Mr Speaker MacFarlane took the Chair at 10 am.

PETITION
Traffic Flow in Fannie Bay Area

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

Motion agreed to; petition received and read:

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

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

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

Motion agreed to.

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

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

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

Debate adjourned.

STATEMENT
Oral History Committee

Mr EVERINGHAM (Chief Minister) (by leave): Mr Speaker, the Oral History Unit in my department comprises a part-time chairman and a full-time executive officer servicing the Oral History Committee, the Schools History Committee and
the Annual History Awards Committee. The Oral History Committee has been operating for over 2 years. The aim of the program is to gather the reminiscences and recollections of Territory life from past and present Territorians whose memories, in some cases, extend back nearly to the turn of the century.

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

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

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

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

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

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

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

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

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

I move that the statement be noted.

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

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

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

Perhaps the Chief Minister could inform the Assembly whether interpreters are hired by the Oral History Program to ensure that that part of the Territory's history also is recorded in our annals. I can only repeat that the program itself has won wide acclaim throughout Australia. We are leading the states in regard
to the preservation of our history. I believe the government should be commended for initiating the program, and the unit itself commended for the carriage of it.

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

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

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

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

Mr EVERINGHAM (Chief Minister): Mr Speaker, I have registered those points and I will certainly bring them to the attention of the committee. I cannot give an explicit answer regarding the various ethnic groups but I know for certain that some Chinese people have been interviewed. I believe a number of Aboriginal people have been interviewed and the honourable Minister for Transport and Works reminds me that some Greek people have also been interviewed. I would assume that interviews are taking place, and certainly it has always been my understanding that this program is being undertaken without regard to a person's
I note what the member for Fannie Bay said about the Museums and Art Galleries Board not being represented. I have spoken to the Director of the Museums and Art Galleries Board about the matter and he is not concerned about that. I think that this is a good committee through which material can flow for evaluation as to whether it should go to archives of the museum or wherever. In any event, it only obtains access to material which it digs up or which is volunteered to it. Anyone wanting to send material to other areas is at liberty to do so.

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

Motion agreed to.

STATEMENT
Establishment of a Performing Arts Centre

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

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

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

907
The area of land to be made available to the company includes 4 blocks of land bounded by McLachlan Street, the Esplanade and Mitchell Street. Two of the blocks are in the ownership of the corporation and 2 are held by the government. Together with 4 blocks of land, the section of McLachlan Street between Mitchell Street and the Esplanade will be made available to the developer free of charge. The developer has purchased 3 blocks of land on the other side of McLachlan Street. I understand that those 3 blocks were purchased at an average price of about $200,000 each. The land on which the performing arts complex will stand amounts to about 3,200 square metres and the total site area will be 16,100 square metres. In addition to this, there will be a pedestrian mall and walkway amounting to 4,400 square metres through the whole site from Mitchell Street to the Esplanade. The convention centre will occupy an area of 1,200 square metres while the hotel will be constructed on an area of 3,600 square metres. The remaining area will be open space, landscaped gardens and so on.

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

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

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

Finally, the design and documentation for the project will be completed by 31 December 1981. Construction will commence by 30 April 1982. It is expected
that the complex will be completed and ready for occupation by 1 October 1984. I hope honourable members will take the opportunity to study the model, which is to be available to them within the precincts of the Assembly during this sittings by your kind permission. I look forward to their comments and their support.

I move the statement be noted.

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

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

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

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

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

There are some very cute comments in the Chief Minister's statement and in the document attached to it. I refer to those. Quite clearly, when prime land with magnificent views - very expensive land - is put up as part of a huge $40m development, the proposal ought to be made in a manner which is completely above board. Not only is prime land involved but there is an interest-free loan totalling $228,000 and a further $500,000 at the very concessional rate of 4% over a 10-year period or for such longer period as specified by the Northern Territory Development Corporation. Where there is that kind of concession in rates,
questions must be asked.

