Wednesday 20 September 1978

Mr Speaker MacFarlane took the Chair at 10 am.

PETITION

Proposed Concrete Batching Plant

Mr PERRON (Lands and Housing): I present a petition from 50 residents of rural Darwin expressing concern over a proposed development in the area. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. I move that the petition be received and read.

Motion agreed to; petition received and read:

The ACTING CLERK: To the honourable Speaker and members of the Legislative Assembly for the Northern Territory, the humble petition of the undersigned citizens of the Northern Territory respectfully showeth that we are all residents of the Humpty Doo district who have been informed that a company is considering erecting a concrete batching plant in our area, namely upon lot 32 section 353 Hundred of Strangways. We wish to advise you of our extreme dismay and concern regarding this project. Four grounds upon which we would be seriously inconvenienced by the presence of a batching plant are:

1. the condition of the road in the wet season will seriously deteriorate due to the heavy traffic;

2. the noise of the loader and of the trucks will be of considerable nuisance to some residents;

3. the dust will be a nuisance in the particular neighbourhood which has such a rural residential character about it; and

4. it will be unsightly and completely out of character with the area which, as you may know, is likely to be zoned rural residential under the Town Planning Ordinance of the Northern Territory in the near future.

Your petitioners therefore humbly pray that all Assembly members take whatever steps they can to prevent this project going ahead and your petitioners as in duty bound will ever pray.

STATUS OF CHILDREN BILL

(Serial 170)

Bill presented and read a first time.

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

This is a bill to ensure that the law is in step with community feeling. In the past, the law has always regarded children born outside marriage as of lesser status than children born to married parents. At common law, an illegitimate child was classed as filius nullius, meaning no one's son, and suffered great disadvantages especially in matters of inheritance. In medieval times, this view may have matched social opinion but now the law is dragging behind. Today, a child whose parents are not married suffers no social stigma. Indeed,
in Australia, the term "bastard" is often used as a term as affection rather than an insult. The Territory has already abolished any legal disadvantages suffered by children born out of wedlock. For example, they can inherit property if their parents die without a will and may apply for support if dependent on a parent who is killed. With some of these changes, the Territory was ahead of the states.

This bill is designed to complete this abolition and, once and for all, abolish any discrimination against or references to illegitimate children in the laws of the Northern Territory. Already most Australian states have introduced similar legislation. However, in the Territory it has a special relevance. Statistics for births in Australia show that in 1975 and 1976 the percentage of children born outside marriage in the Territory was double that for the rest of Australia. Approximately 23.5% of births in the Territory were extranuptial whilst in the rest of Australia the figure was only about 10%. This great difference is due to the classification of children of Aboriginal marriages as illegitimate. However, these children are the offspring of stable, socially-recognised, traditional marriages. To class them as illegitimate and somehow less than children of legal marriages is an insult to the Aboriginal people. The Territory cannot equate traditional marriages with legal marriages for all purposes as the law of marriage is a Commonwealth responsibility. However, this bill is intended to recognise traditional marriages as equal to legal marriages for the purposes of the status of children.

In clause 3, the definition of "marriage" includes a relationship between an Aboriginal man and woman that is recognised as a traditional marriage by the society or group to which they belong. Read with clause 5, it has the effect that children of such a marriage are, for the purposes of this bill, equal to children of a legal marriage. It is hoped that this will both make it easier for parentage to be recognised as law and act as a symbolic recognition of the worth of traditional marriages. This consideration of traditional marriage is part of the government's policy of introducing legislation to abolish all distinctions in Territory law between traditionally and legally married people and their offspring. Other areas in which legislation is planned to this end are registration of births, the Family Provision Ordinance and the laws of evidence relating to married persons.

Included in the bill are two presumptions of parenthood. The first restates the common law rule that a child born during a marriage or within ten months afterwards is the child of that marriage. The second creates a presumption based on cohabitation and states that, if a man and woman are living together around the probable time of conception of a child, then the child is presumed to be the child of the couple. These presumptions are designed to make it easier for a child to establish who are its parents, especially the offspring of a de facto relationship.

The bill also abolishes one aspect of discrimination against the father of a child to whose mother he is not married. Under the Adoption of Children Ordinance, if a child is born outside marriage, the consent of its father is not required for its adoption. The mother's consent suffices. This may infringe the rights of the father. The bill provides that, if a man is proven to be the father of such a child, his consent is required to its adoption and that adoption can be postponed if he takes steps to prove he is the father.

In summary, the bill abolishes, for all purposes of the law of the Northern Territory, the distinction between children born in wedlock and those born out
of wedlock; secondly, it abolishes the rule of construction that the words "child" and "children" in wills, deeds and statutes means only legitimate child or children; thirdly, it establishes rules for distributing property amongst children of unmarried parents and provides for administrators, executors and trustees responsibilities to those children; fourthly, it provides the types of evidence which may establish parenthood and provides that applications for decrees of paternity and maternity may be made to the Supreme Court - in the past such decrees have not been available; fifthly, it allows courts to order blood tests in actions involving parenthood - such tests will not be mandatory and no person who refuses to have a test on religious or similar grounds will be penalised; and finally, the bill removes all references to legitimate and illegitimate children in Territory law and replaces the references with a description of that child as a child whose parents were not married at its conception or birth or any time in between. To do this, a number of ordinances must be amended. These amendments are set out in the schedule to the bill. This bill introduces a much needed reform and abolishes a senseless piece of discrimination in the law.

