities represent an initial stage of a comprehensive Territory recycling strategy because it will enable us to extract systematically and consolidate the recyclable elements in the waste stream and to maximise conditions for recycling those materials.

If we are to achieve an effective recycling system, we need to be able to recover as much material as possible to ensure viable quantities are available for reprocessing. Therefore, the establishment of these facilities by the government is seen to be necessary to stimulate and to underpin a successful recycling program in the Territory. Guided by the experience of the states and other countries, our ultimate aim is to introduce door-to-door collection of recyclable materials, not only from households but from offices and other businesses. Statistics show that this method is the only way to ensure good industry and community participation in recycling.

I should emphasise that, in all of these initiatives, we will be consulting and liaising very closely with local government since waste collection is primarily a council responsibility. It is intended that the new Shoal Bay facility will be built and owned by the Northern Territory government and operated by a private contractor in cooperation with the council. It is likely that this style of association will continue throughout the development of our recycling strategy, with the government supporting essential facilities and operations where their independent financial viability is not assured.

We have the option in the Territory of investigating new markets, particularly overseas, for our recyclable materials. Pursuit of potential markets to the north would help the Territory overcome some of the constraints of distance and fluctuating market prices. We are in a unique position to provide materials to South-east Asia. In fact, for materials such as newsprint, these countries may be the only options available to us. Clearly, we will have to be innovative and imaginative in our approach to recycling in the Territory to overcome some of the constraints that I have mentioned.

The Northern Territory government intends to encourage development of local recycling initiatives wherever possible. Already, initiatives are being examined, like a large-scale composting plant at the Shoal Bay waste disposal site to turn our high proportion of organic waste into fertilisers and soil conditioners for the Northern Territory. Too, we have recognised, from our current knowledge and the experience of other recycling programs, that the Territory program is unlikely to become financially self-supporting

in the near future. The new recycling officer has been asked to identify where the financial shortfalls are and to recommend ways in which government might assist.

As I mentioned earlier, the development of a recycling strategy for the Territory is not a simple task nor does it lend itself to a single solution. Recycling has an important role to play in diverting materials that are currently disposed of as waste, thereby reducing pressure on the waste disposal system and saving resources. However, the success of recycling is dependent on the availability of suitable collection systems and markets for materials recovered, and can be achieved only with cooperation and support from all sectors of the community.

I have identified where immediate progress is being made by the government in tackling this complex issue. The government's initiatives will provide a sound basis and a necessary impetus for the implementation of a recycling program within the Territory. The government sees recycling as a vital component of its environment protection policies and is prepared to take the lead in fostering and facilitating the development of effective waste reduction and recycling programs in the Northern Territory. I look forward to continued community consultation and support in this vital task.

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

Mr BAILEY (Wanguri): Mr Speaker, we all know that the Minister for Conservation has a deep commitment to recycling. As we have seen over the almost 12 months since he has been in the position, he has taken many steps. Generally speaking, I support him in the moves that he is making to try to encourage recycling in the Northern Territory. Rather than spend all my time repeating some of the things he said, I would like to bring to the Assembly's attention a number of issues that he spoke about or failed to speak about in regard to recycling.

It is fair to say that the government's attitude to recycling and issues environmental or green generally is a fairly new concern. As he said in his second paragraph, the throw-away approach is no longer an acceptable response. I would point out that the throw-away approach has not been an acceptable response for many years, if ever it was an acceptable response. It is not a recent change in attitude. People have been trying to find alternatives to throwing things away for a long time. I agree with him that the future of recycling and some of the options will require considerable effort. There are many problems to be overcome and it is important that we be very careful in the way we review the possibilities for recycling in the future.

In an assessment of recycling, it is too easy to write off many possible opportunities by applying simple industry-type cost effectiveness analyses. If that is done, many of the operations would not be seen to be financially viable. If existing businesses were analysed in this way, they would not be found to be financially viable. However, they are financially viable nonetheless, because the people involved put in a great deal of time and effort. Often, they are small companies using only 1 or 2 staff. It is their commitment and effort that makes those operations work. If a cost analysis were based on a larger company profile, where profits were required at 3 or 4 levels and the scale was different, it would be found that they were not financially viable.

Michael Hunt, who runs the business that chops down trees and then chips them, has been working very hard to make that company viable and is

getting there, but without the assistance of bodies such as government departments. One area that the government has not examined in relation to recycling and environmental protection relates to the letting of contracts. I am aware that both the Northern Territory government and local governments contract for activities like tree pruning and removal. Those contracts specify merely that the trees be chopped down. In fact, some of them specify that the felled trees be dumped at an approved tip. Where someone is offering a service whereby that organic material could be reused and recycled, it would seem rather inappropriate that a government contract should specify that that material be dumped.

If the government is genuinely serious about recycling and environmental protection, it should ensure at the very least that the specifications in its contracts do not work against it. It should determine whether there is any benefit to be gained through recycling and any other environmental aspect is associated with a particular contract. It is important that the various options be examined. There is a good example relating to the Palmerston Town Council. When it called for tenders for its dump contract, a tender was submitted that included recycling. Because recycling had not been taken into account when the tender documents were drawn up, this tenderer was disadvantaged. Another area where contracts often act against recycling is where a contract involves a number of different activities. It may be for grounds maintenance and minor repairs to buildings. Thus, for example, if a tree lopping expert is not involved in minor maintenance work, he cannot tender for a contract to remove or prune trees in relation to such a contract. Aspects of that nature need to be taken into account when government contracts are drawn up.

I would like to reinforce the idea that, when the recycling officer with the Conservation Commission is looking at options for recycling, consideration should be given to small operators who, through lateral thinking or initiative, whatever you like to call it, come up with ideas that might work rather than simply looking to large interests interstate or large companies in Darwin. For example, in the course of his study on recycling, Ray York interviewed David Robinson of the Department of Industries and Development who spoke about recycling options in the Northern Territory, and mentioned 3 proposals: Green Gully, a proposed commercial-scale composting plant; Cool and Cosy Insulation, a proposal involving shredding paper to make roof insulation; and Neutralysis Industries Pty Ltd, a proposal for a 100% waste treatment and recycling plant for the Shoal Bay dump. All 3 companies are established outside of the Northern Territory.

It seems that we do not have any confidence in existing firms in the Territory to set up industries. I believe that, for some time, a number of people have been trying to obtain support from this government to set up recycling facilities at places like Shoal Bay. I acknowledge the honourable minister's comments that that is now starting slowly to happen. It may be that, if those people had been consulted in the first place, rather than the government always pursuing large companies interstate, we might be a little further down the road.

There is another matter that has been very disappointing to me in relation to recycling and it is possible that, with some support from the government, something might have been done earlier. As a result of its very first meeting, TRAC sent a letter to the Darwin City Council requesting that the implementation of its wheelie bin service be delayed for 12 months while an assessment was made of how the large wheelie bins would affect options for recycling in the future. The city council chose to reject that request

by TRAC, and went ahead with its service. A number of reports were available to the council, such as 'The Impact of 240 L Mobile Rubbish Carts on Recycling', which I have here, and a 1987 report from the Australian Environment Council, 'Impact of Big Bins on Waste Management Recycling'. These reports were available at the time of the introduction of the wheelie bins. I believe the minister was aware of the letter from TRAC to the council. Not only do we now have a fly problem, but there will be extra problems in relation to introducing a recycling structure for household waste collection. And that leads me to what the minister referred to in his speech as a bipartisan approach to recycling. The joint press release in relation to recycling that was issued by the minister and myself stated:

> Mr Hatton said Mr Bailey would be regularly briefed on the NT government's position and invited to take part in discussions leading to the development of recycling policy. He said a bipartisan approach would facilitate the formulation of an effective policy and the introduction of a wider range of recycling activities.

I still support that objective strongly, but I have to say that I have been disappointed with the level of bipartisan activity that has occurred between the minister and myself. When Ray York came to Darwin to speak to people who were concerned with in developing this policy, it was only by chance that I met him at a TRAC meeting during the week that he was here. I had then to pursue him on 2 to 3 occasions in order to organise a meeting with him to present some of our ideas on recycling. After that, I did have a meeting with the minister at which, basically, he presented a copy of Ray York's report. Other than that, nothing has happened in relation to the government seeking or requesting information or cooperation in this so-called bipartisan approach.

I place on record that I am still willing to pursue a bipartisan approach, however it can be done, but to me 'bipartisan' involves a approach where each party listens to the views and ideas of the other and they cooperate together on the development of policy and ideas. 'Bipartisan' is not the government making its decisions and the minister simply telling us what is going on. 'Bipartisan' is working together. In relation to recycling and environmental issues generally, I believe that a cooperative approach, with both sides trying to work towards a similar goal, is the way to go. If, as politicians, we can show the public that we can work together on issues that can be seen to be only of benefit to the public, then perhaps politicians may rise slightly in the estimation of the public. I repeat that I am still committed to a bipartisan approach on recycling. I hope that what has transpired to date has resulted only from an inability for the minister to organise an effective bipartisan approach rather than from a deliberate avoidance of a bipartisan approach.

There is another aspect that we have pursued, but which has not been discussed by the minister or raised in any of Ray York's material. I refer to the cost of not recycling. The simplest example is that, if we do not recycle, there is a cost per tonne to bury the waste. However it is paid for, through council rates or whatever, there is a fixed cost per tonne to dispose of waste. That cost can be calculated very easily. I have made it clear in press releases and other public statements that I favour payment of a bounty to people who recycle. The idea is that the cost of waste disposal is identified and a bounty is used as a means of helping the recycling process because, for every tonne of material that is not buried, a certain sum of money is saved.

Guesstimates of that saving are in the vicinity of $15 to $25 per tonne based on the costs of operating the Shoal Bay dump and the quantity of rubbish that is placed there. From discussions that I have held with a number of the recyclers in Darwin and the main recycler in Alice Springs, a subsidy of even $10 a tonne would be enough for many of their recycling operations to become more viable. That would be a significant start in overcoming some of the recycling problems. My suggestion is that, initially, it be funded jointly by the local government authority involved and the Territory government.

There are other difficult questions that might need to be approached. These would involve not only ways of recovering materials but possibly some of the more difficult questions of whether or not the government should interfere in the production or distribution of waste. The honourable minister referred to 12 000 stubbies a week going to Nhulunbuy. I am not sure of the number of aluminium cans that go there. I gather from his comments that a significant proportion of the aluminium cans are returned and sent south for recycling. If those stubbies are used only as containers for beer, perhaps the government needs to look at some way of encouraging the substitution of aluminium cans for stubbies. It would be a difficult decision. I know some beer drinkers who say beer does not taste the same out of a can as it does out of a stubbie. However, as a person who is concerned about the environment, I find it hard to accept the dumping of 12 000 bottles a week. Perhaps it could be done by disincentives for the distributor to supply bottles or perhaps it could be effected by means of a price difference between bottles and cans to the point where beer does not taste quite as bad out of a can because it is that much cheaper. Those are some of the issues that we may have to tackle. The issue of deposit legislation will have to be discussed at some time.

It has often been said that rubbish that arrives in remote communities can never be recycled. I would like to point out that whatever rubbish is taken to communities by some form of transport, it is rare that any of it is ever shipped out again. There must be many transport vehicles that are totally empty when they leave communities. We may have to decide how we can have that rubbish removed so that it can be reused. We need to be creative in our thinking when dealing with rubbish.

I would like to point out again how, at times, we seem to ignore our bipartisan approach and, in fact, miss opportunities that are available. Recently, when K-Mart indicated that it was becoming involved in the recycling of oil, it was disappointing not to be informed of that action until it happened. When K-Mart first indicated that it was selling recycled oil, my office wrote to inquire why it was not collecting oil in Darwin. All we were told at the time was that it was not financially viable. We then heard that the minister was involved in the opening of the oil collection in Darwin. If we want to pursue a joint operation, it would be good if both sides knew what is going on.

Many activities that are often referred to as recycling are not recycling at all but rather reuse or alternative use. At times, I am cynical about the use of recycled paper. While a demand for recycled paper is created by governments and other people buying it, if it is used only once and thrown away, resources are still wasted. There is a benefit in recycled paper only if it is collected and reused again. Unfortunately, I am not aware that any of the paper that we use here is recycled again.

In conclusion, I would like to end where I started. I am aware of the minister's commitment to recycling. I would like to reinforce our party's

support for any true moves in relation to recycling. We are all aware that the honourable minister is committed to recycling as he would like to be Chief Minister again.

Mr SETTER (Jingili): Mr Speaker, I have listened to the honourable member for Wanguri talk about his bipartisan approach. It would be all warm and wonderful if he were not so naive. After listening to him, one could easily believe that, after the next election, if the constituents of Wanguri were unfortunate enough to have him re-elected as their member, he could be sitting on the crossbenches. He could pursue a real bipartisan approach from there. Having said that, I applaud his approach to this subject and the fact that he has been prepared to cooperate with the minister in this regard.

I noted his bleak concern and his claim that the minister had failed to treat him in the manner in which he had expected to be treated as part of this bipartisanship arrangement. I would suggest to him that he should be a little more active, use his initiative and keep in contact with the minister's office to find out what is going on. Ministers are busy people. It is very easy to keep in constant contact and to ask to be informed about what is going on.

There was a classic example of the honourable member's bipartisan approach only last week. We were discussing the issue of toxic waste and its storage. The Minister for Labour, Administrative Services and Local Government announced that he would take a media contingent to the toxic waste storage site. He even offered to take the member for Wanguri, the opposition spokesman, along as well.

Mr Bailey: I asked. He did not offer.

Mr SETTER: He offered to include you. I heard it.

Mr Bailey: After I had asked.

Mr SETTER: The member for Wanguri joined the contingent. When he arrived at the site, he bounded out of his car, went straight up to the minister and proceeded to abuse him.

Mr Bailey: How could I do that?

Mr SETTER: It was absolutely disgraceful. Do you know why he did that, Mr Speaker? He was after a quick grab in front of the media. He knew that the television cameras would be there. It would not surprise me to learn that he had already gee-ed them up and told them that he would get stuck into the minister as soon as he arrived.

Mr Ede: He went out there with them.

Mr SETTER: There you go. The plot thickens. That shows how shallow this so-called goodwill and bipartisan approach that we hear about from the honourable member is.

Mrs Padgham-Purich: If you want a witness to tell you all about it, then ask me.

Mr Bailey: It is only on recycling.

Mr SETTER: It is only on recycling? I thought that, while he is in this warm and wonderful mood, it might stretch to toxic waste storage.

Mr Bailey: I am prepared to offer my advice on environmental issues generally.

Mr SETTER: We have all learned how the member for Wanguri attempts to manipulate offers made by government ministers in a bipartisan approach and use them to suit his own advantage.

Mr Bailey: I do not accept that going to look at the toxic waste dump is a bipartisan approach.

Mr SETTER: Mr Speaker, as an issue, recycling has been around for a long time. It is nothing new. Perhaps more materials are being recycled. I can recall that, years ago, every city of any consequence had its scrap merchants. They collected a whole range of different products - ferrous metals, non-ferrous metals, glass, rags, bones etc. They had been collecting them for decades and recycling them in ways that were different from the way we do it today. However, they were recycled. I can remember the Boy Scouts earning money from collecting 26 oz beer bottles. They got about 1 penny a dozen. Milk bottles were cleaned and refilled. Recycling is nothing new. In those days - as indeed applies today - it was done for financial gain. That was the motivation. Since that time, there has been a change in attitude towards recycling. Mind you, we still know that it has to be financially viable.

Since environmental protection has become an issue embraced by the community, we have seen a whole new connotation placed on the process of recycling. I do not have any problem with that at all; I think it is a good thing. However, I make the point that the approach to recycling today is quite different from what it was a few years ago. Environmental pressure groups, and there are a number of them, have taken up the cudgels for recycling as being something that is environmentally friendly to their cause. Too, the matter has been taken up enthusiastically by teachers and schools. In one of the schools in my electorate, Year 7 students were collecting recyclable materials last year and are doing so again this year as part of a school project. In fact, they came to me at the time when Vital Recycling was having some problems. They asked me what they could do because the company had taken back its collection bins. I sent them a cheque for the cost of 3 bins and they purchased 3 of their own to replace the ones that had been taken back. I applaud the school and the teacher promoting this recycling project.

I was invited to talk to the students in that class. I did so, and I found that they were very concerned because of the financial difficulties that Vital Recycling was having at the time. I had to explain why those difficulties were occurring. Vital Recycling had to be financially viable in order to stay in business and so provide the service of collecting and selling recycled materials. Regrettably, Vital Recycling is no longer with us. It went down the gurgler because it failed to maintain financial viability. Vital Recycling was not financially viable because the materials which it was collecting - beer cans, wastepaper and glass - are available in vast quantities in the southern cities where they can be collected and processed with practically no freight costs involved. On the other hand, Vital Recycling had to pay the freight costs involved in transporting materials up to 3000 km for processing. That was a major problem and, whilst it may not have been the only reason why the company failed to remain viable, certainly it was a contributing factor.

A few weeks after I attended the school, the honourable minister also addressed students there. By then, the government was already further down the line in relation to this matter. As an issue in the Northern Territory, recycling came upon us very quickly. A few years ago, the scrap merchants were collecting beer cans and so forth and everything was fine. All of a sudden, recycling became an environmental issue in the community. Environmentalists picked it up, promoted it and it took off. That is fine. That is the reality of today's society. However, the authorities in local government and the Northern Territory government were caught a little short perhaps. They did not realise that recycling would become such a strong issue so quickly. It has taken them a little time to respond and to put in place policies and programs to catch up with the attitudes of the community. That has created a little problem for us.

The minister indicated that recycling is not simply a matter for the Northern Territory government. The collection of waste materials is generally in the realm of local government, not the Northern Territory government at all. I understand that, at the time when Vital Recycling was having its problems, the Keep Australia Beautiful Council formed an organisation called TRAC. I know that the Darwin City Council and the Conservation Commission were, and still are, involved in that particular organisation. Recently, the KAB and the Conservation Commission have done some very good work in addressing the issue of recycling in a whole range of ways and putting together initiatives and programs to address the concerns of the community.

The minister announced today the establishment of collection facilities at Shoal Bay and in Alice Springs. I applaud the minister for that. There is no doubt that services such as those provided by Vital Recycling and other similar companies throughout the Territory need to be rationalised, maintained or reinstituted. There is a real need in the community, and there is real concern for a whole range of reasons. Recycling is a very popular issue within the community. The Northern Territory government and the Darwin City Council are well aware of this and are supporting the initiatives announced by the minister today. If the community demands the recycling of waste materials, it is beholden on this government and on local governments to implement programs to address its concerns. It indicates how flexible we need to be. Recycling was not an issue to which we gave a great deal of consideration 5 years ago, but today it is of great importance.

The minister spoke also about a report which he commissioned from a Ray York of the Western Australian Environmental Protection Authority. Mr York visited the Territory in May of this year and put together a report on the state of recycling and ways in which the government could address the issue. One of his recommendations concerned the appointment of a recycling officer in the Northern Territory. Since then, Mr Robert Curtis has been appointed and recently joined the Conservation Commission. I have not met Mr Curtis, but I look forward to doing so in the near future.

There is no doubt that the minister's statement is a step in the right direction. I know that a great deal of planning and other groundwork has still to be done in order to get this matter up and running, but I am quite sure that, with the guidance of Mr Curtis and the cooperation of the minister, the opposition and local governments, we will be able to solve the problems and satisfy the concerns of the community in the very near future. I support the minister's statement.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I rise to support the minister's statement. Whilst it has not presented us with much new

information, it is pleasing that the minister has seen fit to produce this statement. It keeps us up to date with what is happening. The problem with many government departments is that, whilst they may be doing their jobs and working very hard, if the general public does not know what is going on, it always suspects the worst. The minister has made many statements like this one. He is certainly keeping his staff busy and I suppose that it is to some good end. It is very obvious from the tenor of statements being delivered to this House that there is an election in the offing. They all emphasise the good things which the government believes it has done. They are easy to read, and they focus on matters which the government hopes will win it lots of votes at the next election. The statements may help to achieve that, but only time will tell.

The minister knows that he is on to a pretty popular subject when he talks about recycling because it is the flavour of the month - indeed, it is the flavour of the year. I do not say that with any cynicism but with a sense of reality. I speak as one who has been recycling for years, although the word 'recycling' has not been in use for all that time. When I was a kid, you had to do it of necessity. You did not have any choice; you did not throw things out. If you have spent your formative years living like that, you continue to live like that and I can say that not much leaves our place which anybody could use for anything.

A common assumption has run through the minister's statement and the remarks of those honourable members who have spoken so far. The assumption is that, when waste is collected - whether it is paper, plastic, cans, glass or whatever - it is then sent somewhere else. That seems to be considered to be the thing to do. We collect our waste and send it somewhere else. I do not believe that enough lateral thought has gone into this. If more thought were given to the question of what we might do with waste materials in the Northern Territory, we could use much more of it here and thereby save the considerable transport costs currently being considered in the disposal of this waste. When I say 'use', of course, I mean 'use economically'. By using this waste in the Northern Territory, we could substitute it for new materials and thereby save some money for the users of the materials.

The opposition spokesman on the environment talked at some length about the situation in respect of stubbies at Nhulunbuy, and the huge amount of wasted glass there. I believe that the Minister for Transport and Works could help to find some use for that glass. Before the construction of the bowling greens at the Darwin Bowling Club on East Point Road, there was a drainage problem on the site. People were at something of a loss as to how to solve the problem until it was decided to use large amounts of broken bottles to assist in developing a drainage system. If people cared to excavate under those bowling greens, they would find a large amount of broken glass which was used to assist drainage. Building projects are planned in some low-lying areas around the coast and, instead of going through the expensive process of sending glass away for recycling, I believe that officers of the Department of Transport and Works could look at the use of this glass, which is a pretty inactive substance, as drainage material. It does not react with too many substances and would be quite safe in most situations. It could be used as a very stable drainage material.

I will be making my own inquiries of the public servant who has taken up the position of recycling officer with the Conservation Commission. I am very pleased that the position has been created and I only hope that the officer is able to fulfil the expectations of everybody who is interested in recycling.

The minister said in his statement that the government intends to encourage development of local recycling initiatives wherever possible. Perhaps it is too early to do so, but I would like to ask the honourable minister what form of government help or encouragement he is considering. Is he thinking about monetary assistance, the provision of advice or the provision of a physical resource?

Mr Hatton: It is too early.

Mrs PADGHAM-PURICH: The minister says that it is too early. As I have said earlier, I have been interested in recycling since I was a child. Then it was of necessity, but now it is of choice. Many of the people who live in my electorate are keen to recycle various materials, and I have made my office available to assist this process for some time. For some years, I have been collecting jars. I have advertised this fact extensively and I collect any sort of clean jars with lids. I will take any number of them, whether they are in boxes, plastic bags or whatever. These jars are then collected and reused by many people, especially old timers, who prepare products like jams and chutneys and sell them at the markets. I believe that my little bit of recycling and their little bit of recycling is very worth while. These people ...

Mr Collins: It is good politics.

Mrs PADGHAM-PURICH: No, politics is secondary.

These people are trying to make a few dollars, and they are prepared to work for them. They should be the people who are recognised as deserving support and, in this little way, I believe they are being supported. I have made my office available for the collection of other things. I have had plastics, old clothes, cutlery and crockery. A home has been found very quickly for everything that has come in.

I will not continue on that line, not because the subject does not interest me but because I would only reiterate what other members have said. In the interests of saving paper, I will move on. That touches on something that has not been mentioned, unless it escaped my attention. I refer to the decision taken, I believe by the Minister for Labour, Administrative Services and Local Government, to have the daily Hansard printed on both sides of the paper.