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

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

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

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

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

If we look at the heads of agreement, Darwin centre, paragraphs (F) and (G), we will see that the representative of the company, Mr Koh, discussed the project with the Lord Mayor of Darwin, the Co-ordinator General, the Chief Minister's Department and the Chairman of the NTDC on 31 January 1981. That is acknowledged.
The corporation indicated its agreement in principle to this proposal by letter dated 2 February 1981. Mr Speaker, therein lies a little tale. At the time that letter was signed and sent - I have seen a copy of it - showing that the corporation indicated its agreement in principle, the city council had not met and considered the matter. That was an agreement with the Lord Mayor and many of the aldermen are upset, even outraged, that this letter was written in that manner. It gave rise to considerable debate in the council and moves to rescind this previous so-called agreement. Those moves were unsuccessful. As it turned out, a majority of the aldermen agreed with the agreement in principle. But they did not agree when that letter states they did; they had not met to consider it which is one of the reasons that some of the aldermen are upset.

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

Mr Speaker, I do not agree that the best thing for Darwin is to have its performing arts centre incorporated into a multi-storey international hotel situated on prime land which is being given to this company. This is the people's land. A large number of Darwin citizens agree totally with my feelings. They are outraged that their land is being given to a company for that company's demonstrable benefit. The Leader of the Opposition mentioned an interest-free loan and another loan at a very low interest rate of 4% per annum. The valuation placed on those 4 blocks of land is understated. Other land valuers in Darwin have given me a figure of $2m for that land. It is prime land. There is no comparable land in Darwin. Nevertheless, these negotiations were entered into without many of the people who own the land knowing what was going on. I refer to the people of the Northern Territory. Even the aldermen did not know until the last minute when they were presented with a letter which showed they had agreed to something which they had not, at that stage, even considered.

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

Mr PERRON (Community Development): Mr Speaker, the 2 previous speakers demonstrate that there is both support for and opposition to the concept of what is being done even if not for the way in which it is being done. I propose to answer first the point raised by the Leader of the Opposition that the statement virtually says that, during the trade mission to South-east Asia in October, I promoted the concept of a joint hotel and arts facility in Darwin. Of course, I did no such thing. In fact, he was reading into the Chief Minister's statement which I will now quote from: 'Out of the initial discussions which took place between the Treasurer and Minister for Community Development in Kota Kinabalu in October 1980 has blossomed a total complex which will meet other needs of Darwin'. If members read it again, they will realise that it is not stating that I was overseas promoting a joint concept at that time.
The Northern Territory Development Corporation was directed sometime last year to do its utmost to bring to the Northern Territory - Darwin and Alice Springs - international-class hotels, preferably in the 250-room-plus bracket. We believe that the tourist projections for the Northern Territory and indeed the difficulties we face with tourist accommodation at the present time clearly indicate a demand for these 2 facilities. Therefore, when I went to visit various people in Asia last year, amongst other things, I took with me a feasibility study on the question of building international-class hotels in Darwin and Alice Springs.

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

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

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

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

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

Mr Speaker, the Jennings Industries'site - 3 blocks - was quite obviously too small for a major hotel. Because of today's requirements of landscaping, planning etc, a very substantial site would be required for a hotel of 250 rooms plus. Under the present regulations, I doubt that the Travelodge could be built again; that is, unless it could get some specific waivers from the Planning Authority. The Jennings Industries site was simply too small. It was certainly
an attractive site - situated right on the Esplanade, overlooking the harbour and having 2 street frontages. It had a lot going for it except that it was not big enough.

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

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

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

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

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

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

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

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

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

On the first page of the heads of agreement document are the definitions. "'Project' means the Darwin Centre Project described in clause 2'. Clause 2 says: 'The project shall be known as the Darwin Centre Project and shall comprise a theatre to accommodate 1,000 persons; a performing space to accommodate 250 persons; a convention centre ... an international standard hotel ...'. The problem was not simply having an international hotel built in Darwin. The
doubts that people had related to the combination of an international hotel with
the performing arts centre which the government had originally given an under-
taking it would build. Most people assumed that the performing arts centre would
stand on its own.