Mr Hatton: That was a recommendation from the member for Karama. A motion was passed early this year.

Mrs PADGHAM-PURICH: Was it? I do not believe that move has been appreciated enough by honourable members. It has effected a considerable saving. It sets an example, and the publication itself is much easier to read.

There is something else that I have been doing for some time. People are more interested nowadays in growing their own vegetables and fruit, especially in our area. Several people come in regularly and collect all the shredded paper from my office for use on their gardens. As I said, there is not much that leaves our home or my office as rubbish because, wherever possible, materials are recycled by one means or another.

I will finish by complimenting the minister. I hope that, next time he makes a statement on this subject, he will have more information to give us so that he will not need to rehash today's statement. I will follow with

interest the work of the public servant who has been appointed to be the recycling officer with Conservation Commission.

Mr COLLINS (Sadadeen): Mr Speaker, on 8 August this year, an article was published in the NT News: 'Paper Tax Mooted to Wipe Off Greenhouse'. It was a recommendation from a report from the Australia and New Zealand Environment Council, of which our esteemed Minister for Conservation is the chairman. I think they go a little too far, Sir. It suggests 'a sales tax on non-recycled toilet paper'. If those words are to be taken literally, it will be one tax that I will be very happy to pay. However, I think it is probably a case of 'we knew what you meant, but we heard what you said'.

Mr TIPILOURA (Arafura): Mr Speaker, I would like to make a brief contribution in support of the minister's statement. I believe that it is good for the community as a whole. The only point that concerns me is that no mention was made of Aboriginal involvement with regard to clean-ups on communities and activities of that kind. Perhaps that goes through the Office of Local Government. I would like to see the Office of Local Government and local governments throughout the Territory, including community government councils, become involved in the government's initiative. It is good. It makes the community aware of many concerns related to recycling items like aluminium cans, paper, plastics etc.

Those honourable members who have visited Aboriginal communities around the Territory would be well aware that large amounts of rubbish, including cans, plastics, paper etc, accumulate in those communities ...

Mr Hatton: Old car bodies.

Mr TIPILOURA: Yes, old car bodies too. Much of that rubbish could be reused or recycled. If we can get the communities involved, the rubbish can be cleaned up in the respective communities. It would help also in the development of community pride and would improve the lifestyle of people to some extent. I support the comments made by the opposition spokesman on environment and his commitment to a bipartisan approach to this matter.

As other honourable members have said, until about 5 years ago, very little was said about recycling but, more and more nowadays, when you turn on the radio or the television, the subject is being discussed and you become aware of the measures being taken around Australia and in the rest of the world. There are good and bad things happening. For example, there is the project in Tasmania whose wastes have been discharged into the Derwent River. That has polluted the river which is really bad for the community.

Mr Hatton: Paper mills?

Mr TIPILOURA: Yes, the waste from the mill goes out to the river. It is clear now that that is not good for the environment nor for the people who live in that area. It is having some bad effects on people's health and is affecting the plants and trees in their backyards. To see such things happening in that community is very sad.

Similar things are happening in the rest of the world as members who have travelled overseas would be well aware. I was in New York in the United States and I was not very impressed when I saw the rubbish in the streets there. I had thought that New York was a very clean and tidy city but a great deal of rubbish can be seen in the main streets of New York and in the central park area, which is not a very nice area at all.

An overseas city that impressed me very much was Singapore. In the central town area, there is hardly a piece of paper or rubbish of any kind to be seen, not even a cigarette butt. In the early hours of the morning, you see people cleaning the streets. It is very good.

Mr Hatton: There is also a $500 fine if you drop something.

Mr TIPILOURA: Yes. There is a very heavy on-the-spot fine for littering. Maybe something like on-the-spot fines could be introduced in communities here by the local governments. They can make their own by-laws and that may encourage the people to become involved in cleaning up the rubbish in the communities. Obviously, rubbish scattered about does not make a community a very attractive place, especially for visitors and tourists passing through there.

Mr Speaker, with those brief comments, I support the statement and I look forward to the implementation of the initiatives and programs proposed by this government.

Mr HATTON (Conservation): Mr Speaker, I welcome the contributions of honourable members and, in particular, I welcome the general support given for the direction and the approach being adopted by the Northern Territory government on this particularly important issue. As I said, recycling is not a simple problem, nor does it have a simple or a single solution. I will deal with some of the comments that have been made.

I recognise the points made by the member for Wanguri in respect of wheelie bins. I made some brief comments in answer to that question this morning. If we are talking about kerbside collection processes, I do not know anybody in Darwin who supports a weekly collection. If we are to look at restructuring, perhaps we can look at bin systems that allow for separation of materials and kerbside collection of recyclable materials in an appropriate manner. Whether the current proposal before council is the appropriate way to go, I do not know. However, I understand that the Darwin City Council is looking at introducing pilot programs in the near future on different means of picking up recyclable materials by kerbside collections and from some suburban collection depots in order to examine the viability of such schemes in Darwin at least.

I support the view of the honourable member that not to recycle is a cost to government. Certainly, that is the case in the Northern Territory. The Minister for Labour, Administrative Services and Local Government has been addressing some of these issues through the Government Printing Office. He has made some proposals and has identified the cost to us of collection of our wastepaper and its use for landfilling. Perhaps we can offset that against other possible recycling, collection and transportation options. It would be premature for myself or anyone else to pre-judge the results of studies that are being carried out by our recycling officer. For that reason, my statement was somewhat coy in respect of a number of those ideas. It would be unjust to our recycling officer to load his already difficult task with public guesstimates by politicians who think something is a good idea. Many members have ideas, and I am sure he would welcome any ideas or suggestions for consideration in terms of developing an overall proposal to put to government.

I indicate to the member for Koolpinyah that I understand that much of the emphasis has been placed on the distance from recycling centres and the cost of transportation. In fact, I mentioned the potential for local reprocessing options. Quite a number of suggestions for the local recycling

of different products have been made to TRAC and the Conservation Commission. Some appear to have very good prospects. Others are very imaginative - that might be the kindest description to give of them. All of those are referred to our recycling officer for consideration. His duties include the identification of materials and recycling opportunities, the viability of local reprocessing and the possibility of freight subsidisation,

I feel much sympathy with the comments of the member for Koolpinyah. It is true that recycling is a buzz phrase now and it is being talked about as if it has just been invented. I am very conscious of my childhood and the attitudes of my parents and grandparents. It was regarded as normal prudent behaviour to seek alternative uses for things. You would dispose of something only after you had finally run out of ideas. That was a way of life for people in days gone by. From the mid-1950s onwards, the throw-away mentality took hold, not only in Australia but around the world. This has led to an exponential growth in community waste. The volume of waste is such that we need to work out what we can do with those products. One aspect of any recycling strategy should be to address the individual community attitudes in respect of what we can do with these products. We should seek ways of reusing things in the house. That may even save us money.

As Mr Keating keeps giving our personal standard of living a bit of a touch up, it is becoming more and more necessary to examine ways of trimming our weekly expenditure. I spoke about the possible development of facilities at, say, Shoal Bay for composting organic waste for fertiliser. Perhaps we should encourage the reintroduction of home composting practices that were common in my youth. People could improve their own gardens and cut down on the cost of fertilisers. I am sure our recycling officer will be addressing such issues.

Honourable members may be interested in some of the interesting work that is being carried out by the Minister for Environment in New South Wales, Hon Tim Moore, in his capacity as minister responsible for sewerage systems. Interesting work is being done on the processing of sewage and the recycling of sewage water back into the system. The solids are treated for alternative uses as fertilisers and a range of different products. He has indicated that he is happy to supply that information to the Northern Territory. Quite considerable energy savings could be available to the Northern Territory with the adoption of some of the new technology becoming available in this regard.

Recycling involves not only the reusing of what we can in the home. It involves also taking resources such as glass, steel, aluminium etc and putting them back into the system. Aluminium cans are 100% aluminium and bauxite is about 20% aluminium. There is a dramatic energy saving in the conversion and reuse of those metals where it is viable to do it. As complex as it is, inevitably deposit legislation will have to be considered in the context of total strategies for recycling.

The member for Sadadeen is concerned about a proposal from the Australian New Zealand Environment Council

Mr Collins: As reported in the paper.

Mr HATTON: The newspaper report was substantially accurate. One of the major issues in the public mind is the problem of paper recycling. We can talk about composting, and some people are talking about making paper mache masks for artistic use. People are talking about converting the waste

newspaper print into planter pots for use in propagation in the horticultural industry and the shredding of it for fertilisers. Already, the NT News is engaged in some recycling and reuse processes and many uses are being discussed. However, recycling paper for use as ordinary paper in the office and in the home is a very complex matter.

We have a high community interest in collecting the material and systems to bring it to the reprocessing plant. However, at the moment, because it is new on the market and economies of scale have yet to be realised, there are price differentials between it and unrecycled or virgin paper, as someone has described it to me. People are reacting to the price difference and are not buying the recycled paper. No recycling system can be complete unless a market exists for the product at the end of the day. How do you close the price gap and open up the market so the recycling cycle can be completed? One option that has been examined is the possibility of creating a tax differential between recycled and non-recycled paper. That could be done by adding a tax to unrecycled paper or by removing a tax from recycled paper or a combination of both. Another option that is being examined by ANZEC is whether or not governments should use their considerable purchasing power and their considerable propensity for consumption of paper as a market-creating mechanism by deliberately buying recycled paper rather than non-recycled paper. Those options are being examined at a national level, and that is where they need to be examined. Certainly, no individual decision by the Northern Territory government would influence that.

I support the member for Arafura's statement that we need to find ways of involving Aboriginal communities, particularly the rural communities, in the process of recycling. In my speech, I referred to extending the strategy right throughout the Northern Territory. Certainly, it should include Aboriginal communities. However, we must start somewhere and, clearly and logically, the major centres of Darwin and Alice Springs should be our first points.

Programs like Keep Australia Beautiful and the Territory Tidy Towns competition have seen an increasing awareness within Aboriginal communities of litter and community cleanliness. Aboriginal communities should and do take pride in the dramatic improvements that have been achieved over recent years in the tidiness of communities, particularly through the Territory Tidy Towns project. A community that stands out very particularly in my mind is Ti Tree. In the early 1970s, I can remember seeing rubbish and cans everywhere at Ti Tree. Today, it is a very attractive and tidy community. Quite deservedly, it has won a couple of Territory Tidy Towns awards, as a number of other communities have.

Mr Ede: What about the clinic?

Mr HATTON: The clinic is very tidy too, and very well maintained despite the fact that it does need replacing. It is at the top of our priority listing for the capital works program, as I mentioned last evening. If the honourable member had waited in the House, he would have heard me say so. I had advised him privately of that anyway.

We should seek to involve the councils, but let us take it a step at a time and ensure that what we do has some logic.

I will respond as gently as possible to the member for Wanguri. Whilst he was very positive in his comments, he decided that he had some concerns with my approach to bipartisanship. I do not accept his comments in that

respect. I support bipartisanship. I have been involved to a fair extent in the development of strategies and I have always sought to involve the member for Wanguri. He has been informed of actions being taken by the Conservation Commission in relation to recycling and I will ensure that he continues to be so informed. We would greatly welcome any comments or contributions from him in relation to the matters that we are dealing with. I am certain that officers of the Conservation Commission would welcome any comments, suggestions or input he would like to offer.

Bipartisanship does not mean that we do the work, and send the reports to him so that he can tell us whether he agrees or not. It includes making input and comment as well as receiving information. Also, we should recognise that, whilst politicians need to be involved and to give direction, there is a time when they should step aside and allow the professionals to get on with doing their job. Whilst it may seem a little frustrating to members of the opposition, who often have to do all of their own work, part of the learning curve is the discovery that politicians set the policy and direction and then try to get out of the way so that departmental officers and the professionals can get on with the job and develop implementation programs and so forth. One of the reasons why there have been gaps in the information flow to the honourable member is because I have been allowing the commission officers to get on with the job.

In conclusion, I must say that we are all thrilled to have Mr Curtis on board as the recycling officer. However, it would be extremely remiss of me not to pay particular tribute to the members of the Environment Protection Unit in the Conservation Commission, particularly Barbara Singer and Maryanne McKaige, who have had to cope with an ever-increasing workload with the rapid emergence of this environmental issue in the Northern Territory. They have done a sterling job in responding in a very efficient and professional manner with extremely limited resources.

I know that Barbara and Maryanne are particularly relieved to see that, despite our very tight budgetary circumstances, we have to develop the administrative arrangements and provide resources to assist the Environment Protection Unit which evolved earlier this year. The officers of the Environment Protection Unit have done an exceptional job in a very complex and difficult area of work, with extremely limited resources, as the field has been exploding around them. They have responded well, and they have certainly kept the Northern Territory at the forefront of developments in this field. I publicly place on record my personal thanks for their support and assistance in the development of these strategies.

Motion agreed to.

MINISTERIAL STATEMENT
Ozone Protection in the Northern Territory

Mr HATTON (Conservation): Mr Speaker, since the introduction of the Ozone Protection Bill in the Assembly in February, substantial and significant progress has been made in the drafting of ozone protection regulations. The Northern Territory will have ozone regulations in force that are complementary with those in the states and the Commonwealth and consistent with the recommendations of the ANZEC National Strategy for Ozone Protection.

The prime objective of the ozone regulations is to implement a comprehensive program to reduce and control consumption of certain scheduled ozone-depleting substances in the Northern Territory and, hence, to reduce

the potential for their release into the atmosphere. It is based on the National Strategy for Ozone Protection. To achieve this broad objective, it is necessary, firstly, to ban the sale of certain products for which adequate alternatives exist and, secondly, to regulate the use of those ozone-depleting substances for which alternatives have not yet been developed. The Commonwealth has already moved to ban the import of certain products, whilst manufacturing states have moved to ban their manufacture. Complementary bans by all states and territories on sales of products such as CFC aerosols, non-rechargeable portable halon fire extinguishers and plastic packaging that has been manufactured using CFCs simply completes the process of eliminating their availability.

In relation to the second group of substances, for which there are yet no suitable alternatives, the proposed regulations need to ensure that these are used in such a manner that their admission to the atmosphere is avoided or minimised. Certain ozone-depleting substances are scheduled under the bill, by agreement with all states and the Commonwealth. Therefore, it is necessary to accredit service personnel so that these substances can be used only by persons who have an appreciation of the problem of stratospheric ozone depletion and who have demonstrated that they can perform the necessary work at a satisfactory level which minimises or prevents emissions. These standards will be set by industry codes of practice which will be an important feature of the regulations.

The regulations will provide also for licensing of purchasers of scheduled ozone-depleting substances. This will enable the government to keep accurate records of the sale and uses of these ozone-depleting substances and will ensure that access to these substances is restricted to use by approved and accredited persons who have access to equipment and facilities required to meet the requirements of the industry codes of practice.

In order to formulate regulations in consultation with industry for implementation under the Ozone Protection Act, the government established an Interim Ozone Protection Consultative Committee, consisting of 9 representatives from affected industry sectors. It includes ex-officio representatives from the Departments of Education and Industries and Development and is chaired by a representative of the Conservation Commission. The industry representatives appointed include interstate representatives from the Australian Association of Fluorocarbon Consumers and Manufacturers, known as AFCAM, the wholesale gas sector and the chemical manufacturing sector, together with Territory representatives from commercial and domestic air-conditioning and refrigeration, dry cleaning, motor traders and fire protection industries. Unfortunately, a representative of the retail sector was not nominated by the industry. However, a representative from the fishing industry was included as our fishing fleet is a major user of refrigerants. Other representatives, including Territory-based gas distributors, have attended meetings of the committee and have provided valuable input.

Mr Speaker, draft regulations have been prepared and I table these for the information of members of this Assembly.

The draft regulations will now be referred back to the industry representatives on the interim ozone protection committee for final clearance before proceeding through the Executive Council for consideration and approval by the Administrator. Subject to His Honour's approval, the regulations will come into force as soon as possible. However, honourable members should note that some regulations will not be commenced until

1 January 1991. Other items discussed by the ozone protection committee included industry codes of practice, accreditation of training courses, implementation of the ozone regulations and the need for an active public awareness campaign.

Mr Speaker, I table also, for the information of honourable members, copies of the codes of practice developed by the committee. The codes of practice will come into effect in the manner specified by the regulations.

Feedback from industry in relation to the consultative process adopted by the Northern Territory government has been positive and has been supported by local and national industry representatives. In its national newsletter of March-April this year, the Association of Fluorocarbon Consumers and Manufacturers advised its members that the 'Territory government clearly wants to fast track its regulations and is making every effort to get it right in the minimum amount of time, with minimum fuss'. It went on to say: 'The approach taken by the Territory is worth studying, as it forms a good example of how industry consultation should work ... The openness of the consultation process, with regulatory drafting instructions circulated to committee members for comments, is to be applauded'. Finally, the newsletter says: 'The Territory has used the experience of other states to put together a straightforward approach which avoids the pitfalls experienced in some areas'.

Unfortunately, this comprehensive consultative process has meant that the regulations could not be brought into effect on 1 July this year, as was the original intention of government. However, the lengthy process is now nearing finality and we will bring the regulations into effect as soon as practicable.

The proposed Northern Territory Ozone Protection Regulations follow the Victorian approach which is recognised by industry as the preferred option because of its clarity, conciseness and conformity with the ANZEC strategy recommendations. Subject to the approval of His Honour the Administrator, the regulations will provide that aerosol products containing scheduled ozone-depleting substances will be banned from sale in the Northern Territory, except those granted exemption under the Commonwealth act. Members should note that exempted products include aerosols for asthma sufferers. In addition, the sale of any extruded polystyrene packaging containing scheduled ozone-depleting substances, or in which scheduled ozone-depleting substances were used in the manufacture, will also be banned.

Fire fighting using halon portable fire extinguishers and halon fire suppression systems has been given considerable attention. The sale of all aerosol and non-rechargeable BCF halon fire extinguishers will be banned. Discharge testing of portable halon extinguishers, as well as discharge for training purposes, will be banned as well. Strict control will be placed on the purchase and sale of halon extinguisher systems to reduce the emission of halons into the atmosphere.

Compliance with government-endorsed industry codes of practice for all industry uses of ozone-depleting substances, including industrial and commercial air-conditioning and refrigeration, domestic air-conditioning and refrigeration, fire fighting, electronic cleaning and degreasing systems, and dry-cleaning equipment, will be required from date of commencement of the regulations. Reclamation, recycling and reprocessing of scheduled ozone-depleting substances have been highlighted as essential matters requiring control.

The regulations will provide that, from 1 January 1991, any person who uses a controlled substance under the Ozone Protection Act for or in respect of any industry or activity, will require approval subject to having successfully passed an exam accredited by the Conservation Commission. This approval will be granted only if the person has access to the necessary equipment to minimise the emission of ozone-depleting substances.

Licences will also be required for a person wishing to purchase controlled substances and will be granted only where the commission is satisfied that the substance purchased will be supplied for use only by persons who have approval to use those substances and that the person applying for the licence has access to the necessary equipment to minimise the emission of ozone-depleting substances. Any distributor or wholesaler selling ozone-depleting substances will be required to keep records of sales. Regulations dealing with licensing and approval to use controlled substances, together with accreditation of courses, recycling, reclaiming and reprocessing requirements, will not commence until 1 January 1991. This commencement date will allow a reasonable lead time to establish the necessary infrastructure and is also consistent with national commencement dates for these matters.

Another aspect of the proposed ozone regulations is the need to be flexible and to allow for the consideration of genuine difficulties which a particular operator may experience initially in meeting the requirements. This can be achieved through a provision to grant conditional exemptions. In addition, there is a need to implement a period of regulatory transition. This may be achieved through the use of conditional infringement notices. This period of transition is a recognition and acknowledgement of the importance of industry education, awareness and acceptance, to achieve the underlying objectives of the legislation.

The administration of the Ozone Protection Act and regulations will involve a number of specific arrangements concerning inspectorial and regulatory functions, education and public awareness. The Conservation Commission will be responsible for the overall administration and management of the legislation, including matters of policy, public awareness and the coordination of consultative arrangements. The government believes that the most appropriate agency to carry out the day-to-day administration and inspectorial requirements is the Work Health Authority. This arrangement is accepted and preferred by industry and utilises existing inspectorial services to the greatest extent. Education and training aspects are the responsibility of the Department of Education. Already, the educational requirements of ozone protection legislation are well down the track. In this respect, the Northern Territory is one of the leaders in Australia.

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

Debate adjourned.

MINISTERIAL STATEMENT
Conservation and Development within the Department of Mines and Energy.

Mr COULTER (Mines and Energy): Mr Speaker, the basic principle of the National Conservation Strategy for Australia is that conservation and development are mutually dependent, and that neither can be sustainable without due regard to the other. It is a principle which I embrace, and I have always embraced it. It suits the political agenda of some people to suggest otherwise, but I do not worry about that. I am happy to let the

facts speak for the Northern Territory record of development in association with environmental management, because the Territory has the best record in Australia by a long stretch. Extremists can and do talk about environmental pollution in the Northern Territory, but the fact is that, basically, we have no pollution. In any relative terms, we live in an environmental paradise. The task before us is to ensure that it stays that way. I want to address the measures being taken by the Department of Mines and Energy to reaffirm that policy.

A Mines Environment Directorate was established recently in the Department of Mines and Energy to oversee the rational balance between the need for resource development and any public concern that mining should not cause any unacceptable degradation of the environment. To achieve that aim, the Mines Environment Directorate employs a multi-disciplinary team of engineers, scientists and technicians responsible for ensuring that high environmental standards are maintained at all Territory mines.

The relevant legislation consists of the Mining Act, the Mines Safety Control Act and regulations, the Mines Management Act and, of course, the Uranium Mining (Environment Control) Act. The directorate is organised into 6 functional areas of technical expertise which reflect the special needs of the mining industry: inspection and assessment, hydrology and water management, database management and document production, environmental chemistry, radiological protection, and rehabilitation and decommissioning. The majority of environmental chemical analyses are performed by the Territory government environmental laboratory, run by the Power and Water Authority in Darwin, although the directorate also maintains a high standard field laboratory at Jabiru.

Directorate staff are highly qualified. They have undertaken specialist work for outside bodies such as the Australian Nuclear Science and Technology Organisation (ANSTO), the National Association of Testing Authorities (NATA), the Bureau of Mineral Resources and the CSIRO. They work closely with industry, with other Territory government authorities such as the Conservation Commission and the Work Health Authority, and with Commonwealth authorities such as the Office of the Supervising Scientist. In particular, the Mines Environment Directorate has set up administrative arrangements to establish close links with the Environment Protection Unit established within the Conservation Commission so that fast and efficient reaction to any environmental issues which might arise can be coordinated.

Periodic inspections of mine sites are conducted to ensure compliance with environmental conditions and the law. The frequency of inspections depends on the degree of impact and the potential of a particular mine to cause environmental detriment. Inspectors ensure that operations within the mining lease are conducted in such a way that the beneficial users of land outside the mining lease are not affected adversely. Cooperation from adjacent landholders or responsible government authorities is sought to ascertain the degree of acceptable impact from a mine before and during its operation. Subsequent to mining, the lease is rehabilitated to standards which will ensure its return to an agreed future land use. Assessment takes the form of review of company monitoring reports and auditing of environmental performance against the agreed environmental criteria.

A database of meteorological and hydrological records is maintained because of the need of mines to balance water inputs, storage and releases accurately. The variability of rainfall patterns in the Territory makes water management an important but complex task. When releases of excess water must be made, it is necessary to ensure that this water complies with

standards designed to meet the requirements of the water authority. Additionally, pollution of the ground water is possible from surface water impoundments and from seepage, and it is necessary to apply models to ensure that present or potential water supplies are not contaminated.

The Mines Environment Directorate encompasses expertise in practical measurement, collection, interpretation and management of water data. Staff are skilled in bore and gauging station installation and operation, including installation and maintenance of analogue and digital recorders, and the collection and preparation of samples for field and laboratory determinations. Trends in water quality are interpreted, taking into account preferred pollution paths and water quality modelling.

The Mines Environment Directorate has developed and continues to maintain large computer databases containing records of environmental monitoring information, such as ground and surface water quality, rainfall and stream levels and flows. The monitoring information has been gathered over 18 years from more than 10 000 monitoring stations in the Territory.

Mr Bailey: It is 1000.

Mr COULTER: Is that right?

Mr Bailey: Yes.

Mr COULTER: Data can be extracted, processed and plotted for use in compliance testing or mine design and water management. The results are incorporated into publications and documents which are available to the public.

The Mines Environment Directorate carries out studies on the chemical impact of mining operations on the environment with a view to understanding their possible interactions with water bodies and soils within and outside mining leases. Expertise is available to advise on the potential impact of chemicals present in the mining lease from the perspectives of both occupational health and environmental impact. The primary function of the environmental chemist is to identify the constituents of the mining or milling process which are likely to be potential contaminants, to identify possible contaminant pathways through the environment, and to devise protocols and standards to protect the environment from chemical impact.

The Radiological Branch looks after radiation safety, which primarily relates to the health and safety of workers in the uranium mining industry and the assessment of environmental radiation levels. This involves the measurement of radon and radon daughters in air, external gamma radiation, and long-lived radiation on dust particles. The branch has been actively involved in the rehabilitation of the former Rum Jungle South Uranium Mine, and radiation data input for the design of semi-dry uranium tailings disposal at Ranger.

The Mines Environment Directorate has an important task in ensuring that the mining industry meets current community demands for protection of the environment from the impact of mineral exploration and mining and that, after these activities have been completed, the land is returned to a condition that is stable and available for an agreed alternative land use. For example, a major current project involves the management of the rehabilitation of the former Rum Jungle Uranium Mine. It has been a massive exercise because Rum Jungle was mined in the days when environmental management was barely considered, and the site was left in a dreadful

state. Expert advice and strong cooperation between the Territory and federal authorities in recent years has seen a remarkable transformation. The region is now being converted into a public recreation area.

Revegetation of former mine sites in the Territory requires specialist understanding of local and introduced species of plants which can survive and thrive in the altered environment created after mining. That expertise is available in the Mines Environment Directorate. Of course, securities are held against mining tenure, guaranteeing that mining companies honour obligations for rehabilitation of mining sites. Those securities amount to many millions of dollars and involve more than 350 companies in the Territory.

I have given a brief sketch of the work being done by the directorate and members will realise its importance in the Territory government's active policy of sustainable development. This should put to rest the shallow view that the Department of Mines and Energy is all about finding and developing resources at the expense of all else. This government has never advocated an open-slather approach to resource development. Rather, we have sought a balanced and rational approach to the undoubted resource development needs of the Territory. The Territory record is a proud one and it deserves greater credit.

Mr Speaker, I have circulated a brochure from the Mines Environment Directorate which outlines its activities and functions in some detail. I am extremely proud of the expertise which is assembled within the Department of Mines and Energy. Its staff is a force to be reckoned with and has great expertise in many areas.

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

Mr BELL (MacDonnell): Mr Speaker, I move that the motion, that the statement be noted, be amended by adding after the word 'noted', the following words: 'and further, that the Assembly welcome the greening of the member for Palmerston'.

Mr SPEAKER: That is not in order.

Mr BELL: Why is it not in order?

Mr SPEAKER: It reflects on a member's character.

Mr BELL: Mr Speaker, during the course of my speech, perhaps I may be able to find a suitable form of words. Far be it from me, Mr Speaker, to seek to reflect on your ruling, but I firmly believe that a statement such as this can hardly pass unnoticed. I am sure that there must be a suitable form of words to describe the change in attitude which has come over the member for Palmerston. I do not believe that suggesting that he has changed his mind is a reflection on his character. I was simply seeking to recognise the fact by way of a substantive motion. I am extremely surprised that anybody should be so sensitive as to take offence at my remarking on the attitude demonstrated by the minister in respect ...

Mr SPEAKER: The Clerk advises me that you are sailing very close to the wind in terms of reflecting on the Chair. I might accept his advice in a moment.

Mr BELL: Mr Speaker, to turn more specifically to the statement before the Assembly, I wish to place on record my sympathy for the public servants

in the Department of Mines and Energy who are given the task of writing statements like this. Basically, there is nothing in the statement. It contains the type of information which is contained in every annual report of the Department of Mines and Energy which comes before the Assembly. What is extraordinary is that it is on 100% Australian recycled paper.

Members interjecting.

Mr BELL: A couple of members have interjected that particular speeches in these sittings have been blatant electioneering. I recall the Minister for Mines and Energy, not once but twice, taking up the Assembly's time by telling us absolutely nothing in the hope that the government will obtain a few paragraphs at page 10 of the NT News in relation to conservation matters. I would have thought that there would be a few people telling the minister to wash his mouth out. I am always pleased to hear him speak like that and I take some degree of personal satisfaction in having persuaded him to a point of view where, in fact, he is able to speak in such terms. If he keeps it up long enough, we might even have a sensible debate on what constitutes sustainable development. I thought that it was only within the federal government that the question of sustainable development was getting a run. However, finally, the opposition has had some impact on the government in this regard.

Mr Hatton: Did you read the conservation strategy document?

Mr BELL: The Minister for Mines and Energy has got together with the Minister for Conservation and they have decided that they can both be a little green. This statement differs from the usual diatribe we hear from the Minister for Mines and Energy.

Of course, there are serious lacunae in the minister's statement. One of those is the problem of waterborne and airborne pollution at Nabalco on the Gove Peninsula. Recently, I had the opportunity to speak to people there about that. In the context of environmental concerns, there are some pluses in terms of rehabilitation as far as that project is concerned. If the minister were fair dinkum about balancing the interests of conservation and development, he would be reporting regularly to this Assembly about the different strategies adopted in respect of various developments.

The minister mentioned Rum Jungle. As a member of the Assembly's Sessional Committee on the Environment, I have had occasion to look rather closely at some of the activities of ANSTO in respect of the Rum Jungle rehabilitation. I believe that there should be regular reports on projects of that kind. The Assembly has taken an interest simply in the Alligator Rivers region, Ranger and Nabarlek. If the government were fair dinkum about environmental audit and balance in terms of conservation and development, it would be reporting regularly on each of those projects.

For example, no doubt, the honourable minister would have been briefed by his department on the possible impact of the Woodcutters Mine on the Darwin water supply. Instead of simply gushing, as he has in this statement, I would have expected him to discuss the hard issues of the pros and cons. There is a dramatic contrast in the dotting of environmental i's and the crossing of environmental t's as far as Ranger and Nabarlek are concerned and the refusal of this government to carry out sensible, across-the-board assessments of other projects which have the potential to have a deleterious effect on the environment. Indeed, we have been told that some have had such an effect. In particular, I refer to the Woodcutters Mine example. I refer also to concerns that have been expressed

to me, not so much about waterborne pollution at Gove, but more particularly about airborne pollution. I understand that that concern really has not seen the light of day.

Those are the types of issues that I would like to see included in a discussion of this kind. However, I suspect that the minister is interested only in a bit of froth and bubble, and I do not think we can expect much more. For all his recycled paper, I really do not think that the spots on the leopard have changed.

DISTINGUISHED VISITOR
Dr G.A. Letts

Mr SPEAKER: Order! I draw the attention of honourable members to the presence of the former Majority Leader in the Assembly, Dr Goff Letts. On behalf of all members, I extend a warm welcome to him.

Members: Hear, hear!

Mr HATTON (Conservation): Mr Speaker, I rise to support the Minister for Mines and Energy and his statement. I agree with him that it is about time the community started to recognise that, for many years, the Department of Mines and Energy has been carrying out, as an integral part of the government's program on environmental management, significant and important work to ensure that appropriate environmental practices were being adopted in the mining industry.

Mention has been made today of the excellent environmental record of projects such as that located at Gove. Much of my interest in environmentally-responsible development was generated initially by my experience in working in an asbestos cement factory in Sydney where there were quite significant environmental problems. My second job was with a company called Nabalco. From the very outset, with its feasibility study, that latter project in Gove included innovative and exciting social and environmental programs that made it a landmark, certainly for Australia and possibly for the world.

A technique of rehabilitation was developed to meet the requirement of the traditional owners that the country be returned to its natural state as it existed prior to mining. That challenging task, involving both plant and animal life, had not been achieved anywhere in the world at that time. However, that process was developed. Today, when you fly over areas of Gove, the only way you can tell that they were a mine site is because of a pillar of bauxite that is about 10 m high. It looks like a giant, red anthill from the air as it sits in the bush. It indicates where the plateau has been lowered and where the powerlines used to run through. When mining was completed, the overburden was replaced and the area re-seeded and repopulated. Within 2 or 3 years, wildlife species were returning to the area despite the fact that trucks were moving constantly into the new mining areas. It is a prime example of rehabilitation. Nabalco has people lecturing all around the world on mine rehabilitation practices. It has developed practices that are now used worldwide.

Similarly, as the Minister for Mines and Energy mentioned, there is red mud pond rehabilitation. From the outset, the ponds were designed to overcome some of the concerns and problems, and always with the aim of revegetation. That had never been achieved before in the world. It was thought to be impossible. Whilst the leaching of the remnant caustic soda from the silt residues, the drying out and compaction, and the restoration

of topsoil and replanting are still in the experimental stage, there is growth of vegetation over the top of the initial red mud ponds. That is an example of environmental responsibility.

In many respects, the Groote Eylandt Mining Company has developed similar practices in its mine rehabilitation programs, and that is occurring generally throughout the Northern Territory. The member for MacDonnell mentioned the old Rum Jungle mine site. Certainly, that was boasted about on numerous occasions in this House during the period when the rehabilitation was occurring. That was funded by the Commonwealth, and quite properly so because it had taken all the profits. It was a Commonwealth government mine that left the heavy metal mess behind.

Mr Bailey: What about the point about the Woodcutters Mine?

Mr HATTON: I am quite happy to deal with the Woodcutters proposal. We are addressing those issues head on, and successfully. It is another testimony to the effectiveness and efficient operation of the Environment Protection Unit and the administrative arrangements that we put in place in May this year. It demonstrates the effective cooperation between ourselves and the Department of Mines and Energy in addressing those issues. Through that process of contact and with expertise in the Department of Mines and Energy ...

Mr Bailey: How did it get to that situation?

Mr HATTON: ... policing and environmental safety ...

Mr Bailey: How did it get into that situation?

Mr HATTON: Shut up and listen, will you?

Having the authority of the Mining Act to be able to police environmental conditions which are built into the mining tenements gives far more power than some of the most draconian environmental legislation in the country. The Mining Act has one fundamental power: the Director of Mines can determine that the lease conditions are not being complied with and close the mine until the matter is rectified. That has happened at Ranger, at Nabarlek and at the gold room in Tennant Creek. That concentrates the mind. It is much more effective than having a lengthy court battle to prove a case which results in a $50 000 or $100 000 fine. Close the mine for a day or two and it will soon get its act together. That has been our experience. That is the value of using direct industry legislation to police environmental conditions.

The process of setting environmental conditions has been equal to the best in the country. We have had the advantage in the Northern Territory of interlinking between departmental people, not only from the Department of Mines and Energy but also from other service departments. This is centrally coordinated through the Conservation Commission in terms of environmental assessment and in developing our industries and our mines in an appropriate environmental manner from the outset. We are not confronted with the cleaning up of last century's mess. We are building new industries and building them properly. The Department of Mines and Energy has had a vital role in that. Whilst it may have been a little shy in boasting about the work it has been doing over the years, one should not ignore the fact that it has been doing the work and doing it very effectively. It has maintained high levels of environmental management and control on mining projects throughout the Northern Territory.

The Environmental Protection Unit and the new administrative arrangements are adding more teeth and higher levels of coordination among the Conservation Commission, the Department of Mines and Energy and all other authorities to provide an avenue for the expression of environmental concerns and a rapid and coordinated response to those. There has been nothing but success in that project. It is a far more cost-effective and cost-efficient method of response than developing another bureaucracy under some complicated and confusing conglomerate law. The systems that we are using work well. The Northern Territory can hold its head high in relation to its environmental protection management. Equally, the Department of Mines and Energy can hold its head high for the work that it has done. It is pleasing that it feels confident enough now to boast about what it has been doing. It is not that it has not been doing it before. The difference is that it is now prepared to tell the community about it. That is good to hear because it reflects well on the overall functioning of government and on the growing environmental consciousness of the Northern Territory community.

Mr BAILEY (Wanguri): Mr Speaker, I would like to make a few brief comments. We have another move by the government to establish specifically environmental protection procedures. It was mentioned that we have both the Environmental Protection Unit in the Department of Conservation and now the Mines Environment Directorate, both established within the last 6 months. These issues and concerns about environmental protection have been around for many years. While it may be argued that efforts were being carried out prior to that, it is interesting that it has been only within this last 6 months that these changes in structure and organisation have occurred.

A number of points in the minister's statement need to be commented on and I would will add a number of further comments. One of the glaring deficiencies of the statement is that, throughout, it describes environmental management as being largely based on some form of agreed levels of environmental protection. We have no set standards to operate by. It talks about deciding what level of environmental destruction can be acceptable to the mine and the adjoining landholders. At this time, it is unacceptable to allow ad hoc decision-making on what levels of environmental damage are acceptable. Specific levels need to be set. The Minister for Conservation explained that quite clearly when he was talking about the situation at Woodcutters. He said that, in May this year, they decided to do something about it. That was not based on any standard that had been broken. It was because the standard that they were allowing to occur at Woodcutters became so unacceptable that it was felt that something needed to be done.

Mr Manzie: You have no idea what you are talking about.

Mr BAILEY: That leads me to the next issue: the almost total lack of information emanating from either the Conservation Division or the Department of Mines and Energy. Information on such issues as Nabalco and Woodcutters has been requested by both myself and by several groups. Either no information is received or it is so old when it is obtained finally that it is meaningless. If we are talking about the scientific assessment of environmental issues, the scientific data should be open to public scrutiny. As any good scientist knows, if results are produced, they should be published and left for one's scientific colleagues to discuss and criticise them.

Mr Manzie: What makes you an expert?

Mr BAILEY: I will pick that up. I do have a degree in biology and therefore I am capable of reading scientific reports.

Another problem relating to the way mining is controlled within the Northern Territory is that bodies such as the Work Health Authority do not have direct access to mine sites. As a result, there can be concerns in relation to working conditions and the health of workers.

In the introduction to his statement, the minister mentioned that, basically, we have no pollution in the Northern Territory. He then went on to explain that we have a number of polluted areas such as the old Rum Jungle mine, Woodcutters and the sandmining in the Darwin area. We have limited pollution because we have had only a small population in a very large area for a fairly short period. It has resulted from good luck rather than good management.

The document appended to the circulated copy of the statement, 'Introducing the Mines Environment Directorate', refers to technical reports, presentations and conference proceedings produced by the Mines Environment Directorate. My understanding is that almost none of these is presently in the Parliamentary Library. If these are adequate publications issued by a government department, I would expect that a copy of each would be placed automatically in the Parliamentary Library at the time of publication. That may be a request that we can put to the honourable minister. Members or other interested people may read them then and determine their quality.

Mr Coulter: You will vet their quality?

Mr BAILEY: They are probably of a very high quality. The problem is that they are not available.

I would draw the minister's attention also to a full column advertisement placed in the Sunday Territorian of 20 May this year on mining and the environment. The minister said that mining companies have to lodge bonds to ensure that funds are available to rehabilitate sites when mining operations cease and that some 350 mining companies are involved. After I saw the advertisement in the newspaper, I contacted the minister's office and requested a list of all the mines concerned and the value of the respective bonds. I am still waiting for that list. I believe that it would be interesting to see whether the amount of money lodged in bonds would be anywhere near sufficient to rehabilitate a mine site after a major accident.

It is interesting to note that, at the end of that advertisement, it says in bold print: 'Ranger Uranium Mine, next to Kakadu National Park, has spent more than $18m on environmental monitoring and no unacceptable environmental change has been detected as a result of the mining and milling process'. My understanding is that, from its inception, Ranger was not permitted to produce any environmental change beyond the mine area, and that it was allowed to proceed only on that basis. It is achieving what was required of it if it was to be given permission to mine. That is hardly a major achievement. The situation at Woodcutters is quite different. Perhaps the minister can comment on how bad things got before action was taken and why it took until May this year before action was taken.

In conclusion, I indicate that we appreciate the honourable minister's conversion to concern about the environment. We hope that his comments about being a pro-erosionist are a thing of the past, and that he is now

ready to talk about sustainable, viable, realistic development rather than his previous stance of development at any cost. I acknowledge the minister's change in attitude and I support it.

Mr COLLINS (Sadadeen): Mr Speaker, I welcome the minister's statement. We live in an age in which the media has seized on words like 'environment', 'greenhouse' etc, and in which the community expects some high environmental standards. I would like to reiterate something which I have said in this House many times. I was a member of the Sessional Committee on the Environment for nearly 7 years and, at one stage, I was even its chairman. We had the privilege of oversighting uranium mining at Ranger. The Territory can stand tall and proud about the way in which it has looked after the environment in relation to the uranium industry. I welcome the formation of the Mines Environment Directorate which will perform an important function, just as the sessional committee did, in checking sites and questioning mine management and officers of the Department of Mines and Energy.

I am very pleased that Roger Watters has returned to the Department of Mines and Energy and is working with that department in central Australia. He is a very competent officer and one who could knock a bit of common sense into some of the socialists around the traps, being of that political persuasion himself. He is in favour of uranium mining in a sensible way. When I was a member of the Sessional Committee on the Environment, I knew Roger as an officer who could give sensible answers to all the curly questions in the world.

I dare say that the Mines Environment Directorate has a role to play and that it will reassure the community that mining in the Territory is being carried out in a sane and sensible manner which is looking after the environment. In fact, I recall that, in order to commence operation, Ranger had to take on some rather horrendous imposts and conditions. I do not think that Ranger regrets those conditions and I certainly do not. One such condition is that all tailings must be covered by 1 m of water. On one occasion, when some tailings peeped through, the mine was shut down. At the time, the then Leader of the Opposition, now Senator Bob Collins, wove a great story about the incident, as only he could do. The mine was closed down for a period and the tailings were covered again. I believe that constant monitoring of the site by the Commonwealth Office of the Supervising Scientist and the Territory Department of Mines and Energy has now resulted in permission being given for tailings to be kept in a semi-moist condition. As a result of very careful measuring and monitoring, sanity has prevailed.

Uranium has been mined around the world. It was mined at Rum Jungle in the days when it was good enough to dig it up and leave behind an incredible mess. Even today, some rather rough uranium mining occurs elsewhere in the world. We learnt from experience and we set very tight standards. There has been some relaxation of those standards, but the community can be assured that this has been done with the greatest care. Perhaps the Mines Environment Directorate might take the slogan of Roger Watters. I am not sure of the Latin but the English translation is: 'We do know and we do care'.

I think that we can be proud of our achievements in this area and that we should shout about them from the rooftops. When I was a member of the sessional committee, there would sometimes be an incident such as a break in the pipe which carried tailings to the dam at Ranger, causing a bit of a spill. The spill went into a bunded area, the committee was informed about

it, and action was taken to clean it up. However, someone would always leak the story to the press which reacted in a way guaranteed to lead the uninitiated around Australia to think that we had had a major disaster. It really was laughable. It is amazing how the media can take hold of an insignificant incident and beat it up. The prompt action to clean things up and to restore the pipeline never seemed to make the news and, in their unconscious minds, the people of Australia must have had the impression that Ranger was a pretty rough operation. However, nothing could be further from the truth. We should be proud enough to say that we are setting world standards, far above those which apply anywhere else.

Mr COULTER (Mines and Energy): Mr Speaker, I thank honourable members for their comments. The member for Sadadeen is quite correct and the information which he gave effectively answered the comments of the member for Wanguri in relation to standards.

I will give the House a little more information about the tailings dam at Ranger because it proves the point about the best practical technology and standards. The honourable member was quite correct when he said that tailings in the dam had to be covered by 1 m of water. Somebody once asked why that particular measurement of 1 m had been chosen. When we examined the notes, we found that it was the average length of an outboard motor leg. Somebody had decided that perhaps there might be a need to put a boat on the dam and that the boat might need to have an outboard motor leg. That was why 1 m was the figure chosen.

Honourable members who served on the Sessional Committee on the Environment at the time will recall just how big the tailings dam was. Because of the huge volume of water on top of the tailings, there was potential danger of seepage or leakage into the aquifer. In fact, it was the member for Barkly, and I say this with no disrespect to him, who closed the mine down when a tiny little peak of tailings emerged from the water. It had to be shut down immediately. Today, there is no water in the tailings dam at all. We beached the tailings and solved the problem of the pressure of water volume in the dam. In a matter of 5 years, we have come from shutting the mine down because tailings appeared above the dam surface to applauding and congratulating Ranger for not having any water in the tailings dam at all. That demonstrates the dangers which face the member for Wanguri when he starts to put national standards forward as the be-all and end-all.

Of course, the fact is that there are no national standards. The member for Nightcliff sits on the national body, which includes the New Zealand conservation minister, and which has just released draft standards for air, water and contaminated site clearance. The draft standards have only just been released for public comment, and the member for Wanguri expects me to uphold them. That is typical. He always has to have a bit more and there is no compromise. However, I was pleased to hear him utter the word 'development'.

The member for Wanguri scoffed about red mud ponds and said there were no such tanks elsewhere in the world. Anywhere bauxite is mined, there are red mud ponds. In having trees growing in and around such areas, we have created a world first. We have set standards for the rest of the world to follow and and we are the envy of the world. Trees are also growing quite well on the rock dumps at Ranger. Recently, I visited Tom's Gully, a mine which opened only about 2 years ago. Already, trees have been planted on some of the rock piles at that mine and they are growing very well indeed. The rehabilitation is magnificent. The tailings dump at Rum Jungle is

another example of what can be done in those areas that were degraded by some of the old techniques that were used.

The member for Wanguri suggests that our concern for the environment began only 6 months ago, and I am surprised that he did not claim credit for it. It is about the only matter mentioned during these sittings for which he has not claimed credit. He seems to have been responsible for everything else, including the toxic waste incinerator at the hospital. In connection with the wheelie bins, I think he was responsible for detecting the first fly infestation in the Northern Territory. He really is a wonder, Mr Speaker!

We have been keeping records for 18 years, and I pay particular tribute to all the officers mentioned in the brochure which I circulated with the statement today. As I said, I am very proud of their expertise. Some of them have made an international name for themselves, apart from the work that they do now with CSIRO, ANSTO and the National Testing Authority. They are officers of a very high calibre indeed, and I am immensely proud of them.