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

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

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

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

Mr B. Collins: Why didn't he stand up and say something.
Mr EVERINGHAM: It was not only the Treasurer, Mr Speaker, but myself, this government, this side of the Assembly and all right thinking people in this community.

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

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

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

Motion agreed to.

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

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

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

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

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

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

Again, on 21 August last year, the Treasurer had occasion to refer to the Memorandum of Understanding in respect of financial arrangements with the Commonwealth. When he brought down the budget for this financial year, the Treasurer said: 'We are again in a position to demonstrate the sound funding principles built into the Memorandum of Understanding with the Commonwealth. This government is able to support strong development, accept new challenges and provide services to an expanding population without imposing unreasonable taxation'. He went on to say: 'This is not a temporary phenomenon; this is the keystone of a sound future'.
Mr Speaker, as a result of the Premiers Conference in May, the Treasurer's keystone now appears to have become that temporary phenomenon he spoke about. At the recent Premiers Conference, the Australian government and the states considered funding arrangements for 1981-82 and future years, arrangements which were to have a bearing on Commonwealth-Territory finances. The main item on the agenda at the conference was consideration of what formula might be used in future years to decide amounts allocated to states and the Territory by way of general revenue payments.

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

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

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

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

918
The Chief Minister had the pledge of no higher authority than the Prime Minister. It is amazing that he could have made the statement knowing as he must have known then that the Territory had been short-changed by $16m. He had the example of the state premiers who were outraged at their treatment, and a statement from myself on 5 May pointing out that our financial agreement entitlement, if the agreement was kept intact, was $320m not $304m. Mr Speaker, this is perhaps the most incredible performance we have seen yet from the leader of the Northern Territory government.

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

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

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

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

Mr Speaker, it is now painfully obvious that the Territory government has allowed itself to be misled by that dishonourable and dishonest Fraser government to use the words of Sir Charles Court. The last Premiers Conference has shown us to be highly vulnerable to the financial whims of the Commonwealth. It appears that the Territory will no longer receive adequate funds to cope with the special circumstances in which we find ourselves. It took the Chief Minister 22 days to acknowledge the difficult situation we have been placed in by the Commonwealth. Recall again the Chief Minister's comments following the
disclosure that the Fraser government had failed to honour the financial agreement with the Territory. I had pointed to the fact that, at that stage, we had been short-changed by about $16m. The Chief Minister responded in typical fashion by saying that I had shown a lack of understanding of financial arrangements between the Commonwealth and the Territory. He did not question the figures. The Chief Minister said that the Prime Minister had told him in clear terms that the integrity of the existing agreement would be maintained. The Chief Minister said that, in accordance with changes between the states and the Commonwealth, the Territory was willing to discuss an appropriate complementary change to the Memorandum of Understanding. That was the position and then, 22 days later, the penny dropped. Another statement came from the Chief Minister. Let me quote from this second release: 'The Territory will now receive $315.1m by way of general revenue grant, about $8m less than it would have received under the old formula'. That old formula is the same formula that the Prime Minister gave a guarantee to the Chief Minister would be maintained. The Chief Minister then said, and I quote from his telex: 'If the Commonwealth believes that its Australia-wide financial constraint should apply to the Territory for which it has a special responsibility after 70 years of neglect, then we believe that we should have the same revenue raising powers as the states to cushion the effects of Commonwealth decisions'. He went on: 'If the Commonwealth was going to alter the Memorandum of Understanding to reduce the Territory's revenue growth factor in line with the states, it had to give us the rights and powers of a state'.