I will not go into some of the sarcasm that was levelled at me. Let me say, however, that I have not changed. I will reiterate for the record that the basic principle of the National Conservation Strategy for Australia is that conservation and development are mutually dependent and that neither one can be sustainable without due regard for the other. As I said, it is a principle which I embrace, and I have always embraced it. I stand by my pro-erosion statement, in the context within which I made it. I said that, if it were not for erosion, we would not have the Katherine Gorge, the Victoria River system, Ayers Rock, the escarpment at Kakadu, the Grand Canyon or Niagara Falls. That is the context in which I made the statement and no one in this Chamber can deny that that process has created come very beautiful features on the world landscape.

Mr Collins: It is weathering.

Mr COULTER: Well, weathering if that term is more correct.

I am sure that my statement has been taken out of context by a great number of people. It suits the political agenda of some people to suggest otherwise, but I do not care about that. I really do believe that we are acting responsibly. It is not a matter of development at any cost. In fact, the infrastructure that has been put in place, as I have detailed in this statement today, is very complete in every regard. Every aspect is being handled by this department, and handled well.

I take on board the comment about the publications, and I will see whether or not they can be made available to the Parliamentary Library. I take the point that, as environmental matters have taken on such a high profile, these publications should be available to honourable members. I will seek further information on that.

Mr Speaker, I will end by saying development and conservation is a problem that the rest of Australia is trying to come to grips with at the moment. It is a shame that there are not more people around the world, particularly around Australia, who have the will to be able to come to grips with this issue. I remind honourable members of an article in a recent issue of The Bulletin which carried a picture of Justice Stewart on its front cover. There is some excellent information in that article and I believe that it should be compulsory reading for all honourable members. I note the recent statement by the Minister for Conservation in relation to

ozone protection. An article in that issue of The Bulletin reports John Kerin as saying it has been determined that we now produce 0.45% of the world's greenhouse gases in Australia, less than 0.5%. That is the Australian contribution to the ozone problem. That is the type of information that we should have. For example, the rocks in the Ranger Uranium Mine area are the oldest in the world. They are in excess of 4 billion years old and contain many rare earths, many of which have been leeching into the environment for roughly that period of time. If we had had a database of information about the area before the mine went into production, we could have had a before-and-after assessment.

Let me take the Woodcutters example, Mr Speaker, and I will not speak for too long in relation to it. The water from the Woodcutters Mine has been supplied to a farm in the area for many years. The rockmelons on the farm were grown using water from the mine. There are many examples of run-off and mineralisation in that area. The contamination, if you like, in that area simply occurs naturally.

There was also concern about the detection at Gove of heavy metals such as cadmium, lead and zinc. That concern has now been put to rest. After extensive analysis of the Gove production plant, the mine site, the red mud ponds and the surrounding coastal areas, we found that the concentrations of those heavy metals in that area are negligible and well below the standards that are acceptable. However, we found that the highest concentration of the heavy metals is located some 8 km away at a place called Granite Rock.

In his response to the budget this morning, when he launched his election campaign, the Leader of the Opposition said that the Northern Territory is one of the most highly mineralised estates in the world. Many things happen in our environment that occur quite naturally. We need to come to grips with that and to collect the information in a database so that we can assess before-and-after conditions. In that way, we could avoid the type of problems experienced at Ranger when people reported high levels of a uranium-type content in mussels in the rivers in that area. When we investigated, we found the highest concentrations were way upstream from Ranger. The Mines Environment Directorate, in cooperation with the Environmental Protection Unit and the Conservation Commission, will provide us with information that will enable us to make more balanced judgments about resource development in the Northern Territory.

Once again, I congratulate all the members of the directorate and I wish them well in their future endeavours, in particular in their own research and scientific development. I thank honourable members for their contributions.

Motion agreed to.

SPECIAL ADJOURNMENT

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the Assembly, at its rising, adjourn until Tuesday 25 September 1990 at 10 am, or such other time and or date as may be set by Mr Speaker pursuant to sessional order.

Motion agreed to.

LIQUOR AMENDMENT BILL
(Serial 300)

Bill presented and read a first time.

Mr FINCH (Racing and Gaming): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to address shortcomings in the current legislation. Among other changes, the Liquor Amendment Act 1989 altered the collection of liquor fees from an annual to a quarterly basis. The quarterly system became effective this financial year. However, whilst the legislation allows for the collection of fees from supermarkets, hotels, restaurants and roadside inns as intended, it does not allow for the collection of fees from non-profit clubs as intended. These clubs pay liquor fees based on a sliding scale over a 12-month period. The act limits the calculation of liquor fees to a quarterly period only and does not allow for this sliding scale over a 12-month period. As a result, the intention to assist smaller non-profit clubs has been overridden. It is necessary that amendments be made to the Liquor Act to allow liquor fees to be collected as intended. It should be noted that no additional fee will be incurred by any licensee as a result of the proposed amendments.

Another problem with the Liquor Act is that it does not make provision for the transporting for or consuming of alcohol in religious services in restricted areas. This has been of concern to clergymen who carry small amounts of sacramental wine into various restricted areas without a permit and who are, therefore, open to prosecution under section 95 of the Liquor Act. Some clergymen are bound by their vows to administer the sacrament of Holy Communion and are obliged to carry wine with them on their journeys into and through restricted areas. An amendment to section 75 will include a provision for the transporting and consuming of wine for the purpose of Holy Communion. This amendment will restrict the transporting of such wine to approved persons only if permitted by the local community to travel within its restricted area.

The matter of minors buying or consuming alcohol on licensed premises is an ongoing problem, and several amendments have been passed by this Assembly in recent years to address this. However, recently, when the commission attempted to initiate prosecution proceedings against a licensee for a breach of the act involving minors, the commission was advised by the Solicitor-General that a prosecution would not be successful. The ability to prosecute licensees and their employees for offences involving minors was omitted inadvertently in amendments to the act passed in 1988. These amendments addressed the subject of minors being on licensed premises and the supply and sale of liquor to minors.

In general terms, it is an offence for minors to be on licensed premises unless in the company of a responsible adult. Similarly, they can only buy or consume alcohol on those premises when eating a meal with a responsible adult. Minors can now be prosecuted for relevant breaches of the act. However, it has always been the commission's and government's intention that offending licensees and their employees should also be prosecuted for any breaches of the act involving minors. To enforce this aspect of the act effectively, it is proposed that amendments be made to allow prosecution of licensees and their employees who are in breach of these provisions. It may be noted that, whilst drafting the legislation, the Parliamentary Counsel has foreseen the need to tidy up the legislation as it relates to minors and has drafted the amendments accordingly.

In conclusion, Mr Speaker, these amendments will be responsive to the needs and wishes of the Northern Territory community. I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr MANZIE (Attorney-General)(by leave): Mr Speaker, I move that so much of standing orders be suspended as would prevent 2 bills, the Real Property Amendment Bill (Serial 294) and the Real Property (Consequential Amendments) Bill (Serial 295): (a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the committee's report stage, and the third readings of the bills together; and (b) the consideration of the bills separately in the committee of the whole.

Motion agreed to.

REAL PROPERTY AMENDMENT BILL
(Serial 294)
REAL PROPERTY (CONSEQUENTIAL AMENDMENTS) BILL
(Serial 295)

Bills presented and read a first time.

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

It is with some pleasure that I am in a position to introduce the Real Property Amendment and the Real Property (Consequential Amendments) Bills. These bills propose some of the most substantive amendments to the Real Property Act since its enactment in 1886 or the enactment of its predecessors of 1857 and 1861. The major bill is the Real Property Amendment Bill. The Real Property Act is time-sanctioned legislation. It was inherited from South Australia, the birthplace of the Torrens system of land registration. It is legislation that is not changed without some trepidation. Accordingly, it is appropriate to delve into history to identify some of the background to this legislation.

We are all aware that the Torrens system was created by Robert Torrens, an Irish public servant who, on the platform of land reform, was swept into the first South Australian parliament that was popularly elected. He topped the poll. South Australian governments came and went in those days so that Torrens was in and out of government. He alternated between being a backbencher and a member of the ministry. In any event, he was not a member of the government when his first Real Property Act was enacted in 1857. Following its enactment, Torrens retired from politics to become the Registrar-General so as to ensure that the legislation was properly implemented. Torrens was something of a zealot about the spreading of the word concerning his system of registration of land. He was so successful that, by 1863, the legislation had been copied in most of the self-governing Australian colonies. It was soon adopted in New Zealand and many of the Canadian provinces.

It is against this honourable background that I introduce the bill that includes the aim of better achieving some of Torrens' original goals. Given the significance of the bill, I intend to go through its provisions clause by clause. However, its basic purposes may be summarised as being, firstly,

to facilitate the holding of the register in electronic form and, secondly, to provide for the establishment of a means of access to a record of administrative interests and information held by the Northern Territory government.

The traditional land titles register is one held in paper form. It can become labour intensive, there can be storage problems and it can be readily accessed at only 1 location. Over time, land titles offices develop into monoliths that are barely manageable without long delays in processing of documents. The Northern Territory Land Titles Office has not reached this stage. To some extent, this is because of its relatively small size. More importantly, computer systems have been introduced in the period since 1981 so that various aspects of the business of a land titles office are computer assisted. These include the use of terminals by the public for searching purposes, the allocation of priority for documents by computer, the preparation of diagrams by computer and the preparation of titles by computer. This use of computers, together with consequential changes in management structures, has enabled the Land Titles Office to open an office in Alice Springs and to improve the speed of delivery of its services without any increase in staff. Notwithstanding these advances, it must be emphasised that, up to this point, the uses of computerised information and the computerisation of clerical functions have been limited to being administrative facilities. The paper register book has been fully maintained.

The aim of this legislation will be to allow the register of lands to be held in computer form. It will no longer be necessary manually to update paper titles. The benefit of this will be seen most obviously by looking at the impact on the Alice Springs office. Instead of being limited to accepting documents as being fit for registration and then sending them to Darwin for matching to the paper register book, the Deputy Registrar-General in Alice Springs will be in a position to complete registration on the spot and to issue a newly-registered title. In time, as other towns grow, it will be a relatively simple matter to open up new land titles offices where there is a sufficient demand for services. The Northern Territory population living in sizeable cities outside the capital will not suffer the same inconvenience experienced in the large provincial cities of places such as New South Wales, where searches and dealings have to be processed through capital city agents.

There may be fears that the establishment of a computer-based land titles register is fraught with risk. The government understands these fears and accepts the need for a duplicate copy of the register to be maintained in a form other than an electronic form. Most other jurisdictions maintain a microfilm copy of all dealings and titles. For the present, the intention is that the Registrar-General keep a paper copy of every title produced by the computer. This will ensure that, in the very unlikely event of a series of catastrophes with the computer, the register can be reconstructed with certainty.

I will now turn to the key provisions of the bill and deal with them in their numerical order. I will begin with clause 4 which makes significant definitional changes reflecting the fact that the register will no longer necessarily be a 'register book'. Accordingly, the notions of a 'certificate of title' and 'duplicate certificate of title' are no longer appropriate. Presently, the word 'certificate' refers to both the original Crown grants and all certificates created by the Registrar-General including the copy kept so as to make up the register book and the copy issued to the landowner.

Clause 4 amends section 3 of the principal act. Paragraph (a) omits the definition of 'certificate' and inserts a definition of 'certificate as to title'. The consequence is that the word 'certificate' no longer has any defined meaning. Instead, the phrase 'certificate as to title' is defined so as to mean the copy issued to the owner. The registrar's copy, as the context demands, will be referred to as either the 'folio of the register' or 'the register'. Also, paragraph (a) inserts a definition of 'computer'. The word, as defined, is used in sections 3 and 47(3). Further, paragraph (a) inserts a definition of 'computer print-out'. The phrase is used in section 49(4)(b) so that it is clear that a certificate as to title can be produced from information stored in computer form.

Paragraph (b) omits the definition of 'document of title'. This definition, being a definition in relation to documents evidencing title for land not under the Real Property Act, is not necessary as there is no land alienated from the Crown that is not subject to the operation of the act. Also, paragraph (b) inserts a definition of 'document'. That word, as defined, is used in contexts where it is desired to include all documents - for example, miscellaneous applications for searches etc - and not just instruments lodged for registration. In that regard, I refer honourable members to proposed new section 60A.

Paragraph (c) inserts the definition of 'folio of the register'. That phrase, as defined, is used in sections throughout the act and replaces the concept of 'original certificate of title'. A 'folio of the register' is the basic unit of land in the register so that the register will be comprised of 'folios of the register'.

Paragraph (d) widens the definition of 'instrument' so that it is clear that the phrase includes all documents and other entries that are required to be made. It recognises that entries can be made irrespective of whether there is a specific provision in the Real Property Act.

Paragraph (e) inserts a definition of 'lodge', being a cross-reference to a substantive provision to be contained in proposed new section 60A. The effect will be that, at the discretion of the Registrar-General, documents can be lodged by electronic means.

Paragraph (f) omits the definition of 'proprietor'. There is no longer a need to have a definition of 'proprietor' given both the definition of 'register proprietor' and the fact that no alienated land is held other than by the Crown outside of the operation of the act. Paragraph (f) inserts also cross-referencing definitions of 'record of administrative interests and information', 'record of dealings' and 'register'.

Clause 5 has the effect of amending the objects section by making it clear that the provision of, and collection of, non-ownership information is an objective sought to be achieved by the act. These proposed new objectives are set out in proposed new section 10(d) and (e). The substantive provision is set out in proposed new section 191E. These objects, as drafted, will resolve some legal issues relating to the extent to which land transfer documents can require the provision of information that is not necessary for the registration of documents but which can be required for the purposes of the Land Administration Information System.

Clause 6 makes it clear that judicial notice shall be taken of the Registrar-General's seal or signature where the seal or signature is produced electronically.

Clause 7 repeals sections 47 to 53. Proposed new section 47 provides for the establishment of the register relating to the ownership of land. Proposed new subsection 47(1) imposes the duty on the Registrar-General to maintain a 'register'. This register will apply to both Crown leasehold and freehold estates. There will no longer be any concept of a 'register of Crown leases'. Proposed new subsections 47(2) and (3) provide that, subject to any prescription in the regulations, the form of the register shall be as the Registrar-General considers fit. However, the register is to be divided into 'folios of the register' with, on the making of a determination by the minister, there being one 'folio' for each parcel of land. This is provided for by proposed subsections (4) and (5) of proposed new section 47. Proposed new subsection 47(6) sets out the contents of each folio. Proposed new subsections (7) and (8) deal with the creation of each folio. And proposed new subsections (9), (10) and (11) deal with the amending of folios of the register.

Proposed new section 48 provides for entries in the register. Proposed new subsection 48(5) makes it clear that the register shall be comprised only of current interests. This proposal that the register should be cleaned of non-current information is in line with recent legislative changes in both South Australia and Victoria. It takes the Northern Territory back to a basic principle and aim espoused by Robert Torrens which was to the effect that a clean title should be issued each time a major dealing was registered. As Torrens saw it, there was a need to prevent 'accumulations' of information on titles. A simple title is one that can be understood. Until now, he practical expense of producing a new title on each transfer has precluded the full implementation of this particular aim of Torrens. However, a computer can produce, relatively easily, a new clean title for each major dealing.

Proposed new section 49 deals with the owner's copy of the title. The proposed section makes it clear that the owner's copy - called a 'certificate as to title' - is an extract of the register as at a particular instant in time. Proposed new paragraph 49(2)(d) makes it clear that, subject to any direction of the minister, a certificate as to title shall have a diagram for the land.

Proposed new section 50 provides for the time of registration. This provision replaces old section 50 and makes plain the point that the time of registration is the time when the registration is recorded by the registrar.

Proposed new section 51 is consequential upon the decision contained in proposed new subsection 48(5) that the register shall contain current information only. This clause obligates the Registrar-General to keep a record of non-current dealings in respect of each current folio of the register.

Proposed new section 52 ensures that any document, including a computer print-out, that is certified by the Registrar-General as a record of the information held, is conclusive as to its contents such that the Registrar-General shall not be obliged to produce any other documents as to title.

Proposed new section 53 sets out the basic rule that a document shall not be registered unless the appropriate certificates as to title and the consents of affected parties are first obtained.

Clause 8 amends section 56 so that the Registrar-General has some flexibility in determining which document, out of a bundle of documents

lodged as a parcel, should be registered first. The provision also gives the Registrar-General a general discretion as to how he deals with multiple copies of a dealing that is lodged for recording.

Clause 9 inserts a proposed new section 58A entitled 'multiple dealings may be registered as one'. The purpose of this provision is to allow for flexibility where the register is in mixed paper and computer forms and to allow for office efficiency in respect of the register and the record of non-current and historical dealings. Clause 10 inserts proposed new section 60A. This provision will allow the Registrar-General to accept documents lodged by electronic means. Clause 11 inserts a new section 65 dealing with searches of the register. This provision is a redrafting of section 65 so that it is clear that access to the register can be provided by electronic and other means.

Clause 12 inserts proposed new section 93 which sets out that the Registrar-General may be required to issue certificates as to title for freehold and leasehold grants from the Crown. This section should be read in conjunction with proposals contained in the Real Property (Consequential Amendments) Act. Clauses 13, 14, 15 and 19 repeal and are proposed to re-enact, respectively, sections 103, 177, 184 and 248 so that each is rewritten to take account of the changes of terminology.

Clause 16 inserts a new part XVIB dealing with the record of administrative interests and information. This part is comprised of proposed new section 191E and provides for the keeping by the Registrar-General of a record of administrative interests and information. The information held shall be information required or existing under any act in force in the Northern Territory, any information prescribed by the regulations or any other information as determined by the minister. This provision will allow the Registrar-General to draw on the computerised Land Administration Information System so as to allow for the release of government information that is otherwise unavailable except by searches of each affected government organisation.

Clause 17 amends section 220 so as to allow the Registrar-General to register a document notwithstanding that there is some plain or patent error that does not affect the intended effect of the document.

Clause 18 amends section 233 so that there is more appropriate description of the crimes associated with tampering with the register. There is also a substantial increase in the maximum penalty. The new penalty is proposed to be $40 000 or 10 years jail. This figure is the same as for the equivalent South Australian section. The steep increase reflects both the fact that 101 years have passed since the original penalty of £500 was set, and the fact that the government views with great concern the possibility of interference with the Land Titles Register.

Clause 20 amends the regulation-making power so as to make it clear that the regulations can prescribe the form in which the register is kept and the manner of the making of recordings in the register.

Clause 21 inserts a schedule that makes provision for miscellaneous amendments consequential to the changes of terminology. Various statute law amendments are also made. I will not deal in detail with these amendments other than to summarise them as relating to: firstly, statute law revision amendments to sections 22, 143, 150, 220(3), 220(7) and 232; secondly, the change of name from 'register book' to 'register'; and, thirdly, the change in name from 'duplicate certificate' to 'certificate as to title'.

The second bill in this package of reform to land registration procedures is entitled the Real Property (Consequential Amendments) Act. This bill seeks to achieve 2 main purposes. The first is to make changes to the Crown Lands Act, Crown Lands Regulations, Special Purposes Leases Act and Special Purposes Leases Regulations so as to facilitate the possibility of the electronic registration of grants of freehold and leasehold.

This aim is achieved as follows. Firstly, subclause 3(2) inserts proposed new section 14AA into the Crown Lands Act so that, at his discretion, the minister may lodge sufficient details of the grant of title to enable the Registrar-General to create a folio of the Land Titles Register and to issue a certificate as to title to the person receiving the leasehold or freehold estate. Note can be taken of proposed new subsection 14AA(2) as it provides that a certificate as to title created for a grant of a lease has the effect of a lease notwithstanding that it is not signed by the lessor and the lessee. Secondly, clause 4 provides, by the insertion of proposed new section 5AA for a similar provision regarding the Special Purposes Leases Act. Thirdly, clause 6 amends in various places the Crown Lands Act, Crown Lands Regulations, the Special Purposes Leases Act and Special Purposes Leases Regulations so that the forms for Crown leases and Crown grants are as prescribed by the Real Property Act.

The second main aim of this bill is to make amendments to various acts and regulations consequential to the changes in terminology proposed by the Real Property Amendment Bill. This aim is achieved by: subclause 3(1) which inserts a definition of 'register' into the Crown Lands Act; subclause 3(2) which omits and substitutes a redrafted proposed section 14A; clause 5 which provides a catch-all provision in respect of references to the expressions 'certificate of title' and 'duplicate certificate'; and clause 7 which inserts a schedule of amendments making consequential changes to acts and regulations that contain references to words and phrases such as 'certificate of title', 'register book' and 'endorsement of the details'. I commend the bills to honourable members.

Debate adjourned.

SUMMARY OFFENCES AMENDMENT BILL
(Serial 291)

Bill presented and read a first time.

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

The purpose of this bill is to amend the provisions of part VIA of the Summary Offences Act to empower police to: seize or empty open and unopened containers of alcohol in the presence of a person believed to be drinking in a public place; seize unopened containers of alcohol in the immediate vicinity of a person believed to be drinking in a public place; and seize unopened containers of alcohol in the possession of persons in the immediate vicinity of a person believed to be drinking in a public place. Section 45D of part VIA of the Summary Offences Act deals with the prohibition of drinking in a public place within 2 km of licensed premises. It is commonly known as the 2 km law.

Section 45H of the Summary Offences Act provides that, where a member of the police force has reason to believe that an offence has been committed against section 45D, the member may empty any open containers of alcohol in the possession of the person believed to be contravening section 45D. The

2 km law has been operating since 1 January 1983, and is aimed at preventing drinking and associated unacceptable social behaviour in public places. When the 2 km law was introduced in 1982, it attracted much controversy. Honourable members will recall that it was criticised as being a short-term measure that did nothing to address alcohol problems in the Territory. On the other hand, it was supported as being a means of keeping order in public places. The underlying aim of the 2 km law is to improve the quality of life for the community at large. More specifically, the aim was to keep orderly public places which are frequented by the general community.

It is important to remember that enactment of the 2 km law occurred concurrently with a range of liquor control initiatives, including changes to takeaway liquor trading hours, a public education campaign against alcohol abuse, and the development of sobering-up shelters. The 2 km law was not and is not seen in isolation as a solution to excessive drinking and associated problems. Neither is this amendment intended to be a solution in isolation to these problems.

One of the problems with the 2 km law in its current form is the inability to prevent further offences occurring after apprehension, where the police empty the open container of alcohol and depart, leaving the person with unopened containers of alcohol. Persons apprehended often go on to drink the contents of the unopened containers of alcohol once police depart. It is impractical for police to stay in the vicinity for the purpose of making another apprehension.

A working party was established to consider strategies to address problems associated with public drunkenness and other unacceptable behaviour in Katherine following a letter of complaint from the Mayor of Katherine. The working party comprised representatives from the Northern Territory Police Force, the Racing, Gaming and Liquor Commission and the Department of Health and Community Services. The working party recommended that police should be empowered to seize or empty unopened containers of alcohol as well as the opened ones. The purpose of this amendment is to give effect to that recommendation and to achieve a better policing of the law.

Clause 4 extends existing powers of police to empty opened containers in the possession of a person suspected of contravening the 2 km law to allow the police to seize or empty any open or unopened containers in the possession of a person whom a member of the police force believes to be contravening the 2 km law. Clause 5 inserts a new section 45HA which gives the police the power to seize any unopened casks or containers in the immediate vicinity or in the possession of any person in the immediate vicinity of the person whom the member believes to be breaching the 2 km law and from which the member believes that person is likely to continue to drink.

The amendments provide a mechanism whereby the police are required to give the person from whom the containers are seized a written receipt describing the containers seized and the place, date and time of seizure. The seized containers are then to be taken to the police station closest to the place where the containers were seized. The seized containers can be recovered from the person in charge of the police station by presentation of the issued receipt. The section goes on to provide that, if the containers seized are not redeemed, then the containers are forfeited to the Territory and are to be destroyed in accordance with the directions of the Commissioner of Police.

The government does not see that extension to the 2 km law, as proposed in the bill, as providing instant solutions to excessive drinking and its associated problems. The government is examining a multiplicity of issues in relation to alcohol-related problems and is prepared to consider any feasible solutions towards resolution of these problems. In this regard, the government looks forward to the recommendations of the Sessional Committee on the Use and Abuse of Alcohol by the Community, together with further strategies which are to be developed by the Katherine Working Party referred to above. In order to deal effectively with alcohol-related problems in the Territory, a multiplicity of solutions need to be developed. This government does not see this amendment as being the solution in itself. I commend the bill to honourable members.

Debate adjourned.

SUPREME COURT AMENDMENT BILL
(Serial 302)

Bill presented and read a first time.

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

The purpose of this bill is to provide that the position of Master of the Supreme Court now becomes a statutory office, to be appointed by the Administrator on the advice of the Chief Justice with salary and conditions determined by the Administrator on the advice of the Remuneration Tribunal. This move is in line with the changing functions of the Master. The Master has been the administrative head of the court. However, since the new Supreme Court Rules came into effect in 1987, he has been given increased powers to exercise the judicial functions of the court in prescribed circumstances. This has worked well. It is proposed that these powers be increased so he can exercise an increased range of functions. This will have the advantage of further releasing the judges of the court so that they can spend more time dealing with the more serious and delicate matters. This is in line with principles of court efficiency and case-flow management.

In line with the Master's increased responsibilities, the Master and Deputy Master were given statutory independence in 1988. This present move was recommended by the Federal Court Registrar, Mr James Howard, in his review of the courts conducted last year, and it can be seen as a reflection of the Master's increasing judicial role. It is important, for the independence of the court from the executive, that the Master be seen to be independent and that he should not be a public servant but should be appointed by the Administrator in a similar manner to a judge.

In line with this, the bill will provide for the appointment of an Acting Master to cover absences by the Master. He or she will be appointed by the Chief Justice, who may limit the powers of the Acting Master - for instance, so that he or she performs only some of the functions of the Master. This bill provides for such matters as resignation, retirement and removal from office. It provides for a person formerly in the public service to take over the office and maintain his or her entitlements. This situation exists with persons appointed as magistrates.

Because the Master would no longer be the administrative head of the court, it is felt that the position of Deputy Master should be changed to Registrar to reflect the nature of his or her duties. This is provided for

in the draft bill. He or she will remain in the public service and have similar terms and conditions.

In summary Mr Speaker, this bill will allow for more effective court management and will enhance the independence of the judicial function. Therefore, I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Chief Minister): I move that so much of standing orders be suspended as would prevent the Business Franchise Amendment Bill (Serial 299) and the Taxation Administration Amendment Bill (Serial 307) passing through all stages at these sittings.

Motion agreed to.

BUSINESS FRANCHISE AMENDMENT BILL (Serial 299)

Continued from 22 August 1990.

Mr SMITH (Opposition Leader): Mr Speaker, this bill is consequent on a decision made by the government in its budget to increase licence fees for petroleum and tobacco. This is not something of which the opposition would necessarily approve. However, it is a money bill and we cannot amend it without bringing down the government. The opposition indicates that it is opposed to the bill.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

TAXATION ADMINISTRATION AMENDMENT BILL (Serial 307)

Continued from 22 August 1990.

Mr SMITH (Opposition Leader): Mr Speaker, this bill introduces measures to strengthen the legislation as it relates to loan security duty and motor vehicle certificate of registration duty. Secondly, it provides a measure of relief from duty for some under the latter heading. The opposition has no problems with this bill.

It is probably not completely appropriate, but I asked the Chief Minister earlier today about FID and how the government intended to implement that part of its budget speech. I would appreciate an answer at this time if it is convenient.

Mr PERRON (Chief Minister): Mr Speaker, I can inform the honourable member that the matter of exempting social security payments and pensions from financial institutions duty is handled by regulations. These are being prepared. Whilst we cannot pre-empt His Honour the Administrator, it is expected that they will be in place on the last day of this month.

Motion agreed to; bill read a second time.

Mr PERRON (Chief Minister)(by leave) Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

PETROLEUM AMENDMENT BILL
(Serial 283)

Continued from 10 May 1990.

Mr BELL (MacDonnell): Mr Speaker, I indicate that the opposition supports the amendment. The purpose of the amendment is to enable the operation of drilling funds in the Territory. The bill will also amend the Companies Code in order to facilitate drilling funds.

Mr Coulter: Simplify transfer of registration.

Mr BELL: As the minister mentioned in his second-reading speech, the drilling funds have not been used as extensively in Australia as they have been overseas. Most of the raising of capital for petroleum exploration is done through joint venture capital provided by existing operations. As I understand it, the concept of drilling funds is to allow investors to apply funds directly for a particular project. These have a much greater application in North America than they do here. The minister mentioned that this was due mainly to legislative impediments. I am not sure that that is the case.

I do not claim to understand all the details of the tax deductability advantages provided by drilling funds, but I did have the opportunity to talk to Mr Graeme Foley of Rimcorp Capital Ltd in Sydney. He pointed out to me that, to date, there have been 4 drilling funds in this country. These included BA Explorers' Trust which raised $40m to $45m and the Invictus Drilling Fund which operated in the Canning Basin and raised $6m to $7m. There was also Socdet which raised $20m. That was not regarded as a success. Apparently, it was driven largely by the interest in tax deductability. A view has been expressed that less emphasis was placed on the commerciality of that venture.

The confidence of the financial markets in that type of strategy is not good at the moment. I understand that there is unlikely to be a big rush of funds into this. However, the opposition supports the proposal to enable these funds to get off the ground. We support the application of mineral development in the Territory as a whole and the encouragement of exploration for petroleum resources. To the extent that this will enable that to be done in the Territory context, we support the bill.

Mr COLLINS (Sadadeen): Mr Speaker, I certainly welcome this bill which will make it easier for funds to be transferred and risks to be shared among members of the petroleum industry. As did the Minister for Mines and Energy yesterday, I welcome the common sense that has been shown at last in the federal budget in this regard. It is an ill wind that blows nobody any good. The situation in Iraq may have made a few people in Canberra start to wake up to how we expose ourselves to high world oil prices because of the potential for conflict and trouble in that area. It has done what it should have done many years ago: encourage people to put their risk capital into exploring for oil and gas in this country.

Hopefully, the rent resource tax, the RRT, will encourage Australians to invest money in exploration. Let us hope that, when they do find something, they will not be taxed out of existence. It is all very well to encourage them to explore and to develop the fields. However, if they are to be taxed heavily - and 80% was the figure that the minister mentioned yesterday - they will not be encouraged to employ expensive scientific methods to extract the last drop of oil. A large percentage of the resource can be left in the ground if there is no pressure to get it out. It requires extra funds up front in these times of high interest rates to develop an oil field. I welcome this legislation and I welcome too the return to a little sanity on the part of the federal government.

Mr COULTER (Mines and Energy): Mr Speaker, I thank honourable members for their contributions. At the outset, I would like to pay tribute once again to the late Dr Ken Pocock. He was the person that presented these reforms to me.

I will explain to the member for MacDonnell the difference in North America, particularly in the Canadian context. It is a matter of the power of the province over the type of schemes that might be entered into. We do not have that same power in the Northern Territory, although I wish we had. In Alberta, they drilled 111 wells before they obtained their first major oil production. The Canadians provided incentives for companies to expend funds on that type of program which has resulted in making Canada one of the leading producers of oil in the world. That was done by means of various schemes such as the scheme that we are addressing today.

Another example is the Brunei area. There were 54 wells drilled in Brunei before they got their first production well. In the Northern Territory, we talk about the success rate in the Timor Sea. We are a little like the gambler. We do not mention the failures, and there have been many dry holes there. We are trying to provide incentives and to create that environment in which companies will get out there and spend. As I said in my address in reply to the budget today, BHP spends up to $694 a minute in the Territory. Some of the decisions made by oil men at board level would reduce most corporate captains or kings of industry in Australia to quivering jelly. Some of the expenses are incredible.

If one considers infrastructure development at Challis, the newest production field in the Timor Sea area, the purpose-built barge cost in excess of $200m and the riser cost almost $60m. That is just for infrastructure, and does not take drilling into account. Petrel 4, which was drilled recently, was one of the most expensive wells ever drilled in Australia. Drilling the hole cost something like $13m. Such activity is very expensive, particularly if there is nothing at the bottom of the hole.

A member interjecting.

Mr COULTER: Yes, it is like the story that I told about copper prices. The good news was that they did not find copper either.

Mr Speaker, my point is that the incentives are needed. That is what I am saying, and what I will be putting to the ministers' meeting next week. The gas industry is looked on as a nuisance at present. We have to make it viable for operators to become involved in providing infrastructure. Let us just take the Bonaparte Gulf gas stream. If we were to say that there would be no corporate tax whatsoever in relation to gas production from that field, I wonder what that would produce, including the multiplier effect? Building the unmanned platform would probably cost $400m and would provide a

great deal of work. Then there would be 150 km of submarine pipeline at $1m per kilometre plus the overland section of that pipeline, a total of $200m. A station with a 2.5 million tonne capacity for LNG would be about $2500m. Altogether, about $3000m-worth of development could go ahead if we were prepared to give those incentives for real wealth production. That is the sort of thing that I am trying to achieve.

In the oil industry, wherever we possibly can, we are getting the foot off the neck of the developer. I just wish that there was the same type of sympathy in the federal Treasury so that it could see that it is killing the goose that lays the golden egg. One has only to look at Budget Paper No 6, which the Chief Minister circulated during these sittings, to see that it works. In 1986-87, we introduced 150% deductability for exploration, against up to 30% of the mining royalty. During succeeding years, a trebling of exploration effort resulted. We allow people to trade-in those exploration certificates. They can on-sell them to people who are trying to reduce their royalty benefits. That is the type of thing that we have to do.

Once again, I thank honourable members for their contributions. I will conclude by once again saying thanks to the late Ken Pocock who brought these reforms to this parliament. I am proud of his efforts to get the hydrocarbon industry going in Australia.

Motion agreed to; bill read a second time.

Mr COULTER (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.

LAND AND BUSINESS AGENTS AMENDMENT BILL
(Serial 284)

Continued from 8 May 1990.

Mr BELL (MacDonnell): Mr Speaker, I indicate that the opposition is prepared to support this amendment bill. We note that the real estate institute has had indemnity insurance for some time but that this bill provides a framework for that. As the honourable minister stated, other amendments in this bill will improve the operation of the act. The opposition is quite happy to support those changes.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr MANZIE: Mr Chairman, I move amendment 117.1.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 20 agreed to.

New clause 21:

Mr MANZIE: Mr Chairman, I move amendment 117.2.

Like the previous amendment, this amendment relates to the Unit Titles Act. The amendment allows for regulations prescribed in an alternative scheme dealing with the way in which managers of corporations established under the act deal with trust moneys. Amendment 117.2 adds a new subsection so that there is power to make regulations prescribing a scheme for the holding of trust moneys by licensed managers of corporations established under the Unit Titles Act.

New clause 21 agreed to.

Bill reported; report adopted.

Bill read a third time.

MOTION
Noting Draft Land and Business Agents Amendment Bill

Continued from 10 May 1990.

Mr BELL (MacDonnell): Mr Speaker, I have had the opportunity to give some consideration to the proposal that is included in the draft bill which is the subject of this motion and I have received representations from various quarters. I note what can reasonably be referred to as the indecent haste on the part of the government to move in relation to this subject. It makes a notable comparison with other issues which have been debated in this Assembly. I refer, of course, to freedom of information legislation, and the government's dilatory attitude towards the review of administrative decisions which the opposition proposed more than 2 years ago, and which was referred to the Law Review Committee where it has apparently sunk without trace at this stage. Once again, the government has been stampeded into doing something by an initiative from the member for Sadadeen. That is curious. In the context of the government's general approach to business in this House, I believe that its approach in even putting forward a draft bill has been quite extraordinary. That is the most remarkable feature of it.

A number of points need to be made in respect of this draft bill. One is to draw the government's attention to the fact that there is unlikely to be any significant impact on the cost of transferring property, certainly residential property, as a result of this bill. The situation at the moment is that government stamp duty represents the lion's share of the cost of transferring such property. It is not unusual for a purchaser to buy a house valued at $100 000, borrowing $70 000 from a bank. On such a transaction, legal fees are estimated at $770, Northern Territory government stamp duty is $3000, registration fees are $45, search and inquiry fees are $100, bank fees vary but may be about $800, stamp duty on the mortgage is $350 and registration fees for the mortgage are $45. That makes an overall cost of some $5000. In other words, the Northern Territory government stamp duty is 60% of the costs which apply over and above the actual cost of the house itself, whereas the legal fees are about 20% of that. Of course, the figures are variable to some extent.

The idea that the capacity to carry out conveyancing should be moved away from lawyers is worth considering. It is worth considering what the provision is in the Legal Practitioners Act ...

Mr Collins: Labor lawyers won't be able to kick the can.

Mr BELL: Mr Speaker, the member for Sadadeen is making this fairly difficult. If he interjects, that is fair enough but, if he carries on a conversation at half pitch, it is painful.

Mr Manzie: You do it all the time.

Mr BELL: No. I interject fulsomely when I have to.

I think the atmosphere of distrust of the legal profession is quite extraordinary. I point out that the current provision in the Legal Practitioners Act means that a legal practitioner has to be involved in the transfer of titles to land and it is worth considering the historical reason for that type of protection. It is provided because, often, the transfer of title to land, particularly residential land, is one of the few major transactions that people carry out during their lives. Legislatures have sought to ensure that people are protected. The practice around the country has been similar to the system that applies currently in the Territory. South Australia is the only state that allows conveyancing for reward to be carried out by licensed landbrokers.

Certainly, the expansion of this service in principle needs to be considered, provided there are appropriate protections. However, if the situation is to be left open, without the type of protections that are available through legal practitioners carrying out that work, there may be problems. Before we move any further on this, the Assembly ought to review the number of problems there may or may not be with a system of licensed landbrokers. As I said in another context yesterday, the institutions for which we have some respect are made of flesh and blood, and that applies to members of the legal profession as it does to licensed landbrokers in South Australia. The legal protection is in place in that regard. I believe the types of protection that apply in respect of conveyancing agents need to be looked at. I am aware that the minister is giving some consideration to educational qualifications.

I have had 2 submissions from the Law Society in respect of this matter. I have not had any submissions from other groups in the community. I do not believe that there is a strong demand in the community - in the real estate industry, for example - for there to be an extension of this power. One of the submissions from the Law Society is dated April 1990 and relates to changes in conveyancing arrangements. I had drawn to my attention that this had been referred to the Law Review Committee in July 1989. I wrote to the Attorney-General because, at that stage, that committee had not reported. Subsequently, I received a reply from the Attorney-General saying that it had reported and that this was its response. I must say that there has been a far quicker response from the government in respect of this issue than in respect of the opposition's proposal in relation to a review of administrative decisions.

I have dealt with the question of educational qualifications. I have referred to the question of indemnity insurance for proposed conveyancing agents. I believe that the same protections need to be made available if there are problems with conveyancing under an expanded arrangement. I believe that there are a couple of other concerns as well.

Returning to the matter of the Law Review Committee, I understand that the recommendations of the committee have not been released. I would be very interested to learn what that committee had to say. I will look forward to comment in this debate from the Attorney-General in that regard.

I understand that problems have been experienced with defalcation by brokers in South Australia and I believe that that needs to be addressed.

Mr Collins: Yes. By the South Australian parliament.

Mr BELL: I will pick up that interjection. For the benefit of the member for Sadadeen, the point I am trying to make is that, if there have been problems with licensed brokers in South Australia because of defalcation, it is possible that an expanded arrangement for conveyancing may bring similar problems to the Northern Territory. What I want to know from the Attorney-General is what proposals he has to ensure that they do not occur in the Northern Territory.

There is also the question of conflict of interest. It is not appropriate to have people dealing in real estate being involved as conveyancing agents because of potential conflict of interest. That needs to be addressed as well.

In conclusion, in looking at the broad context, I am not satisfied that these proposals have come to a level of maturity where they can be supported wholeheartedly. There is still a great deal of work to be done. I am not convinced that the benefits to ordinary home-buyers that have been touted for these changed arrangements is anywhere near as great as some members of this Assembly and some commentators have suggested.

Mr COLLINS (Sadadeen): Mr Speaker, I thank the minister for providing papers on this important subject and giving me the opportunity to respond to them.

Mr Bell: Crawler.

Mr COLLINS: I am a crawler, according to the member for MacDonnell.

Mr Manzie: I gave them to him as well, but he did not acknowledge it.

Mr COLLINS: Mr Speaker, that is what one comes to expect from the member for MacDonnell, who was commenting whilst out of his seat.

I believe this paper is very good in many respects. There are some areas which could be strengthened. I would like to put something to the member for MacDonnell, who has now left the Chamber as is his wont. He makes his speech and then he clears off. He does not believe that there will be any beneficial impact for people, particularly in respect of residential properties. He demonstrated abysmal ignorance. He said that, apart from lawyers, only land brokers could undertake conveyancing in any state of Australia. Despite the fact that they have been mentioned many times in this House, he has not heard of the settlement agencies in WA.

In fact, we looked at the Settlement Agencies Act and recoiled in horror because it is about a mile thick. Nevertheless, the effect of settlement agencies in WA has been to decrease the fees for conveyancing in that state to about one third. My source of information is Mr Poliwka who used to be the head of the Housing Commission in Alice Springs. I am sure many members knew him. He and his family are involved in the settlement agencies' work in Western Australia. The lawyers in Western Australia have lowered their fees considerably and are competing alongside the settlement agencies. The people of Western Australia have a choice. They are competing openly and the consumer is deriving a considerable benefit.

As I read the papers that have been put before us, I see another real benefit. The member for MacDonnell cited an example of a house to be bought for $100 000 of which $70 000 is borrowed. He brought the bank into it. He said that government fees would be about $3000 and the conveyancing fee would be only a small part, about $770 as a sort of a standard fee. He did not mention something which most people have to meet and that is a real estate agent's fee. I work on the basis of figures such as the following. In the Territory, the conveyancing fees on an $80 000 house would be about $800. The real estate agent's fee would be about $1200 and the government fees about $3000. This would give a total of $5000.

I note in the paper before us - and I hope it will remain - the idea that the settlement agents should have the capacity not only to undertake the conveyancing and the transfer of documents but also to have standard contracts. Mr Speaker, suppose you had a property to sell and I wanted to buy it. You would have your property valued, I would obtain an independent valuation and we would then negotiate a price and come to an agreement. In that circumstance, we would not require the services of real estate agents or lawyers. We could call on the services of one of the agents proposed in this paper and indicate that we have come to an agreement on the transaction. We could engage the agent jointly to provide a standard contract. If necessary, we could have the standard contract explained to us by the agent so that we were fully aware of what we were signing. Because it would be a standard contract, it would provide comfort for us both. Deposit moneys could then be left with the agent, who would do the paperwork, complete the searches etc and, as an honourable person jointly engaged by us for the purpose, advise us both.

The difference there is that the legal system always seeks the adversarial approach: 'You have your lawyer and I have mine'. The seller seeks to rip off the buyer and vice versa. As a result, extra costs are incurred as people seek to protect themselves and, at the same time, seek to gain an advantage. I believe that, if people are prepared to make an effort themselves, they can manage their business without the services of a real estate agent and save the $1200 or so involved there.

I have often recounted in this House how I bought a couple of blocks of land at Ti Tree. I went to the office of a real estate agent because I had been told by the person that he had land for sale. Over a cup of coffee, I filled out a standard form which took about 10 minutes. The service that I received from the agent in respect of 1 block involved a few phone calls to try to hurry a lawyer up, though without much success. I had to do that myself in the end. On the second occasion, the agent again did no more than that. On each occasion, the seller received a bill for $1000 which was about 5% of the transaction. I reckon that was money that was earned very easily. If that type of cost can be saved, well and good. That is a very important message that is in the paper which we have before us for discussion.

I am a little concerned about proposed section 56. The paper states: 'In doing so, the government affirmed the basic fact that the buying and selling of land is a process that calls on a high level of skill and responsibility'. That seems to indicate that the approach taken is that only a legal practitioner or someone with a licence to be a conveyancing agent could do these things. I believe that there are 2 problems with that approach. First, many people are capable of doing their own conveyancing work, and I give particular praise to the staff at the Land Titles Office. They are very competent and helpful. We are lucky, no doubt, because we have a fairly small territory, and the officers can keep a close eye on what

is occurring. That is something which the government should take comfort from because the Land Titles Office checks all the details.

I have heard some interesting stories. People say that a conveyancing agent must know when to call in a lawyer. However, I have heard several stories where a lawyer who was supposed to know the intricacies of the law still has had to be corrected time and time again by the Land Titles Office to get things right. The office picks up errors in the documentation etc. Certainly, they give me a great deal of comfort and the government should take comfort from their highly professional work even though we should not rely totally on it.

I would argue very strongly that individuals, at least, should be able to do their own conveyancing. I would argue also that, before licensing provisions are introduced, there should be a transitional period during which many of the people, who work in banks, real estate firms or the Housing Commission and who are involved in the transfer of titles on a daily basis, would be able to reach the wide educational requirements that are proposed in the paper. Sensibly, it would allow land brokers in South Australia to set up this service in the Territory if they so wished. However, the 5 years that they are required to spend these days before obtaining a ticket in South Australia is ridiculous. Their work is concentrated on conveyancing and the transfer of titles and contracts. I would argue that it would be far more concentrated in a narrow area than a law degree which requires 4 or 5 years to obtain. The time is about the same. Most people would agree that this is an overkill in terms of what is required.

Certainly, I would not say that anybody with South Australian experience and qualifications should not set up here, but those qualifications are greater than is necessary. As I have said many times, we need to evaluate the experience of people from all types of fields. Conveyancing clerks in legal offices do the vast majority of the work on word processors. They take the papers to the Land Titles Offices and do the searches and checks. The lawyers are not really involved to any great extent.

On the matter of indemnity insurance, I dare say human nature will always be such that, if things become tough for a person and a large sum of money is available for misappropriation, the temptation will be there. The honourable member mentioned that there had been some cases of people absconding with trust money. Lawyers have absconded with trust moneys. It would be good if a system could be established whereby the agents were able to do what is necessary to be done with money held in trust without the ability for them to put their own hands on those funds. The entire question of trust moneys presents a great challenge to the finance industry as a whole and, with today's advanced technology, it should be possible to evolve a foolproof system. That would benefit not only conveyancing agents but also real estate agents and lawyers who manage trust funds. However, I dare say that, for every person seeking to devise a foolproof system, there would be several smart minds seeking a way to crack it. Unfortunately, that is a part of modern life. However, if such a system could be developed, the need for indemnity insurance would diminish considerably. The other purpose of indemnity insurance is to cover the parties against mistakes that may be made. If someone is sued as a consequence of a mistake, cover is available.

In the main, it is the accepted logic that most conveyancing matters are straightforward. If there is any doubt about the validity of documentation, the Land Titles Office will not register the transfer of

title. The office keeps a close eye on what passes through its hands. In respect of indemnity insurance, if a magical solution could be found to the problem of the security of trust funds, then such insurance costs could be lowered. That would would reduce overheads and, if overheads were reduced, costs could be reduced. I repeat that I have never suggested that there should be set fees for settlement agencies. I simply believe that there should be plenty of competition and choice for the consumer. Market forces should determine the level at which these people can afford to operate and provide the necessary service. If they start to raise their prices unduly, other people will come in and the costs will be levelled out. That is how market forces are supposed to operate.