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

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

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

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

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

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

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

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

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

The Leader of the Opposition suggested that we commence in this Assembly a rational and reasoned discussion on the economy. I might mention that this plea came from him despite the fact that he did not once mention the Northern Territory economy during the course of his speech. He concentrated entirely on attacking me and suggesting that the Memorandum of Understanding had been in some way subverted. Well I am quite capable of looking after myself. I will decide in concert with my Cabinet colleagues the tactics that this government adopts to obtain the maximum revenue possible for the Northern Territory.
DEBATES - Wednesday 3 June 1981

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

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

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

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

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

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

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

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

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

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

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

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

The Chief Minister's recent trip to Canberra, belated as it was, did result in an increase in the Territory general funding level to $315m. Let us see where that gets us. In the financial year 1980-81, we received from the Commonwealth $270m. To cope with inflation and the increase in population, our 1981-82 allocation should be $321m. I mention this fact simply because the Chief Minister reminded us that we have this inbuilt beneficial factor which will take
account of our increase in population. If that is so, our allocation should not be $315m; it should be $321m. It was only recently that the Chief Minister managed to correctly calculate our situation when he conceded that we had missed out on $8m. Therefore, to insist that the principles of the Memorandum of Understanding have been preserved is really quite at odds with the developments over the last fortnight. He conceded that part of the $315m was simply a transfer of funds and not a new allocation. We have suffered a considerable cutback in key funding in an area in which we need a continued guarantee of funding.

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

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

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

The recent trip of the Chief Minister and the Treasurer to seek more funds from Canberra resulted in an increase in funds. Nevertheless, by their own admission there is still a shortfall of $8m. It is the shortfall of $8m that confirms our fear that the Commonwealth is retreating from the position outlined in the Memorandum of Understanding. The Chief Minister's accusation that the Leader of the Opposition, by expressing a fear resulting from the May Premiers Conference, has made yet another attempt to undermine confidence in the Territory economy is without foundation. The Leader of the Opposition's fears are the same fears that are being expressed by other observers of the Territory economy.
The Territory general revenue grant, of which we have heard something from the Chief Minister this afternoon, is not the only area of Commonwealth funds that is being cut back. I turn to the announcement made by the Commonwealth minister responsible for roads in the federal parliament a fortnight ago. I inform the Assembly, and particularly the Minister for Transport and Works, that Commonwealth funding available for Territory roads through to the 1984-85 financial year is also to be cut back. Despite the guarantees that we have had from time to time from the Chief Minister and the Treasurer that our special needs would be catered for by the Commonwealth, again we are simply being considered along with the states.

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

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

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

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

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

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

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

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

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

Mr PERRON (Treasurer and Industrial Development): Mr Speaker, the matter under discussion is the effect on the Territory economy of Commonwealth Northern Territory financial arrangements. This has only been touched on briefly this afternoon. The Opposition Leader called for reasoned debate on the economy but he did not touch on the subject at all. It is not surprising that he did not go into it in any detail because, for the last 3 years, the Leader of the Opposition has done little other than make a fool of himself in this Assembly and in the press when making statements on financial matters. He is improving
a little. A few years ago, the figure was that we were $50m or $60m short. It is now down to $16m. In a few more years, he might almost be correct.

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

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

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

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

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

The Leader of the Opposition said that we would need $310m for our general purpose funds to keep pace with inflation. He is now aware that we have $315m. That is quite clearly adequate. In preparing for this debate, the opposition has overlooked the fact that general purpose funds to the Territory from the Commonwealth contribute only about 50% of the Commonwealth funds to the Territory. The opposition is looking at it as if it is 100%. The Memorandum of Understanding provides a sound financial basis for the determination of Commonwealth funding for the Territory. While recognising the special needs of the Territory, the
financial arrangements may be changed along with changes between the Commonwealth and the states. The Chief Minister has already quoted from the memorandum so there is no need to do that again.

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

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

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

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

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

We do not make a practice of running around Australia saying what a marvelous position we are in. It is a matter of handling the cards very carefully and having the right arguments for the various situations that occur. The Leader of the Opposition quoted from my 1980-81 budget speech: 'We are again in a position to demonstrate the sound funding principles built into our Memorandum
of Understanding with the Commonwealth'. I think that was as much as he read. The next sentence says: 'The government is able to support strong development, accept new challenges and provide services to an expanding population without imposing unreasonable taxation'. Mr Speaker, the situation has not changed.