I welcome the paper and I thank the minister for the opportunity to provide some input. If his bill becomes law along the lines of the paper that we have before us, he will be on a winner in the community. It is something that the government can do to give that disunited, diffuse group of people whom we call consumers a chance for a better deal. I look forward to seeing the bill when it is introduced into this House. I am a little disappointed that that has not occurred during these sittings, but time has not permitted it. One realises that these things are important. All arguments need to be heard. We heard many of the hoary old ones from the member for MacDonnell. The one that he did not raise was the fact, I feel, that his party tends to obtain much of its funds from the so-called Labor lawyers, and conveyancing is not a bad way of getting money in. If you have a few conveyancing clerks in the back office on word processors, that can bring in a fair bit of money. Of course, the honourable member has to do his best to raise all the old arguments and warn the government against this. The proposals that I have argued for a long time, and that the government is taking very seriously, are designed to give the consumer a chance to obtain a better deal. I believe that will be well received. It is not only a matter of a dollar saved. Because of the effects of tax, for most people, saving $1 is as good as earning $2.

When somebody buys a house, the first few years of payments go towards paying off the interest, particularly if the mortgage is high. Often, after paying off a house for a few years, one may have to change jobs or move to live elsewhere, which means selling the house. In selling the old house and purchasing a new one, one can easily incur $5000 in costs. Despite having paid off a mortgage for several years, it is quite possible that a person facing those costs could walk away from a house sale with nothing - or even owing money on the deal. That is pretty soul-destroying and I believe that anything which I might do or which the government might do to help to alleviate that situation will be warmly received in the community.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to support this motion in relation to draft legislation, I will direct my remarks at certain parts of the draft bill which are important and to which, in the interests of fairness, I sincerely hope the minister pays attention. When legislation is introduced, it is very important that no unfair advantage accrue to one part of the community over another. The legislation should apply equally to all members of the community whom it affects. I believe that there are legal practitioners in the community who do not have any worry about conveyancing agents being able to operate in the Northern Territory. They are the solicitors whose fees are reasonable, and they will be able to withstand competition.

My first point relates to advertising. If conveyancing agents and legal practitioners are carrying out the same work, it is only fair that both should have the same right to advertise. If the conveyancing agents

are to be able to advertise, the minister will be obliged to introduce amendments to the Legal Practitioners Act to enable legal practitioners to advertise under similar conditions. This would not only be in the interests of justice but would also be important in terms of community expectations. There is a perception in the community that conveyancing agents will charge less than legal practitioners, and that makes it more important than ever that the legal practitioners should have their right to present their side of the story by means of advertising.

The situation in South Australia is that the conveyancing agents or land brokers, as they are called, are able to advertise whereas the legal practitioners are not. Such a situation is unfair. Further, it has been brought to my attention that certain legal practitioners in South Australia once had occasion to read a magazine issued by the Land Brokers Society, in which the land brokers' fees were advertised. The fees advertised by the land brokers were higher than those charged by these solicitors for the same service.

The draft legislation assumes that real estate agents are used to preparing and arranging for the signing of contracts. I believe, however, that that is far from the reality. Very few real estate agents are ever involved in preparing contracts of sale, let alone arranging for the signature of the same. This brings me again to the matter of charges made for similar jobs carried out by different people. If there is a set of fees under which real estate agents operate, there should be a set of fees under which legal practitioners operate. If real estate agents are able to advertise their scale of fees, the same should apply to legal practitioners.

The draft legislation covers the subject of the conveyancing agent and caveat was mentioned in some detail. Some legal expertise is necessary in the drawing up of a caveat. The minister should give serious consideration to this because we do not want to be confronted with a whole range of problems after the legislation has been introduced. If legal expertise is needed to draw up a caveat, allowing conveyancing agents the power to draw up caveats may be allowing them to proceed beyond their expertise, leading to legal indemnity problems in situations in which their level of expertise has been exceeded. The draft bill indicates that conveyancing agents will delve into areas requiring an experienced conveyancing lawyer. In other words, the expectation is that, although the conveyancing agent may not be the full quid on drawing up caveats, nevertheless he will give it a go. I do not believe that we want that type of situation. The minister will need to spell out much more clearly what the conveyancing agents can and cannot do.

I do not believe that any fair-minded person in the community would disagree with the general thrust of this draft bill because it will bring further competition into the field. If legal practitioners can play by the same rules as conveyancing agents, especially in the realm of advertising, I do not believe that there should be any criticism from the legal fraternity. I look forward to the introduction of the bill and I hope that, in the interest of fairness and equity, the minister will treat the matters which I have raised with the seriousness that they deserve.

Mr MANZIE (Attorney-General): Mr Speaker, I must take the member for MacDonnell to task for claiming that the government has proceeded with indecent haste in this matter. The government has made a statement and tabled a draft bill for comment. A discussion paper has been distributed throughout the Territory to allow comment. That demonstrates that we have

proceeded far more slowly in relation to the development of this legislation than we do in relation to most matters.

As advised in my tabling statement, the discussion paper on the government's proposals was prepared and released to the public. Copies were sent to all honourable members, to the relevant professional and occupational organisations such as the Law Society, the Bar Association, the Real Estate Institute and the Surveyors Institute, and to members of various professional and occupational groups. Comments have been received from key professional occupation groups such as the Law Society, the Bar Association and the Real Estate Institute.

Before going any further, I would like to say that, contrary to the view of the member for MacDonnell, this legislation is not designed to move conveyancing away from lawyers. It intends simply to make it possible for other people to charge for conveyancing. Further, in relation to the member for Koolpinyah's concerns about the restriction on advertising by solicitors, that restriction is a self-imposed professional requirement and I would certainly encourage the legal profession to change its views in relation to it.

I will give an indication of the government's thinking in relation to comments from various groups. The Law Society and the Bar Association do not consider that there is any necessity to provide for the licensing of conveyancing agents. Subject to that rider, both organisations as well as several firms have accepted the government's commitment to enact legislation and have made constructive comments as to what should be the nature of the scheme. This qualification should be noted whenever I mention Law Society or Bar Association support for any particular attribute of the scheme.

The key issue is that of the educational standard required of conveyancing agents. When an appropriate bill becomes law, the educational standard would be as described in regulations. The discussion paper proposed that the education course would be an academic course of a standard equivalent to a law course with the subjects to be covered limited to those of direct relevance to conveyancing. The submissions on issue appear to accept this general proposal subject to more information being available. When legislation is passed, it is my intention to accept the suggestion made by the Law Society that a committee of interested and affected persons be established to make recommendations on the contents of the course. I propose that the committee will include nominees of the Law Society, the Real Estate Institute, the Department of Law, the Northern Territory University, the Australian Bankers Association and, if possible, a person employed as a conveyancer by a local solicitor.

The second important issue was the amount of practical experience required. The discussion paper noted that, if the educational course was to be academic as distinct from vocational, it would be necessary to include a requirement for students to obtain sufficient practical experience. Experience can be certified by a solicitor or conveyancing agent. The discussion paper contemplated a wide range of occupations through which this practical experience could be gained. In light of the Law Society's submissions, I accept that, other than in exceptional circumstances, it should be necessary that a person seeking an unconditional conveyancing licence should have between 12 and 24 months conveyancing experience under the supervision of a conveyancing agent or a solicitor who conducts a conveyancing practice.

A major issue of concern was the services that the conveyancers would be licensed to provide. Both the discussion paper and the draft bill proposed that the legislation would set out the functions which could be performed by conveyancing agents. In brief, those services comprised searches, preparation and execution of contracts of sale, and transfer documents. There were 2 main criticisms of the proposed set of functions.

The first criticism concerned the functions set out in clause 2A of part I of the schedule to the draft bill. In essence, this provides that it is a function of conveyancing agents to prepare any documents which could be lodged for registration under the Real Property Act. I accept that there is some validity to the criticism of this function and I support narrowing it so that it does not cover the preparation of mortgages, encumbrances and leases other than where the documents with prescribed contents are used.

The second criticism of conveyancing functions was that there should be a limit so that conveyancers could deal only with the conveyancing of domestic properties. The Law Society points out that, often, a commercial transaction will involve issues such as the legal entity of the purchaser, income and capital gains taxes, and Planning Act considerations. The society suggests that the complexities are such that such conveyancing should be reserved to solicitors. I might accept this point of view if, in fact, those types of expertise were presently the province of lawyers. However, this is not the case as accountants or specialist tax lawyers provide expert tax advice and town planners provide planning advice. My understanding of university law courses and the admission requirements is that specialist subjects, such as tax law and planning law, are often not mandatory subjects. Indeed, for some universities, even the subject of conveyancing is not mandatory.

In the absence of any restrictions on the provision of tax, planning or accounting advice, it is difficult to see why a backdoor monopoly should be given for such advice if it happens to relate to the transfer of land. I am unconvinced of the merits of the Law Society's arguments at this time. Nevertheless, I can foresee the possibility that there could be developments which might suggest that conveyancers without adequate background and training were becoming involved in transactions beyond their capabilities. Accordingly, I favour the amendment of the regulation-making power so that, if necessary, regulations can be made further describing services which could be provided by conveyancing agents.

There were some questions about a proposal in the discussion paper that conveyancing services should not be provided except by people licensed to provide such services for reward. This prohibition would apply whether or not the conveyancer charged in particular instances. The concern was that this might prevent people carrying out their own conveyancing. I would like to make it clear that it certainly is not the intention of the government to prevent people from performing their own conveyancing.

There is considerable merit to the view that, as part of their business, real estate agents should be able to continue to arrange for the execution and exchange of standard forms of contract which have been approved by the Law Society or under the proposed legislation. I understand the use by real estate agents of standard form contracts of a kind approved of by the Law Society is taking place without any major problems occurring. I also understand that the performance of this role by real estate agents is a key reason for the relatively low level of professional charges in Victoria and Western Australia. The standard contracts contain a clause

which provides a cooling-off period of 4 days during which a buyer or seller can seek advice and withdraw from the agreement.

The next important issue raised was the extent to which conveyancing agents could be entitled to provide concurrently other professional, occupational or financial services. I am aware that concurrent performance of the functions of a conveyancing agent and of a mortgage broker has caused difficulties interstate. Accordingly, the government will examine the question of whether there should be a rule of conduct which would prohibit both conveyancing agents and real estate agents from acting as mortgage brokers other than in cases which were approved specifically by the Agents Licensing Board. However, I do not accept that the real estate function and the conveyancing function are mutually exclusive.

In support of this proposal, I refer honourable members to the situation in Scotland where solicitors provide real estate conveyancing as part of the single service. I draw attention also to the proposed establishment of solicitors' property centres in New South Wales. I understand that these centres will be owned by solicitors and will handle properties referred by solicitors. I understand too that, in Victoria, solicitors are not prohibited from acting as real estate agents.

If there is no conflict seen in these other jurisdictions in lawyers acting as real estate agents, then it is difficult to see that there is any inherent conflict in conveyancing agents performing real estate functions. It has been suggested that some real estate agents may act to the detriment of their clients because they have been so keen on receiving the real estate commission that they will do whatever is necessary to ensure the sale is completed. In other words, they may fail to provide proper conveyancing advice which, if provided, would permit the client to withdraw from a sale. I do not believe the answer to this potential problem is to impose a blanket prohibition. It would be more effective to develop an appropriate code of conduct with adequate sanctions so that both real estate agents and conveyancing agents are aware that their primary duty is to their clients. The Law Society and the Bar Association have suggested that the government consider giving the supervising function under the proposed legislation to the Law Society rather than to the Agents Licensing Board.

The draft bill proposes that, in respect of licensing and supervision of the conveyancers, the Agents Licensing Board will be comprised of a lawyer, as chairman, a consumer representative and the Registrar-General. In time, as the new conveyancing system develops, I anticipate the board's membership could be extended to include representatives of conveyancing agents. I am satisfied that the objectives of the proposed licensing scheme are more likely to be achieved if such a board is responsible for the licensing and disciplinary functions rather than the Law Society being so responsible.

A further issue was the application of a fit and proper test of intending conveyancing agents. The discussion paper suggested the basis of such a test should be that a person would be deemed to be fit and proper if he or she had not been convicted of an offence of dishonesty. This issue is to be considered by a working party I have set up to consider the real estate licensing functions under the Land and Business Agents Act. Accordingly, the government will reserve its position on this issue in respect of both real estate agents and conveyancing agents. In the meantime, the question of whether a person is fit and proper will remain a discretion to be exercised by the licensing authority.

Various submissions raised the issue of the fidelity fund. The draft bill proposes that the fidelity fund established by the Land and Business Agents Act would stand also behind the licensing of conveyancing agents. The fund presently stands at $2.3m. This amount appears adequate to deal with the likely risks of establishing a scheme for the licensing of conveyancing agents. However, I have some sympathy with the view of the Real Estate Institute which is that members of the institute underwrote the establishment of the fund by carrying additional insurance at a cost of $300 per year in the first 10 years during which time the fund was allowed to grow without threat of claim. This fact will be taken into account when assessing the licensing fees to be paid by conveyancing agents.

However, I do not share the view that the fidelity fund is something that belongs to the real estate industry or is comprised of real estate agents' moneys. It is more accurate to describe it as a fund of community moneys established from contributions made by citizens of the Northern Territory. As with most other fidelity funds, this fund has, as its chief source of initial income, interest earned on clients' trust funds and these are moneys which, but for legislation, would earn no interest.

Some other issues have been raised which I will deal with very briefly. The first is the conveyancers, by having to pass a relatively short education course, would have a competitive advantage over solicitors. To the small extent that this is true, the government does not accept it is a good reason to stop the proposed legislation. A second minor point sometimes made about the proposal is that greater savings could be made to citizens purchasing property if stamp duty were reduced. While this is a truism, it is also obvious that conveyancing fees and stamp duties are 2 separate and unrelated issues. Any attempt to compare stamp duty in the Northern Territory with stamp duty in other jurisdictions should take into account the generous exemptions given to first-home purchasers in the Northern Territory.

I thank honourable members for their contributions. The government will certainly take the points that have been raised in the debate into account when we finalise the proposed legislation. Interested groups, including the legal profession and the real estate industry, will be consulted extensively during the process of preparing legislation. Hopefully, we will have everyone working together to try to provide something which will be of benefit to ordinary Territorians because that is what this specific issue is all about.

Motion agreed to.

ADJOURNMENT

Mr HATTON (Health and Community Services): Mr Deputy Speaker, I move that the Assembly do now adjourn.

I would like to take this opportunity to advise honourable members of an incident that occurred at 2.45 this morning at Ali Curung. At 2.45 this morning, the staff of the Ali Curung Health Clinic were alerted by the police that a bus had been involved in an accident some 220 km south of Tennant Creek. The police had been telephoned by a man, claiming to be a truck driver, who said his trailer had hit a bus, resulting in a crash, and that some people were dead and others injured. The police spokesman said the call appeared to be genuine and that the man seemed to be in a very agitated state. Within 15 minutes of receiving the call, 2 nurses and an Aboriginal health worker from Ali Curung were on the road in a Department of

Health and Community Services vehicle with the standard disaster kit which is held in remote clinics and health centres.

Also in the vehicle were the Southern Region's critical incidents stress de-briefing officer, a psychiatric nurse, who happened to be at Ali Curung in relation to dementia counselling, and my ministerial officer who resides in central Australia and who was on an information gathering visit to the health centre in the region at the time. One Aboriginal health worker stayed at the clinic to maintain radio contact with the vehicle. An ambulance and a fire brigade vehicle from Tennant Creek were also dispatched. The nurses should have been the first to the reported crash site but, in fact, they failed to find the crash scene and by 4 am or 4.30 am, the parties involved realised that the call had been a hoax.

There are 2 points that I would like to highlight in relation to this incident. First, I think honourable members should note that the extremely fast reaction time by the Department of Health and Community Services staff demonstrates the ability of medical staff in remote clinics and health centres to provide an effective response to potential disasters, particularly the ever present threat of major accidents on our roads. I think that they deserve our congratulations. It was an excellent example of the professionalism and responsiveness that we have within our health service.

The second and most significant aspect is that I hope that the brainless git who decided to impose this stress on some exceptionally hardworking and dedicated people feels particularly clever. Those people work extremely long hours under exceptionally difficult circumstances. They do not need clowns like that to make their life harder. More importantly, with all that equipment and expertise on the road, obviously the resources could not have been made immediately available to any other potential incident that might have occurred at the time. People who do that sort of thing create major problems for the Northern Territory. If anybody has any idea who made the call, I hope they will let us know so we that we can take the appropriate action. I feel particularly sad that these health clinic people were dragged out in the middle of the night. Apart from being irresponsible, if the person who did it had another brain, it would be an orphan.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I would like to speak briefly about a subject in which the government should become interested in view of our straitened circumstances. The Minister for Conservation spoke today about the admirable qualities of those of us in the community who are into recycling waste. He mentioned the Total Recycling Advisory Committee which is a community group formed in the interests of gathering information from the public, discussing it and providing advice to the minister and or government departments. It is all very commendable and I believe TRAC is achieving something.

More importantly, it allows public input on an important subject, and that brings me to the subject which I want to address: the economy. There are so many ways in which money is still wasted by the government. It is wasted on administering policies, on offices, on vehicles, on buying great ...

Mr Hatton: It is wasted in chasing hoax calls.

Mrs PADGHAM-PURICH: Yes, it is wasted in chasing hoax calls.

I believe that ministers would be well advised to give some consideration to how they can effect actual economies in their departments. To achieve this, I believe they could do a lot worse than call on the public for help. Whilst the government's total budget amounts to hundreds of millions of dollars, the sums of money that I am talking about are amounts in the order of $250 000, $500 000 or $1m. The government may be interested in this or it may not be interested. I shall not go into detail but I believe that economies could be effected in many fields if only the particular ministers and their departments were interested.

Some years ago, members of the public used to comment on lights being left on or lights being turned off in government buildings, on sprinklers being turned on or off in the grounds of government buildings, and about public servants using government cars at the weekends for obviously private purposes. Some of these matters may not be relevant but I believe that members of the public are not as silly as some politicians would like to believe. Most people are pretty sensible and members would be surprised how many people in the community are interested in doing something for their country, their state or, in this case, the Territory. If money can be saved as a result of a suggestion from a member of the public, I believe that the suggestion should be listened to. I know that this is a very general notion, but I believe that the government could do a lot worse than consider it.

Mr HARRIS (Education): Mr Speaker, I would like to raise a number of issues this evening. Unfortunately, time will perhaps not permit me to go into the detail that I would like to and, at the appropriate stage, I may seek leave to have some of my prepared remarks incorporated in Hansard.

First, I would like to touch briefly on an matter raised by the member for Stuart. In last week's Sunday Territorian, the honourable member put forward the view that we were facing declining retention rates - that is, that fewer Year 10 students were progressing on to Year 11 and Year 12. I will say initially that that certainly is not the case. Statistically, the Northern Territory has always been behind the other states in terms of its retention rates. However, since self-government, it has been catching up very fast and, unlike the situation in the states, the Territory education network has been growing rapidly throughout this time. That fact is reflected in the statistics.

The member for Stuart, the opposition spokesman on education, referred to a drop in our retention rates in 1988-89. That drop did occur, but it was typical of the fluctuations which occur in retention rates in every state. The rates move from time to time, and there is no disputing that. It was very difficult to establish which figures the opposition spokesman was using. The situation is such that the figures can be manipulated by not looking at the whole picture. However, I will refer to the figures for Year 8 to Year 12 because I believe these were the figures used by the opposition spokesman. The 1987 rate was 40.7%, followed by 44.3% in 1988, 42.2% in 1989 and 47.7% in 1990. If we take Aboriginality into account, the situation changes considerably, giving us a 1990 figure of about 60.9%, which is very similar to the retention rates in the states. It is important that the member for Stuart be made fully aware of that situation.

In the article in the Sunday Territorian, the honourable member referred also to the percentage of total government expenditure on education. He argued that, according to the Australian Bureau of Statistics, the Territory spends less on education as a percentage of its budget than do the states. My office has contacted the Australian Bureau of

Statistics in Darwin and Canberra to try to find the source of the figures used in that article. The Australian Bureau of Statistics has been unable to assist us in relation to the source of the figures. However, figures derived from the most recent relevant ABS publication show that the Northern Territory is in about the middle of the range in terms of its identifiable education expenditure as a percentage of its total budget. The opposition spokesman should start to realise that we fare very well in the Northern Territory. As I have mentioned on many occasions, we have very good student-teacher ratios and our facilities are better than those of most states in Australia.

In discussing the retention rate statistics, a number of issues impact on the particular figures, and I wish the member for Stuart would acknowledge some of them. For example, we are finding now that more Year 11 students are leaving school, entering the work force and, subsequently, returning to school to complete matriculation studies. During the last 3 years, there has been a dramatic increase in the number of such students returning to Casuarina Secondary College to study matriculation subjects part-time. While many of the people who make up the increased numbers in night classes are adults, some are school-aged students. The figures relating to the growth in night classes at Casuarina Secondary College are interesting. The numbers of part-time matriculation students at the college were 300 in 1988, 400 in 1989 and 674 in 1990.

The explanation for the 1989 dip referred to by the member for Stuart is, firstly, that students were opting for TAFE, which means that they were going out into the work force. Secondly, students were opting for part-time matriculation study. In summary, the figures show an increase in the number of full-time students from 42% in 1989 to 47% in 1990, whilst the number of part-time students has increased by up to 50%. The key factor in rising retention rates has been the increased range of courses available to students. Additional staff have been placed in small high schools to enable a good spread of courses. I reiterate the fact that we have the best staffing ratios and school-based funding levels in Australia.

Another issue which impacts on retention rates is mobility. The member for Stuart must be aware that many students move within Australia over a period of a year. In fact, it has been estimated that some 70 000 students move within Australia from state to state. That movement impacts on the retention rate in a particular state. Coupled with that is the problem of identifying students who are doing their studies through correspondence schools, which also impacts on retention rates.

Whilst on the issue of mobility, I point out that a number of people have raised with ministers the problems caused by the different systems which operate in the various states. When I was the Chairman of the Education Ministers Council, the problem of mobility was a major concern. It was decided at that time to set up a working party to look at the problems which confront students and parents who move from one system to another. Under my chairmanship, that working party was set up and a series of mobile student guides was prepared. Mr Geoff Spring from the Department of Education was involved in that exercise and he is to be congratulated on it. Bob Cox was involved as well.

Mr Speaker, I seek leave to have incorporated in Hansard a statement which I have prepared in relation to mobility student guides and I have much pleasure in tabling the mobile student guides.

Leave granted.

In October 1988, under my chairmanship, the Australian Education Council, which is made up of Ministers of Education from each state and territory, discussed the issue of student mobility between states and territories. The discussion was prompted by complaints from Department of Defence families concerning the difficulties they had experienced when moving their children from one school system to another. For example, twins had attended school full-time in Victoria for over a year and, when they moved to Queensland, they were told they were too young for school. Other examples included children being put back a year in their new school and children who were forced to change their handwriting style. Honourable members no doubt will be able to recall similar stories told to them by mobile families in their electorates.

The Australian Education Council decided to set up a working party on mobility issues to look at the problems experienced by mobile students and to recommend ways of overcoming these problems. The working party was established late in 1988 with representatives from each state and territory and chaired by Geoff Spring, the Secretary of the NT Department of Education.

The working party quickly became convinced that there were real problems for many of the estimated 70 000 students who move interstate each year. The working party formed the view that, to overcome these problems, there were things that education systems could do, things that schools and teachers could do, and things that parents and employers could do. The working party also acknowledged that there were some things that, although desirable, just could not be done - for example, starting high school at the same year level in all states and territories. If the Australian Education Council was to agree to start high school at, say, Year 7, as in NSW and Victoria, in the NT we would have primary schools with empty classrooms and overcrowded high schools. We would also have to retrain 25% of our generalist primary teachers as specialist high school teachers.

However, the working party was able to identify a number of things that could be done and it made a number of recommendations to the Australian Education Council in June 1989. The council endorsed the recommendations and several have already been implemented. States and territories have agreed to: not enforce some department policies when placing students from interstate - for example, if students are in Year 3 in Victoria and move interstate, every effort will be made to place these in Year 3 in their new state despite the fact that local policies relating to age may indicate that the child should be placed in Year 2; consider the future movements of students when placing them - for example, if a family moves from NSW to Darwin for a 2-3 year posting before returning to NSW, then this will be considered when placing their children in school in the NT so they are not disadvantaged when returning to NSW; and, not insist that children who have developed a particular handwriting style change to the style of the new state (actually several states have recently revised their handwriting styles and there are now very few differences).

Most states and territories now have a toll-free 008 number that employers and parents can use to obtain general information about

interstate education systems or even individual schools. The working party has also recommended ways in which states and territories can move towards a common age of entry to school and common names for each stage (we currently have names such as pre-school, kindergarten, prep, transition and so on which are quite confusing to parents and children).

The working party also developed this series of publications for distribution across Australia. The series is made up of: 'Mobile Students, A Guide for Schools'; 'Mobile Students, A Guide for Parents'; 'Mobile Students, A Guide for Employers'; and 'Mobile Students, A Guide to Good Practice' (for teachers).

With respect to the guide for employers, the working party decided that reducing the problems encountered by the children of mobile employees was in the best interests of both the employees and employers. If, for example, a national company wishes to transfer a capable manager to Darwin to set up a branch and the manager has school-aged children (which is likely), then the manager is less likely to want to move or will move reluctantly if his/her children's education will be significantly disrupted. This will be particularly so if the children are in senior secondary and the move is planned for mid-year. The guide contains a number of suggestions to employers as to how they can contribute to a smooth transition for employees' children which, in turn, helps the employees settle into their new position. In addition, the guide contains information about the education systems in each state and territory and a number of case studies have been included to help employers understand some of the problems employees and their children sometimes experience on transfer.

The guide for parents also contains information about education systems in each state and territory, case studies and hints for parents on how they can help their children adjust to a new school. I recently became aware of a Tasmanian family where the breadwinner worked in a bank and had been given a transfer to Darwin. The parents decided to board their Year 10 student in Tasmania for the duration of the 3-year posting because she eventually wanted to go to university and they had heard that Years 11 and 12 in the NT do not lead to university. Had the parents been given the guide for parents by the bank, they would have seen at a glance that the NT offers full matriculation studies at Year 12 which qualifies graduates for entry to all universities in Australia.

They would have seen that our assessment and monitoring procedures are tighter in the NT than in any other system in Australia through such programs as external assessment in English and mathematics in Year 11. Unlike most other systems, the standards of the majority of what is taught in classrooms in the NT at all levels has been centrally guaranteed, in our case by the NT Board of Studies. The parents would also have seen that the NT has a system of secondary colleges, a system which is now being introduced in several other states as it is acknowledged as offering considerable benefits to students.

The Australian Education Council is keen for as many mobile parents as possible to receive the guide for parents. One way of encouraging this is through employers when they transfer. The

council has waived copyright and has invited employers to print all or sections of the document, even under their own cover provided that the council is acknowledged. The Department of Defence is currently printing 35 000 copies to distribute to parents who transfer.

The council is also keen for as many employers as possible to have access to the guide for employers, particularly those with mobile employees.

The guide for schools, which has been distributed to all schools across Australia, contains case studies and suggestions to help schools develop policies and procedures to assist students new to the school. The guide to good practice contains outstanding examples of such policies and procedures.

Honourable members who receive queries from mobile families are invited to refer them to the Community Relations Unit in my department for copies of the guides. Demand for the documents is high and already supplies of 2 of the series have been depleted. We are currently arranging a reprint. In the interim, I am able to provide members with photocopies of the originals. I commend the mobile students guides to members.

Mr HARRIS: Mr Speaker, I would like to touch on the record recruitment responses that we have had to date. You will be aware that the education system now has the Master Teachers Program in place and that many positive award restructuring initiatives have come forward. Over 540 responses have been received since the commencement of advertising in mid-July and responses are still coming in. There have been 230 definite applications. Currently, we have only 10 vacancies across the Northern Territory, bearing in mind that the whole area covers some 1 600 000 km^2 and that we have 167-odd schools. These responses will be followed up for use as a reservoir for the end of year resignations.

Mr Speaker, I seek leave to have incorporated in Hansard comments in relation to the 7th Annual National Conference of the Australian Society of Music Education which was held in Alice Springs between 1 and 4 July 1990. It was a very positive conference and a great deal came out of it.

Leave granted.

Australian Society of Music Education (ASME) Conference.

The 7th Annual National Conference of ASME was held in Alice Springs between 1 and 4 July 1990.

There were 370 participants at the conference from every state and territory of Australia, of whom 170 were actual delegates, and 200 were young performers - lunchtime and evening concerts are always an integral part of ASME conferences, demonstrating the results of music teaching around the country.

Special keynote speakers included: Emeritus Professor Wilfred Mellers based in York, England, who is a composer and musicologist of international repute; Dr David Woods, Director of Music at the University of Arizona, twice a Fullbright Research Fellow, writer, and highly acclaimed music educator; and

Dr Therese Radic, Associate Professor of the Faculty of Music at Melbourne University with many publications to her credit.

In addition, there were 30 other speaker/presenters of seminars and workshops, covering topics ranging from music-making with little children through to the application of computer technology to music education, not forgetting Aboriginal and multicultural music.

Highlighting the end of the conference was the performance of a specially-commissioned work called 'Spirit of the Light', composed for choir and percussion by Brian Brown, Lecturer in Jazz and Improvisation at the Sydney Conservatorium of Music. The idea came from Marg Collins, EO Music with the Northern Territory Education Department in Alice Springs, as an event to be rehearsed by all delegates at the conference and 'experienced' in a uniquely centralian setting - Simpsons Gap. The dramatic landscape and special qualities of sound and light in that environment drew gasps of amazement from all the interstate delegates.

The whole conference has been highly praised by all who attended, for its smooth organisation, quality and variety of content, and friendly atmosphere. Interstate delegates particularly commented on the obvious level of support from the Northern Territory government. This was indeed significant, including: $10 000 for general organisation costs; secondment of department personnel during the planning phase; provision of a Toyota coaster bus for use by the committee workers for 2 weeks surrounding the actual conference; the granting of official duty status to 5 members of the committee; and approval for the use of office and printing facilities in both Schools North Branch and the Alice Springs Regional Office.

The flood of appreciative and congratulatory mail that has been received since the conference would seem to indicate the worth of this support and confirms that the Northern Territory is definitely 'on the map' of significant progress in music education. The conference convenor, Mr Bob Smith, ably assisted by Ms Nora Lewis and Denise Muller are to be congratulated for organising such a fine conference.

Mr HARRIS: Mr Speaker, I seek leave also to have incorporated in Hansard a further comment relating to the Conference of the Australian Science Teachers Association in July. Again, that was held in Alice Springs. It was a very positive conference that was attended by many people.

Leave granted.

Conference of the Australian
Science Teachers Association (CONASTA)

During July, the Northern Territory hosted the 39th Annual Conference of the Australian Science Teachers' Association (CONASTA 39) in Alice Springs.

The conference was convened by Peter Deacon on behalf of the NT Science Teachers Association. He was very ably supported by 2 committees in Darwin and Alice Springs. The coordination of the

2 committees was the responsibility of Mandy Webb (Alice Springs) and Liz Jacobs (Darwin).

Approximately 250 local, interstate and international speakers, workshop presenters and delegates were involved in activities based upon the theme 'Science Education and Technology for the 90s'. Delegates were able to experience many activities ranging from local excursions and workshops (eg Granites Mine, CSIRO Arid Zone, Jindalee Over The Horizon Radar and the Remote Sensing Station) to keynote lectures from local and international speakers on gender equity, Aboriginal science and other recent areas of technology and education research and development.

The week long conference was considered a great success and many of the interstate and international delegates have sent their thanks and appreciation to the NT teachers involved in organising the conference. Delegates were particularly impressed by the quality and content of the program and the hospitality and professionalism of the many local excursion and workshop leaders.

Mr HARRIS: Mr Speaker, I seek leave also to have incorporated in Hansard comments in relation to the Dripstone High School's 10th birthday and the entry into the solar car race of the solar car which was used previously by the Northern Territory University. In doing so, I wish Dripstone High School and the Northern Territory University success in that event.

Leave granted.

Dripstone High School 10th Birthday
and Entrant in Solar Car Challenge

Dripstone High School, which is celebrating its 10th birthday in 1990 officially, launched 'Aquila' as competitor No 8 in this year's Darwin to Adelaide World Solar Challenge. Dripstone High is the only Territory High School, the only 'Junior' High School in the world, and 1 of only 4 secondary schools to compete in this 42 field international event.

The Northern Territory University has provided its original Desert Rose as the foundation for Dripstone's entry. The vehicle was basically intact when received by Dripstone, but there was considerable work to be undertaken to get the vehicle back into race condition, let alone incorporate any new ideas. Dripstone has adopted the NT official faunal emblem the wedge-tailed eagle (Aquila Audax) as the team symbol and has named the car 'Aquila'.

Dripstone High has been working towards participation in this year's event ever since being spectators to the first World Solar Challenge. Dripstone High realised that students could gain significant advantage through being involved in an exercise which demonstrably and dramatically brought together many aspects of their schooling - that is, that physics, science, mathematics, technology, art, health and physical education, and environmental studies are all components of success in such a venture. In particular, it is providing the science and mathematics students the opportunity to participate in an 'external public' activity. Dripstone High School's sport, art, music and drama students are already very active and highly successful in the public arena and

the World Solar Challenge will help to balance that exposure. Participation in the World Solar Challenge is, inter alia, intended to demonstrate that schooling should not be restricted to the classroom and that educational opportunities extend beyond the school.

Because it is a school teaching about and establishing a future interest in the related fields, rather than researching at the edge of technology, it has adopted a relatively conservative approach in system design and component procurement. The school is using the same 'off the shelf' equipment that anyone could purchase.

Dripstone High will have a team of approximately 35 members accompanying Aquila to Adelaide, 24 current and 2 or 3 ex-students (to drive Aquila), 3 staff, several parents and a couple of sponsors. The team is divided into expertise groups responsible for electrical systems, pit crew, radio communications, medical support, catering, accommodation, driving, race strategy, publicity and financial management. The leader of each group has particular expertise in their area and is responsible for the work undertaken by the group. It is encouraging to note that students are the leaders of most of the groups.

The local and business community have been very generous in providing support in cash or kind - most assistance thus far has been the provision of technical advice and the loan or donation of equipment. The school has been particularly encouraged by a number of businesses that have had no previous contact with the school but have contacted the school with offers of support.

Dripstone has written to the other high school entrants from South Australia and Hawaii and offered its facilities for the other schools when they get to Darwin.

Mr HARRIS: Finally, Mr Speaker, I seek leave to have incorporated in Hansard comments in relation to some other positive elements that have happened in education since the last sittings. There are a number of mathematics competitions that occur throughout the year such as the IBM Mathematics Teachers Association of the Northern Territory Mathematics Competition and also the Inter-school Maths Competition. Also, a Maths Enrichment Seminar was held early in August. That was attended by a number of students and I believe was of major benefit to those students who participated.

Leave granted.

Support for Maths in NT Schools

(a) IBM/Mathematics Teachers Association of the NT Mathematics Competition 1990.

Once again, the IBM/MTANT Mathematics Competition was held this year. This competition is open to all NT schools and students from Years 6 through to 12.

This is a very popular competition and involves maths teachers from all over the NT thus raising the support for and profile of maths in schools.

(b) Inter-School Maths Competition

These competitions are organised each year in both Alice Springs and Darwin. It was pleasing to note that the Secondary Correspondence School came second in the senior division in Darwin this year.

(c) Maths Enrichment Seminar.

Twenty four Year 11 students attended a maths seminar in early August 1990. The seminar was conducted by NTU lecturers and involved valuable extension work.

One of these students was selected to attend the National Maths Summer School to be held in Canberra in January 1991.

Zlotan Bacskai has been selected to be the NT's representative next year. This follows his success in 1989 in winning the Australian Year 10 Maths Competition.

Mr HARRIS: Mr Speaker, in closing, may I just say that often we do not hear all that much about positive aspects of education. There is no doubt in my mind that opportunities are available for our students in the Northern Territory to reach their full potential in the education field. There are many positive aspects which occur from time to time. It is a pity that they are not reported in a more positive light. We only hear about the negatives.

I would like to take this opportunity to congratulate again all the people who have been involved in putting together the various competitions and seminars, and the conferences which bring a large number of people to the Northern Territory. Those people spend money and that is good for our economy. The Territory has always been seen by the the states as a place that is able to host wonderful conferences. All of the people involved in those exercises should be congratulated.

Finally, I suggest to the member for Stuart that, when he is comparing retention rates and dollars spent with what occurs in the states, he must compare apples with apples. He should look at what the situation really is and not simply shoot his mouth off in an effort to instil fear into the public about what the Northern Territory government is doing. Mr Speaker, I can assure you that we do take the job seriously. We place a high priority on education. We will try to maintain the formulas and facilities that we have at the moment and these are better than those in any state in Australia.

Mr TUXWORTH (Barkly): Mr Speaker, I rise tonight to pay tribute to a man who I believe has been a famous Territorian in his own right and who was interred at the Katherine cemetery today. I speak of none other than Roy Beebe of Ucharonidge Station who died during the last week of a serious cancer and who made a great contribution to the cattle industry of the Northern Territory.

Roy Beebe was the fourth son of Paul and Florrie Beebe. He turned 63 only a few days ago and he spent the last 41 years of his life in the Northern Territory. The Beebe family drew the Ucharonidge block in a ballot in 1948 and moved to the Territory in 1949. The whole family arrived with all the children on top of their worldly belongings on the back of an Austin truck. Their belongings, the Austin truck and £60 in the bank was the total worth of the whole family. There is a very famous photograph of the family arriving at Ucharonidge on this truck and it is one that ought to

be preserved in the archives of the Northern Territory because that is how the pioneers did it in those days.

Times were tough in the very early days on Ucharonidge. In an effort to do his part to get the family established on the property, Ray worked as a contractor on bores and windmills all over the Territory. He was involved in the construction of earth dams and tanks as far away as the VRD. During the early years on the property, Roy emerged as one of the solid rocks in the family whom everybody could lean on.

In the early days, he bought 1300 head of cattle, from Tom Quilty, for the princely sum of £3 per head. Tom gave Roy and the family 10 years to pay. He took the cattle back to Ucharonidge. They had sunk a bore in the middle of the property and, in those early 1950s, when the droughts were really bad, the entire herd died.

However, the family spirit did not die and neither did Roy Beebe's determination. Roy and Mick Beebe remained on the property as other members of the family drifted away. They bought their father out in 1965 and they were the first 2 people in the Territory to introduce the Brahman breed to Northern Territory properties. Ucharonidge is acknowledged by everybody in the cattle industry as one of the great properties in the Northern Territory. It does not rank with Alexandria and Brunette Downs in terms of its national prominence but certainly it ranks in the cattle industry as one of the great achievements in the Territory's cattle history.

Roy Beebe was always looking for a challenge. He raised his eyes a little to the north and took on Tanumbirini and Kalala. I remember asking Roy why he became involved in Tanumbirini which is pretty virgin country and totally different from anything that the family had been involved with at Ucharonidge. He said: 'When you fellows decided to open up the roads from the station to the bitumen, we decided we would put our money in and give it a go. It does not matter how much we spend, if we do not have a road to the bitumen to get rid of our cattle at the right time, we are not even in the running. We do not have the capacity in the cattle industry to maintain roads and you fellows in the government do'.

He also took on Kalala which was a property that Bunker Hunt had taken over, poured squillions of dollars into and lost his shirt on during the process. However, Roy Beebe made a pretty fair fist of Kalala. As I recall, it changed hands last December to Warren Anderson for something like $13m. It went with a magnificent herd.

Roy Beebe was a man who always maintained his dignity and he had a very dry, bush sense of humour. He was known in the business community as a man of great integrity. You would go a long way to find anybody who had a bad word to say about Roy's business practice. He was always regarded by anybody who knew him as a thorough gentleman. There is simply no doubt about that. Roy Beebe will go down in the annals of Territory history as a pioneer, a famous cattleman and an innovator in the cattle industry in a way that others had never thought was possible. He was an industry leader. He was a fine Territorian and, in my view, he was a great Australian. It is just that he will be one of the unsung Australian heroes. The Beebe family is a very big family. Roy's relatives are all over the Northern Territory and Queensland. I extend to all members of the family my sympathy at his passing.

The other issue that I would like to raise tonight is the matter of the Cambodian refugees. Other members of the House would have received a

document today inviting them to become involved in a committee that is seeking to support the Cambodian refugees. I think it is time that a little political support was made available to them because the saga surrounding the Cambodian refugees is a blight on the Territory as well as on the Australian community.

As I recall, the refugees were picked up by one of Her Majesty's Australian naval vessels when their boat was about to sink. If the navy had not turned up, they would have all drowned at sea. When they were brought to Darwin and interned in the camp south of Darwin, there were suggestions that they were not really refugees but something else and that they had to be returned to Cambodia.

At the time the federal government was making a determination of this nature which, without any doubt, pre-empted and prejudiced the opportunity of these people, the Prime Minister was handing out to 20 000 Chinese people, who were in Australia at the time of Tienanmen Square, conditional and limited Australian citizenship. Whilst it was good enough for the Chinese to be granted this, the 75 Cambodians were tucked away into a little camp south of Darwin to be held until somebody knew what to do with them. The days dragged on and it was suggested that we should set up another camp in Western Australia. Nothing happened about that. The days have gone on and they are still in the camp south of Darwin, awaiting the processes of the Immigration Department in determining their future.

Mr Deputy Speaker, I say enough is enough. Australia was generous enough to give the Chinese, who were living here in very comfortable conditions, limited citizenship to this country for a period simply because they were living here when there was a riot in China. However, these Cambodian people were motivated to leave Asia because of the conditions there. They were motivated to board an unseaworthy vessel and head for a country that they knew nothing about. They had no idea how long they would be at sea or where they would finish up. For people to take that risk, things must have been pretty tough in the place they came from. As I said a moment ago, it is on record that these people would have drowned if the Australian naval vessel had not turned up when it did.

I am not sure exactly what the status of the Cambodian refugees is today. I am not quite sure what the federal government plans to do with these people. However, I think that it is only fair that some reasonable and expeditious treatment be delivered to them so that they know what their future is. It was early in May when these people arrived in Australia and they were threatened with almost instant deportation back to where they came from. Nobody was quite sure where that was either. I do not think that this is a very happy saga for Australia. Certainly, it does not leave the Northern Territory standing in a very good light. Although we are not involved in the process of assessing them at all, they are here in the Territory and they are seen as a part of the Territory community. The way they are handled will reflect on the Northern Territory at some stage.

I would like to say to the committee that has been established to gain support for the Cambodian refugees that I believe that it is entitled to support, and I give it my support. I believe the Cambodian refugees are entitled to something a little better than the treatment that has been meted out to them so far in terms of the determination of their future. I believe that it is a bad reflection on the Australian community to have such a situation continue the way it is. If it is good enough for the Prime Minister to hand 20 000 Chinese students limited access to this country because they were here when there was a riot in China, it is good enough for

the Cambodians, who would appear to be genuine refugees, to be given refuge in this country of ours.

Mr MANZIE (Attorney-General): Mr Speaker, before I move on to the main reason that I have risen to speak this evening, I would like to make some brief comments regarding the matter that the member for Barkly has raised. He has brought to the attention of this House a situation which I believe should not continue any longer. I think that any person who saw the film, 'The Killing Fields', or who has read any of the history of Cambodia over the last 20 years could not help but feel compassion for the people who have resided there and the relatives of people who have been killed there. Apart from the behaviour of Adolf Hitler during the World War II, I do not think we have had a more public demonstration of man's inhumanity to man.

The fact that those people are in limbo needs to be addressed by the Commonwealth government. They are not going to go away. They are people who hurt and who have emotions and who obviously have a desire to come to a place where they can have the ability to live freely and to achieve their aspirations. Whether anyone argues that they should be here or should not be here, the fact is that they are here and they certainly cannot remain living in a tent city without any appropriate educational facilities to try to improve their lot.

This is an indictment on the federal government. It is time Mr Hawke stopped crying over the matters in China, and abusing pensioners, and started looking after people who are living in this country. It might be time also for the federal government to develop some policy in order to try to prevent people arriving on these shores from other areas. Whether that requires that some specific work be done through the United Nations to address the refugee problem from that area of the world on a global basis or whatever, a start has to be made, otherwise there will be a continuation of boats arriving here. I think that all people would realise that that situation is totally undesirable as well.

This evening, I would like to make a few comments about the Aboriginal Land Rights Act and the response of the Minister for Aboriginal Affairs, Robert Tickner, to the Territory government's call for it to be amended. Honourable members would recall that, early last week, I answered a question in this House in relation to the handover by the Minister for Aboriginal Affairs of parts of 2 land claims which covered areas of the Tennant Creek water control district. I pointed out that there had been no consultation with or even prior notification to the Territory government before that handover took place. I pointed out that the action was in clear breach of Mr Tickner's own call for a bipartisan approach to Aboriginal affairs. Even more importantly, this action cut straight across negotiations between the Territory government and the Central Land Council to reach an agreement for the use of that land which will be of great importance to the future development of that land. This was particularly disturbing in view of the fact that the Territory government had taken great care to ensure that the Department of Aboriginal Affairs and ATSIC were kept fully across the progress of those negotiations to ensure that the Commonwealth did not take any pre-emptive action.

As I mentioned at the time, this issue highlights very clearly a deficiency in the Aboriginal Land Rights Act in that the Territory government does not have the power to acquire Aboriginal land for public purposes - that is, we cannot simply provide services to our constituents, as all other Australian governments have the capacity to do. Instead, where Aboriginal land is involved, we must enter into what are often lengthy and

painstaking negotiations to provide something which the vast majority of Australians regard as a right. It is a great irony that this situation applies even when the particular community to which we wish to provide such services is an Aboriginal community.

This is by no means a new issue. This particular deficiency was pointed out by no less a person than Mr Justice Toohey who recommended that the Territory government be empowered to acquire land, short of an estate in fee simple, for public purposes. The term 'public purposes' can be somewhat misleading in that it could seem to imply that the government of the day could go open slather on Aboriginal land. For the record, let me make it clear that the term refers to essential services such as roads, power and, in the case of Tennant Creek, water.

Justice Toohey's review of the Land Rights Act, 'Seven Years On', in which he recommends the Territory government be given the power of acquisition to which I have referred, was released in December 1983. That is to say that the federal Labor government has had 7 years more to put in place his recommendations. As honourable members would no doubt be aware, the total action to date on this question has amounted to zero. This has been the case even in the face of comments such as those made by the Aboriginal Land Commissioner in relation to the Ti Tree land claim. He said: 'There is no reason to suggest Aboriginal people, when given such an negotiating advantage, would be any more reasonable than any other member of the community in a similar position'.