LEAVE OF ABSENCE

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

Motion agreed to.

EXOTIC DISEASES (ANIMALS) COMPENSATION BILL
(Serial 60)

Bill presented and read a first time.

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

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

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

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

The Australian Agricultural Council has now approved eradication plans for a further 8 exotic diseases. These are African swine fever, blue tongue, fowl plague, Newcastle disease, rabies, rinderpest, swine fever and swine vesicular disease. Our existing Foot and Mouth Disease Compensation Act is not adequate to cover these 8 exotic diseases with regard to compensation payments. It is
therefore necessary to amend this act, both in title and substance, to cover these added exotic diseases. I commend this bill to the Assembly.

Debate adjourned.

LIQUEFIED PETROLEUM GAS (SUBSIDY) BILL
(Serial 70)

Bill presented and read a first time.

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

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

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

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

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

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

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

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

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

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

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

Debate adjourned.

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

Bill presented and read a first time.

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

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

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

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

Debate adjourned.

STOCK DISEASES AMENDMENT BILL
(Serial 67)

Bill presented and read a first time.

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

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

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

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

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

Debate adjourned.
PORTS AMENDMENT BILL
(Serial 94)

Bill presented and read a first time.

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

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

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

Debate adjourned.

STOCK DISEASES AMENDMENT BILL
(Serial 104)

Bill presented and read a first time.

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

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

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

Stock owners who destock their holdings for the purpose of eradicating brucellosis and tuberculosis are eligible for certain taxation concessions under section 33 AAA. However, if owners destock for this purpose, their eligibility for these taxation concessions will be determined by the Taxation Commissioner, but only if that destocking is covered by a legal order from the Chief Inspector.
Mr Speaker, this is a very important piece of legislation necessary to ensure that the government's program of disease eradication keeps pace with programs in other states, and to secure our market position.

I commend the bill to honourable members.

Debate adjourned.

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

Continued from 4 March 1981.

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

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

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

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

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

The bill relating to mining assistance is complementary legislation because of the introduction of the Mines Safety Control Act which replaces the old Mines Regulation Act. It is just a matter of correcting definitions. The Uranium Mining (Environment Control) Bill concerns itself with redefining titles to
be consistent with the accompanying bills and previous legislation. This bill particularly shows our government's concern not only with mining but also with the environment as it is related to mining in the Territory. The Mines Safety Control Bill only refers to a change in the way the Director of Mines is appointed. All this legislation must be considered with the Mining Act 1980. The amendments proposed in these bills are necessary so that there can be a facile use of the total legislation.

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

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

Motion agreed to; bills read a second time.

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

Motion agreed to; bills read a third time.

STOCK DISEASES AMENDMENT BILL
(Serial 54)

Continued from 2 June 1981.

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

Motion agreed to.

In committee:

Clause 2:

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

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

Clause 2 negatived.

In Assembly:

Bill reported with an amendment; report adopted.

Bill read a third time.
Continued from 3 March 1981.

Motion agreed to; bills read a second time.

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

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

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

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

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

Mr BELL (MacDonnell): Mr Speaker, as the member for Alice Springs has pointed out, these 4 cognate bills tidy up the freeholding legislation that was introduced earlier in this Assembly. The legislation enabled the Darwin town area leases, miscellaneous leases and some pastoral mini-leases to convert to freehold automatically and without cost. On 1 January this year, the Minister for Lands and Housing referred to freeholding as perhaps the greatest step forward in the history of the Northern Territory apart from self-government. The
impact of this great step forward apparently has not resulted in a great rush to the Lands Department. Apparently this is fairly fortunate because the office of the Registrar-General is not really equipped to handle the number of applications that might be received under this freeholding legislation.

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

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

Motion agreed to; bills read a third time.

OMBUDSMAN (NORTHERN TERRITORY) AMENDMENT BILL
(Serial 63)

Continued from 3 March 1981.

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

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

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

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

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

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

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

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

The police force has an enormous workload and this has been acknowledged by other members of this Assembly as well as the Ombudsman. It has done a tremendous job with the resources that it has available to it. I support the amendment but I make the point that I am worried that, because more complaints will
be made against members of the police force, a great deal more time will be spent on investigating those complaints. I believe this will have an effect on the number of police available for law enforcement. Mr Speaker, with those reservations, I support the amendment.

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

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

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

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

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

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

939
So the last part of this amendment is already covered in current legislation.

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

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

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

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

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

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

STATUTE LAW REVISION BILL
(Serial 85)

Continued from 4 March 1981.

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

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

Motion agreed to; bill read a second time.

In committee.
Clauses 1 and 2 agreed to.

Schedule:

Mr EVERINGHAM: I move amendment 32.1.

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

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

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

Amendment agreed to.

Schedule, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

PAROLE ORDERS (TRANSFER) BILL
(Serial 68)

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

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

The bill itself seems to me to be quite unremarkable and quite simple in its language. The system is that the minister in a state or territory can request an authority in another state or territory to register a parole order which was made in the original state or territory. It is a simple enough proposition and I would hope that the bill will ensure the easy operation of this system and
that it will be seen not just as a scrutiny of parolees but also as acting in the interests of parolees in that they will have more freedom to move about. The opposition supports the bill.

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

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

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

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

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

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

I would like to comment on clause 7 where it says that the registration of parole orders in a state or territory should be in the interests of the parolee. I do not disagree with that at all and I do not think anybody else would. But I
do feel that the interests of the community must also be considered, as must be the interests of the family of the parolee. It is not unusual for a parolee to have committed his crime against members of his own family. They may have moved to the Northern Territory and it may not be in the interests of his rehabilitation to come to the Northern Territory to be near them. It may not be in the interests of his family either. I would like to see the interests of the community protected in the bill as are the interests of the person to whom the parole order relates.

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

Debate adjourned.

TRUSTEE AMENDMENT BILL

(Serial 79)

Continued from 4 March 1981

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

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

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

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

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

943
The final matter which the Trustee Amendment Bill deals with is the question of the liability of trustees. As explained in the Chief Minister's second-reading speech, the common law is very strict in regard to the liability of trustees. That is perfectly understandable as those people are to be entrusted to manage other people's assets. The common law is extremely strict. If there has been an error made then notwithstanding the complete propriety and honesty of the trustee, the trustee is required to make good whatever damage is done. I believe that it could place very severe restrictions on the operations of the trustee. The amendment will insert a new section 49A in the act. It is a most sensible proposition and I think it is worth while to read it out:

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

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

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

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

Motion agreed to; bill read a second time.
Committee stage to be later taken.

LOTTERY AND GAMING AMENDMENT BILL
(Serial 65)

Continued from 4 March 1981.

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

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

As the Treasurer said, monetary penalties must have some kind of equality with non-monetary penalties, such as suspensions etc. However, $2,000 does on the face of it appear to be steep. Nobody is suggesting that every offence against the Lottery and Gaming Act would incur a penalty of $2,000. As the Treasurer rightly said, that is a maximum and will not be imposed on every occasion. But
the magistrates look to the legislation to give them an idea of what sort of penalties they ought to be imposing. I would have liked to have heard from the Treasurer how that figure of $2,000 was arrived at. Unfortunately he did not tell us. It seems to me that there was an eye to the future and desire not to touch that particular section for another 20 years or so.

Mr Robertson: We need the money!

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

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

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

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

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

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

CONTROL OF ROADS AMENDMENT BILL
(Serial 82)

Continued from 4 March 1981.

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

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

Motion agreed to; bill read a third time.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 77)

Continued from 4 March 1981.