Following my comments in the Assembly last week and the resulting media attention, Mr Tickner himself commented on the situation. Unfortunately, his comments on ABC radio in Alice Springs last Friday demonstrated that he had either totally missed the point or that he was simply refusing to address the issue. I would like to quote briefly from that interview:

> Interviewer: Would the federal government look at amending the Land Rights Act to accommodate Mr Manzie?

That was a good opening too. We are talking about the Territory community. The reply from the minister was:

> I must say I was a little bit surprised about the statement that was issued, because that is the first I have really heard of his concern. I cannot recall any call of this nature. The only basis on which the call was issued by Mr Manzie appears to be in relation to the Tennant Creek water control district.

I find that a pretty startling admission by Mr Tickner. That particular interview was given on 17 August, but I had written to Mr Tickner on the subject late last month, well over 2 weeks before the interview. In the letter, I went to some pains to detail the difficulties his action had caused in relation to negotiations over the Tennant Creek water control district, as well as the particular problems it highlighted with respect to the Aboriginal Land Rights Act. In doing so, I directed him to the comments of both Justice Toohey and the Aboriginal Land Commissioner. I think it appropriate that I table the letter. It is quite a lengthy letter, Mr Deputy Speaker. In addition, I find it extremely difficult to accept that any Minister for Aboriginal Affairs, who claims to be familiar with Aboriginal issues, would be unaware of this particular difficulty with the act. It has been one of the more contentious issues since self-government.

Later in the interview, the Minister for Aboriginal Affairs played down the significance of this issue:

> Interviewer: Well, the Territory government is using this example of the Tennant Creek land claim to publicise its wider concern which is the fact that, under the Aboriginal Land Rights Act, it is not able to resume any land, any Aboriginal land, for public purposes. Now why should that remain in the act when it does not apply anywhere else in Australia, and Mr Justice Toohey himself recommended that the whole issue should be given detailed consideration?
>
> Tickner: Well, you know, I am quite happy to continue to talk and listen to what is being said but, you know, I think we need some better examples than the Tennant Creek water supply issue because, as I say, there appears to be, with the exception of the Northern Territory government, some pretty broad confidence that there is just simply not a problem. Now, you know, I don't think anybody wants to initiate law reform if there is no need for it. So I have got an open door. I am happy to keep talking with the NT government, but I will need some better examples and some better concerns than that one.

Mr Deputy Speaker, I find the minister's responses to be deeply concerning. I have made it very clear that this is not something that has cropped up over night. It has been around for many years and it is fundamental to concerns that this government and the wider community have in relation to the Aboriginal Land Rights Act. To put it simply, it creates a situation where the majority of the community does not have an equal standing before the law as another, smaller part, of the same community. That means that the government which is elected by the whole community has powers with respect to some sections of its constituency, but it does not have them with respect to others. It means that, in some cases, the minority part of the community which enjoys this privileged position is able to use this to hamper the ability of the democratically-elected government to provide essential services to the whole constituency.

I repeat that this is not an issue that is the province only of politicians. Any reasonable person would expect that, where the comments of a government cannot hold sway, the comments of the 2 members of the judiciary would. I am concerned and disappointed by the behaviour of the Minister for Aboriginal Affairs on this issue. He came into his job talking about new brooms, new approaches and a return to bipartisanship, but his actions so far have run contrary to his words. However, his attempts to play down this very serious issue and to sweep it under the carpet will do him no credit at all. It is very plain that he would have been aware of the concerns and, for him simply to deny it and to pretend that the situation will go away, is appalling.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, in the adjournment debate last night, I raised issues which, if they have substance to them - and I am sure that they have - would be the most important issues that have ever been brought before this parliament, and I do not make that claim in any way lightly. Mr Deputy Speaker, you will recall that my first claim was that every time a member of the federal parliament signs a paper that lies on the Table for 30 days - and parliament ratifies it by doing nothing about it - and the minister has it gazetted, he is binding us to international law and removing our right to determine the laws under which we live and our capacity to change those laws easily. After all, we have but one

representative in the United Nations which has more than 155 members. It is a matter which one could describe as an act of treachery or even treason. I am not too sure of the difference between those terms, but I am sure members will be in their own minds. They are very serious matters.

It has been brought to my attention that many of these UN conventions which we have ratified are very difficult to get hold of. There are people who have contacted the United Nations Organisation in Australia, Brian Burdekin etc. He has been rather coy about what agreements have been entered into. I have not made an effort myself, but I certainly intend to. I believe that this parliament ought to put the acid on the Australian branch of that organisation to make available complete information on all the treaties and similar instruments to which we are a signatory. It is generally accepted that, when we ratify these, we are bound by them.

For example, I have a little document here that reminded me of something that Mr Greiner tried to do in New South Wales with his Essential Services Bill of 1988. The purpose of the bill was to allow him to deal with strikes in the essential services. Federal Minister Willis warned that it could not be implemented as it contravened an International Labor Organisation Treaty that is sponsored by the United Nations.

The Western Australian Minister for Tourism took a decision not to allow a Japanese firm to take over a lease on Rottnest Island of some buildings which went into receivership. She has been charged under international law to explain her actions before the Full Bench of the Supreme Court of Western Australia. She is required, under international law and a convention which we have ratified, to explain why she has discriminated against a Japanese company. In all probability, the minister acted on the advice of the Rottnest Island council which stated that it would be better for the development to be kept in Australian hands. The minister had the final say, and now she finds herself before the court.

These matters are extremely serious. We should hold full information on all these treaties and examine them very closely. Then, we should put the wood on our federal politicians to explain why they are letting them go through willy-nilly. I might add that all parties have been ratifying these treaties. If they do not mean anything, if they have no teeth, we should not be trying to deceive some other country into organising its laws relating to children, for example, to fit in with the convention simply because Australia has ratified it. If they have teeth, then we are giving away our law-making capacity to a foreign body, and that is not on.

I remind honourable members that, last night, I tabled some papers which demonstrate very clearly that a Bill of Rights of 1985, which was rejected after the Australian people protested that its iniquitous powers would result in people losing their freedom under the law and the right to legal defence, has been slipped into the Human Rights and Equal Opportunity Commission Act, which is a law of Australia. I must confess that, when I was in the Chair and listening to the Minister for Labour, Administrative Services and Local Government putting his equal opportunity legislation forward, I hoped that he could do a little better than enact some of the tremendous powers which that commission has. In the hands of really good people, such powers could be handled well. However, I do not think that we should be introducing legislation which depends on the absolute decency of people. Such powers in evil hands would frighten anybody. That is a matter that we should examine. The Assembly has the documents and careful consideration and cross-referencing should ring alarm bells.

The third matter that I raised last night related to section 44(1) of the Australian Constitution. I do not think there is any doubt in any federal politician's mind that the Constitution has been contravened, the parliament is improperly constituted and, as such, the federal laws are invalid. There is a constitutional crisis to which no one will admit. I have here a document of events which was put before His Excellency the Governor-General, the Speaker of the House of Representatives and the President of the Senate. It is all listed by Mr George Turner in this very long and involved paper which draws substantially on Hansard and involves constitutional conventions etc.

Mr Speaker, I seek leave to table this document which should be on the public record.

Leave granted.

Mr COLLINS: The paper represents the efforts of one man, whom I consider to be a great Australian, to bring this matter to a head and to tell the full story. Even today, he is battling to have these matters sorted out.

Last night, I put forward a scheme which was the work of a number of people and one, I believe, which offers a way out of the constitutional crisis. Honourable members should not have too much difficulty in realising that, if our federal laws are invalid and the federal parliament is improperly constituted, we are in a state of anarchy. The matter needs to be resolved. I believe that it could be resolved not, as Gough Whitlam suggested, by getting the people to change the Constitution, but by asking the people for a moratorium on section 44(1) until the next election and having the people validate, in a referendum, the actions and laws of the parliament. I believe that this is the opportunity for the Australian people to take control of the Constitution back into their own hands to some degree.

I believe that the Constitution is our law over the parliament. The parliament expects us to obey its laws. Why shouldn't the people of Australia expect the parliament to obey the Constitution, the law which limits its powers? To achieve this, I believe that a second referendum question should be demanded of all federal politicians. That question should ask the people of Australia whether they wish to give themselves a referendum-initiating power. I would suggest that, if something like 15% of the voting population of Australia wished to have a referendum on a particular subject of deep concern to them, a referendum should be held. Some would say that 15% is not a very large number but, knowing Australians and their general apathy, there would have to be a fairly strong level of feeling to achieve that level of support.

The rules of referendum require a majority of the people and a majority of the states to approve a question in order for it to pass. Such a majority would give the people of Australia the power to countermand such decisions as the 1983 decision of the High Court which made a very broad interpretation. People seemed to say: 'We certainly do not like it, but we are stuck with it'. I say that we are not stuck with it. We do not have to be stuck with it. In return for an honourable way out of the dilemma of the constitutional crisis to which nobody will admit - but which does exist - we should demand this power.

The third referendum question, which I demand and which I believe the people of Australia should demand, is that we forbid the federal parliament

to enter into any agreement with a foreign power which takes away from the Australian people their right to determine the laws under which they live - in other words, any agreement which binds us to international law. It is our right to make our laws and nobody has the right to give it away. Of course, the question would provide that all such agreements be rescinded and that all law made under such agreements be removed.

In short, that is a solution to the problem, a quid pro quo. It would provide an honourable solution to the constitutional crisis in return for giving the people a chance to influence the referendum-making powers of the country as well as getting rid of these international agreements which bind us. As I said last night, there may be many good things in these agreements, but let us put them into our own law in our own way so that we have the capacity to change it.

How do we encourage the federal parliament to take the action we want? At this time, of course, only the federal parliament can initiate referenda. The answer lies with the Australian people. There are but 228 federal politicians and 1 Governor-General who have a duty to protect the Constitution, a duty which I believe has not been carried out very well. The answer is for the Australian people to become informed. Of course, they will not receive much help from the media, with some wonderful exceptions, in understanding the situation we are in.

When half a million Australians know about the situation and understand it, having checked the documents on the public record, I believe that they should exercise their democratic right to approach their federal members by means of the letterbox, the fax, the telephone and by knocking on their doors. If enough of us do that, our federal politicians will not get much sleep. If their phones and faxes are jammed, if their letterboxes are full and if the Australian people are knocking on their doors at all hours of the day and night demanding that they sort out this mess by means of a referendum, I do not think it would take very long for the matter to be sorted out. I am aiming to be part of that, and I am only one of a very diffuse group of hundreds, even thousands, of Australians, who have the information already. I believe the time will come when the people will exercise their democratic right.

In case anyone comes up with the idea that this is a matter of sedition and a widespread network of hundreds of people, of whom I know only a few, are guilty of sedition, there are some rather wonderful provisions in sections 24 and 28 of the Commonwealth Crimes Act which state that, if people point out in good faith the errors of the ways of the federal parliament and parliamentarians, they are not guilty of sedition. Our forefathers had the wisdom to realise that the parliament could go astray. It has gone astray, and I believe it is time to put an end to the secrecy. It is time to inform the Australian people about the matter, and to demand that our federal politicians do the job for us by giving us these referendum questions.

Mr FLOREANI (Flynn): Mr Speaker, I rise in tonight's adjournment debate to discuss 2 matters. The first relates to a letter which I received today from the citizen's committee for the Cambodian Support Group. I note that all members of the House will receive a letter from the committee today or tomorrow and I would like to add my thoughts to what this committee is contemplating. The letter sets out the committee's aims and priorities quite clearly. The aims include: effective political representation to keep the 79 people in Darwin; making arrangements for accommodation for the Cambodian people during the wet season; achieving the granting of temporary

asylum for the people in the group, as they are not technically refugees; achieving greater access to the camp for volunteer services, including language, education and local community groups; and, increasing the number and availability of interpreters.

Mr Speaker, you may be aware that, for 7 or 8 years, I was very deeply involved in the settlement of Vietnamese people in Alice Springs. I can say without any fear of contradiction that those people have made, and continue to make, a great contribution to Alice Springs. When one considers the multicultural nature of Darwin society, it seems quite strange to me that we are even thinking about whether or not we should allow these people to stay in Australia. We are talking about 79 people - men, women and children - and I find the suggestion that we force them to leave Australia to be quite abhorrent. During my involvement with the Vietnamese people in Alice Springs, I heard some absolutely horrific stories about what had happened to many people on the long journeys which they made to various islands in this region. The stories concerned the horrific suffering which they endured in their home country, the pirates they encountered whilst attempting to flee in boats, and the oft-quoted fact that over half the people who attempted to flee Vietnam in boats ended up losing their lives.

I support the aims and priorities of this committee. In debates such as this, sometimes we lose track of the fact that we are actually dealing with human beings. I can understand the dilemma faced by the Minister for Immigration when confronted by the suggestion that we are opening up Australia to all sorts of people and that anyone who lands here can stay here. At the same time, I believe that we have to be humane about the whole issue, especially since our Prime Minister has allowed 20 000 Chinese students to stay in Australia because of riots in China. I would like to wish the committee good luck in its endeavours and to say publicly that it can rely confidently on my support.

The second subject that I would like to discuss tonight involves one of those odd matters that sometime trigger a great deal of concern in the community very quickly. Some 3 people in Alice Springs have contacted me in regard to this and, when I was in Katherine at the weekend, at least 3 people there expressed their concerns to me. The source of their concern was a letter from the Department of Education. It is addressed to the Assistant Secretary, Operations South, the Director Schools North Branch, all Superintendents, Schools North Branch and Operations South, all Principals and Head Teachers. It is from the Acting Deputy Secretary, Schools Policy and Operations North Division and it relates to community welfare officers dealing with schools. The bottom line is that there appears to be a law passed in this Assembly that allows community ...

Mr Harris: That is right.

Mr FLOREANI: ... welfare officers to go into schools. I understand the matter is very sensitive, but I felt that I should raise it.

Mr Harris: You should have asked me a question. I would have been happy to answer it. However, I have spoken already tonight and therefore I am unable to do so now. I am sorry.

Mr FLOREANI: Mr Speaker, I would like to quote from this letter. It was signed by C.H. Payne. I raise this matter only because concerns have been expressed in the community. My wish tonight would be that one of the ministers make a statement on it.

Mr Harris: Are you up to date with what has happened in relation to it?

Mr FLOREANI: I have merely raised the issue.

Mr Harris: Schools have been notified about this.

Mr SPEAKER: Order!

Mr FLOREANI: Mr Speaker, I will skip over what I intended to say, but I will say that the law appears to be in existence. It might be appropriate for the minister to consider initiating a debate on the matter because the rights of parents and children are involved and there is a suggestion that there is too much power in the hands of community welfare officers.

I rang a principal in South Australia who is known to me and I asked how he would react if a welfare officer came to his school to remove a child, even if he had the appropriate authorisation. I did that in order to find out his reaction. There is no similar law in existence elsewhere.

Members interjecting.

Mr FLOREANI: Mr Speaker, I do not want to make a big issue of this, but I intend to raise the matter. I believe the minister should make a detailed statement explaining the situation to people in the Northern Territory because very strong concerns are being expressed in the community. That is the bottom line. I took the liberty of finding out whether the law was correct, and there was some basis for it. There is concern in the community and I hope the minister will make a public statement to allay the fears of people who are genuinely concerned.

Mr PALMER (Karama): Mr Speaker, I rise to speak briefly tonight. First, I want to support the sentiments expressed by the Attorney-General and the member for Barkly in relation to the Cambodian refugees. I believe it abhorrent that we can allow these people, whatever their status, especially the little children, to be confined in a camp in the bush some distance from Darwin without contact with the outside world and without any access to or from people in the surrounding community. I certainly support the actions of the committee that has been established in an attempt to provide simple human and humane services for those people.

Secondly, I want to climb into the ongoing wheelie bin debate. I have listened with interest to the member for Wanguri ...

Mr Vale: How long have you bin in the wheelie bin, Mick?

Mr PALMER: I wheelie bin here all night.

Mr Speaker, I have listened with interest to the member for Wanguri, and I can understand his interest in the subject. Given his apparent affinity with maggots, I can well understand his grave concern. I considered the likelihood of the apparent blowfly plague in Darwin being caused by these wheelie bins. Given that the bins are emptied every 7 days, the flies must be fecund little beasts. These blowflies have to breed and lay eggs if they are oviparous, or produce live maggots if they are ovoviviparous, and these maggots must mature to an extent that they pupate and emerge as live adult flies from that bin within the course of 7 days. I thought that somewhat amazing and therefore I took advice as to what these little beasts were. It appears that they are an imported species of fly

and, once again, I appreciate the member for Wanguri's affinity with imported flies.

They are of the genus Lucilia, which is a metallic green sheep blowfly. On average, this little beast takes 12 days in Darwin from the time it is laid as a live maggot till the time it emerges as an adult fly. Obviously, the blowflies are emanating from elsewhere and not from the wheelie bins. The life cycle cannot be completed in the wheelie bins. They pupate after about 8 days. Generally, to do that, they bury themselves ...

Mr VALE: A point of order, Mr Speaker!

Mr SPEAKER: Is that parliamentary language?

Mr PALMER: It is parliamentary language, Mr Speaker. More parliamentary, may I say, than pusillanimous.

Mr Speaker, these little darlings, when pupating, bury themselves into soft earth in a shady position and it takes about 4 days. I would suggest to the member for Wanguri et al that they turn their attention elsewhere. Perhaps his attention and the attention of the city council would be best directed to the Shoal Bay Disposal Site. Let us get away from this nonsense about wheelie bins creating the fly problem. It is obvious that the disposal site is where the flies are coming from if, in fact, there are unusual numbers of blowflies in Darwin at the moment, and that is still something that has to be ascertained.

Mr VALE (Tourism): Mr Speaker, as a young kid in the bush in Melbourne years ago, I used to listen to nature study talks on the radio. Tonight's speech by the member for Karama was very similar.

Tonight, I would like to pay tribute to a former great Australian who died in Sydney last week. I refer to the second Australian - not the first - ever to take out a world boxing championship, and of course that was the late Jimmy Carruthers. Again, I can remember how, as a young fellow in the bush in Melbourne, with a battery-operated radio, long before electricity came to the scrub, I listened in ...

Mr Firmin: Who was the first?

Mr VALE: The fellow who won it in the 1890s.

I recall how a group of us crowded around the radio to listen to the description of the fight between Jimmy Carruthers and a fellow called Vic Toweel in South Africa. Most of us pronounced his name as 'Towel'. It was a pretty exciting time for us, as young kids. He was really a star. There was some static on the radio but, if I remember correctly, in the first few rounds Carruthers landed 124 blows on Toweel, and Toweel threw 1 punch and that missed. Like kids all around Australia, we used to have boxing rings. If someone was getting pummelled, the shout would be: 'Throw in the towel'. More often than not, a towel was thrown in and you would kick it out. For years after Jimmy Carruthers beat Vic Toweel, instead of shouting 'throw in the towel', people would shout 'throw in the Vic'.

If you could liken Jimmy Carruthers to anyone in terms of the hero worship he attracted around Australia, it would be to another great Australian boxing champion - Lionel Rose. I was in the Alice Springs Hospital some years ago when Lionel Rose touched down en route to Darwin for his trip to Japan for the title fight. When the hospital authorities came

in the next morning, all the Aboriginals had disappeared. They had gone out to the airport at 2 o'clock in the morning to see their city cousin.

On a more serious note, I would like to talk tonight about the Alice Springs flood mitigation dam. In February last year, the Minister for Mines and Energy and I attended a meeting in Alice Springs with a number of the traditional owners to discuss the issues relating to the dam. I will not disclose everything that occurred at that meeting. Those owners were critical of a number of us, myself included, for public comments that we had made. They made 2 requests: that no more advisers attend the meetings and that there be no public comment until such time as the discussions had been finalised. Following that meeting, the Minister for Mines and Energy, who gave a commitment that that would occur, remained silent on all issues, despite the fact that, from time to time, he was criticised by people such as the Mayor of Alice Springs and others for not commenting. At no stage, did he make any comment. He honoured his word.

There were a number of meetings from February last year until recent times. I attended some of them with the Chief Minister and the Deputy Chief Minister. All of them were quiet and fruitful meetings. There were no advisers and no public comments. In January this year, the Chief Minister was handed a letter by the traditional owners with their signatures on it. I will quote from that letter in a moment. The letter legally gave the Chief Minister and the government permission to obtain a certificate to proceed with the construction of the dam, subject to all the environmental requirements being met.

At the door of the meeting room, Wenton Rubuntja told the Chief Minister that a couple of the women were still a little concerned. The Chief Minister said, and I can remember the words: 'Well, we won't move yet. I will hold on to the letter. You talk to the women and come back to me'. Some 3 weeks later, Wenton Rubuntja visited my office and phoned the sacred sites people in Darwin. There was a woman in charge whose name I cannot recall. Wenton said to this lady: 'We have discussed this issue and all of the traditional owners are quite happy with the letter that they have signed and with the government's consultations with us'. I will stand anywhere in the Northern Territory and vouch for the validity of the meeting and the stance that both the Chief Minister and the Deputy Chief Minister took in an honourable sense. There was no pushing and shoving. There was no public comment or criticism. In a sense, it was a frustrating 12 months or so, but it was carried through with respect by both negotiating parties. It ended with that letter.

What concerns me is the attitude of the Australian Labor Party and some of its fellow travellers, including a fellow called Furber who attended the launch in Alice Springs when the Chief Minister announced the plans to proceed with the dam. Furber walked around saying to everyone and anyone: 'This is dirty. This is filthy. This has been a terrible war. Someone is going to pay for this'. I walked up to him and said: 'Howard, even your mates are wrong about you. They say that you have a chip on your shoulder'. He said: 'What do you mean?', and I said: 'They are wrong, because you have a wood heap there'. However, he continued in that vein.

At a public meeting in Alice Springs, he tried to infer that the traditional owners had been conned into selling the certificate and had not been told that the site would possibly be permanently inundated. He read to the meeting a letter to validate his argument. I would like to read that letter tonight. Mr Furber omitted to read the last paragraph. The letter reads:

> After consultations between the Chief Minister and the above-mentioned senior Aboriginal custodians of the land, which will be covered by the proposed dam of the Junction Waterhole area, it is agreed that an authority certificate be issued by the Aboriginal Areas Protection Authority which will enable a dam to be built.

The last paragraph, which Mr Furber did not read out that night, stated: 'Senior Aboriginal custodians agree that the site be permanently covered by water'.

If nothing else, the Australian Labor Party and its candidates in central Australia are being less than honest. It is interesting to note that, at one stage, the Deputy Leader of the Opposition, the member for Stuart, came out in total support of the dam site. A few weeks later, buckling under pressure from the Central Australian Conservation Council and some of the more radical groups, he did a back flip and said that the dam site was not appropriate and that levy banks and other flood control proposals should be considered.

If anyone wants an indication of the extent of support for the dam in Alice Springs, he need only recall that, in recent years, petitions containing approximately 7000 signatures in support of the dam have been tabled in this Legislative Assembly. This week, the member for Stuart tabled a petition opposing the dam. It contained fewer than 350 signatures. I remain convinced that the vast majority of residents in central Australia wish the government to proceed as quickly as possible with the flood mitigation dam. I think I sum up the feelings of central Australian people when I say that we have been talking about it for 25 years and now is the time to get on with the job and construct it.

Motion agreed to; the Assembly adjourned.

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