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

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

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

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

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

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT

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

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

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

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

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

(1) A member of the police force may, in response to a complaint from a person that undue noise is coming from any premises or part of premises and where he considers that such noise constitutes undue noise, direct -
(a) the person making or causing or permitting the noise to be made; or
(b) the person apparently at the time in charge of the premises or part of the premises, as the case may be, to stop or abate the noise. (2) A member of the police force may, in response to a complaint from a
person that undue noise is coming from any unoccupied land and where he considers that such noise constitutes undue noise, direct the person making the noise or causing or permitting the noise to be made to stop or abate the noise. (3) Subject to subsection (4), a person who has been directed to stop or abate undue noise and who - (a) continues to make a noise or continues to cause or permit the noise to be made; or (b) does not abate the noise, after a period of 10 minutes immediately after being so directed, is guilty of an offence - penalty $200.

Section 53D deals with noise abatement orders:

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

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

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

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

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

Mr Speaker, it does not require any more controls; the laws are definitely there to stop noise. I feel that most people are reasonable. There are 3 big buildings at the present time in the main city area where work continues all night. There is the Commercial Bank, the council car-park and the Jape Building
DEBATES - Wednesday 3 June 1981

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Most people are worried about the fragile US market and the Australian Meat and Livestock Corporation Newsletter for 25 May 1981 says: 'High interest rates, now around 20%, a bearish USDA 7-State Cattle on Feed Report and a bearish USDA
Stocks in Store Report have both eroded confidence in the import market this week. Therefore, I think that it is about time the Northern Territory looked to alternative markets to the USA for its beef.

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

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

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

Where do we go from here? It is a very serious situation. Cattlemen in the Top End do not have a good market, yet there are 225 million people living closer to Darwin than Canberra is. It is time we did something about it and these joint ventures would go a long way towards solving the problem. If the market is there, why don't the meatworks take it? That is hard to explain but they seem to be
fairly conservative people. I gave you the instance of Dick Condon many years ago. Meatworks operate on a cost-plus basis and they pay as little as they can for cattle. They operate on the top market, usually the US market, when they sell their products.

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

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

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

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

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

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

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

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

Mr Deputy Speaker, did the Chief Minister not give an undertaking in a letter to the Chairman of the Central Land Council, dated 24 August 1978, that the Northern Territory government would not deal with unalienated Crown land, the subject of a traditional land claim lodged within 2 years, in a way which would be prejudicial to the future use of the land should the land claim be successful? Secondly, was not this undertaking given on behalf of the Northern Territory government? Thirdly, was he aware that a traditional land claim known as the Lake Amadeus Land Claim, was lodged on 12 June 1980 by the Central Land Council on behalf of Aboriginals claiming to be traditional owners to an area of unalienated Crown land south of Tempe Downs pastoral lease? Fourthly, would he agree that the Lake Amadeus Land Claim was covered by the terms of the undertakings given by him on 24 August 1978? Fifthly, is he aware that the Minister for Lands and Housing has granted a Crown lease or a right to a Crown lease to Mr Ian...
Conway and Mr Tim Lander over land the subject of the traditional land claim? Sixthly, does he agree that the action by the Minister for Lands and Housing in granting the lease or right to a lease to Mr Conway and Mr Lander dishonours the undertaking he has given to land councils? Seventhly, is he aware that the Minister for Lands and Housing informed Tempe Downs Pty Ltd that the land would not be added to its pastoral lease because of the pending land claim? Eighthly, will he take immediate steps to reverse the action by the Minister for Lands and Housing so that the land claim can be heard unimpeded by a grant of lease to Mr Conway and Mr Lander? Finally, if he will not take steps to make sure that his word is kept, does he expect Aboriginal people ever to trust him again?

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

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

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

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

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

When asked another question on the different subjects they wanted their children to be taught, they were given a list of subjects applicable to most curricula. They stated quite categorically that they believe - as I and a few other conservative teachers believe - and I used to be a teacher some years ago -
that their children should be taught the 3 Rs first.

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

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

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

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

The next concern the parents have is with the building of the high school at Humpty Doo. When the demountables from the primary school are vacated at the end of 1981, these will become available in May 1982 for use by the first year in the high school. They will take 6 or 7 weeks to be converted for high school use. This means that they will not be available for high school use until July 1982. This means that those children who have already started school in town will not be able to start high school at Humpty Doo. The parents do not want their children bussed to Darwin and kept as a unit in Darwin and then brought out to Humpty Doo at a later date. They want the children to start high school at the beginning of 1982. They are prepared to put their money where their mouth is in order to expedite this. They offered to do all the work relating to water reticulation, sewerage and electrical reticulation, free, gratis and for nothing.
As was noted in the press last year, there are some drainage problems on the block at Humpty Doo where the present pre-school is situated. As I understand it, the permanent primary school will be built adjacent to that area and the high school will be adjacent to the permanent primary school. There is a serious drainage problem which will cause further problems not only with water run-off but also with sewerage ponds out there. It is the firmly held opinion of drillers who live in the area and who have very extensive knowledge of the drainage that it would be inadvisable to build the Humpty Doo high school on the site presently being considered, section 358, or the adjacent section.

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

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

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

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

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

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

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

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

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

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

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

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

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

The last thing concerns the assisted vote. I believe the act - from what I can understand of it - says that it should not be initiated unless the actual voter himself asks for assistance. It should not be the polling clerk saying 'Do you want an assisted vote?' The voter must satisfy the polling clerk that he really does need assistance. It is a bit of an insult to some of the Aboriginal Territorians when the choice is merely between putting a stroke in one box to make a valid vote. On many occasions I think that the offer of assistance is an insult to the person's intelligence.
My final comment is that the polling clerk should not ask the voter if he requires assistance. I have seen this happen. I believe that is the way the act is. These things should be taken up by the Electoral Office. It should ensure that the people they employ are fully aware and that these things are enforced.

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

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

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

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

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

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

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

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

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

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

Mr Deputy Speaker, let me finish on this particular point. I believe that fair electoral legislation is fundamental. If the barb is being thrown at the ALP by the member for Alice Springs that we have manipulated votes in some way because, for very good reason, we have attracted a very high Aboriginal vote, let me throw this barb straight back at him. In 80-odd years that we have had elections in this country, only 1 political party has ever been found by a judge of the Supreme Court to have perverted and subverted the electoral law and that party was the Liberal Party in Western Australia. I am using words of Judge Smith when he attended to the disgraceful behaviour of people who have now been condemned by their own political party. Those people set about, in the words of Judge Smith, the perversion of the electoral legislation in that state. Along with every member of this Assembly, and I would hope with all people in the Northern Territory, I hold fair electoral legislation to be fundamental to the democratic system.
In the Northern Territory we have electoral officers who are competent and efficient. These people ought to be running elections throughout the Northern Territory - local government elections, union elections and other elections referred to by the member for Arnhem. These people are second to none in their application and their professionalism in running elections. Let us not have this garbage that there has been malpractice in the running of elections in the Northern Territory.

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

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

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

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

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

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

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

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

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

My wife and her sister loaded these people into the back of the truck and took them on to Riveren Station. They went the wrong way; they thought they were going to Limbunya. The girl managed to say that there was no one at Limbunya so they went on to Riveren Station. The pedal radio system could not raise Darwin or Wyndham, so they brought these people straight back to Wave Hill and took them to the sister at the settlement. Nobody came along that road until midday the next day. The sister at Wave Hill did a tremendous job in getting these people ready for evacuation. There was some difficulty in getting the plane out of Darwin. I understand the rules with Nomads are that an engineer has to do the daily pre-flight inspection before a Nomad can leave Darwin. I do not want to invite any industrial relations problems — we have had enough of those tonight — but I am sure that there is another way of doing this. I have expounded to my colleague that perhaps there should be a trigger system that provides
that, if there is an emergency beyond about an hour's journey or a nominated
destination, a faster charter service would be provided for people who are injured
in the bush because this could very well have been a very serious situation. I
am pleased that my wife was able to make a small contribution. I am very pleased
at the contribution of the other people in relation to this accident.

Motion agreed to; Assembly adjourned.