I commend the bill to all honourable members.

Debate adjourned.

LOTTERY AND GAMING BILL
(Serial 154)

Bill presented and read a first time.

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

This bill seeks to amend the Lotteries and Gaming Ordinance to establish a racing and gaming commission to control those industries in the Northern Territory. In the past, government administration of racing and gaming has been sadly neglected. This is not to say that those officers involved have performed poorly but rather to point to the fact that this is one of those areas where Territory legislation has been found wanting. Honourable members will recall that, in 1977, the Tasmanian Racing and Gaming Commissioner, Mr Arthur Neilson was commissioned to hold an inquiry into our legislation and administration. He concluded that our legislation was inadequate and recommended that the commission now proposed in this bill be established.

Briefly, the system for Territory racing and gaming administration until now can be summed up in two points. First, the police licensing branch has been responsible for approved association and lottery administration and, secondly, we have had a Betting Control Board whose principal function has been directed towards the control of off-course bookmakers. Basic administration association with bookmakers' activities has been handled by a Betting Control Board officer. This bill will see the demise of the Betting Control Board.

It is the government's view that, so far as is reasonably possible, all racing and gaming activities should be controlled by the one authority. As from 1 September, the responsibility of the police licensing branch for lotteries and approved associations was transferred to the lotteries and gaming unit in anticipation of this legislation to establish the racing and gaming commission. Honourable members will appreciate that the bill before them is not a re-write of the Lotteries and Gaming Ordinance. The Neilson inquiry recommended its repeal and the enactment of completely new provisions and
that course will be adopted by the government. The establishment of a racing and gaming commission as proposed in this bill is a step in that direction. The creation of the commission will allow the promised review of existing legislation to be expedited.

It is proposed that the racing and gaming commission have powers of control, administration and research. These are detailed in division 2, powers and functions of the commission, clauses 7M and 7N. Honourable members will note the proposed responsibilities of the commission include the investigation and recommendation of matters relating to the administration and operation of casinos. It will take a direct interest in the gaming aspects of what I may term traditional forms of gambling such as lotteries and horse and dog racing. The commission in fact will bring a new look to the Territory's racing and gaming industries. The government sees it as a necessary body to develop effective and progressive measures in the interests of the adult public, the various interest groups involved and the government itself.

It is the government's intention that the commission would responsibly pursue opportunities for growth in the various codes as well as exerting adequate control. The racing and gaming commission will have the goal of ensuring prosperity of those elements under its umbrella while acting in the interests of the community. It can be expected to address itself to the questions of financial support for the racing industry and to make revenue recommendations to the government.

The bill expressly provides in clause 7D(3) that membership of the commission is forbidden to any person who has a personal interest in the gaming business, a racehorse or a greyhound. The government is concerned to see that there shall be no taint attached to the commission. It will be an impartial body free to take an independent overview of the racing and gaming industry. Honourable members and the community at large should expect nothing less. Through legislation, it is our responsibility as a government and as an Assembly to ensure that the smell of corruption, the smell of crime and the hint of shady deals does not occur in the administration of Territory racing and gaming. This policy will be reflected in the controls we will impose on the operations of casinos in the Territory and it will be a priority task of the racing and gaming commission to address itself to this matter.

The bill provides for a commission with a membership of 3, including a chairman, all of whom shall be appointed by the Administrator. It sets out safeguards for removal from office or disqualification from office and procedures to be adopted for meetings of the commission. I commend the bill.

Debate adjourned.

LOCAL GOVERNMENT BILL
(Serial 173)

Bill presented and read a first time.

Mr ROBERTSON (Community Development): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to provide by amendment to the Local Government Ordinance a simplified alternative form of local or community government than that which now operates in the major population centres under the municipal or corporation system. Consistent with the determination of Territory people as a whole to obtain self-government or self-management from federal control, there
remains a determination amongst many communities, both Aboriginal and non-Aboriginal, to obtain a greater degree of local control in respect of matters over which they have the greatest knowledge and in respect of which they have the most acute and intimate concern. This government accepts and indeed endorses that determination and in our turn we are happy to offer the greatest possible devolution or handover of those functions of government which are of principal or immediate concern to the residents of those smaller and in many cases remote communities.

As honourable members will be aware, the government has ordered a complete review of the principal ordinance and this is now being undertaken in consultation with the three existing municipalities and with the Corporation of the City of Darwin. Notwithstanding this, the government feels, in response to the views and wishes of remote communities as already expressed to us on this side of the House by many of their representatives during our wide travel throughout this Territory, that we should proceed to formulate legislation offering the handover of local government at the earliest opportunity. I would like to emphasise that the presentation of this legislation at this time is a response to a clear need based on the wishes of communities and is not to be seen in any way as being a one-sided affair. There will be no compulsion on any person or any community to accept this offer. This is an offer of localised self-government supported by Territory law which will enable communities to make their own decisions also supported by law. Local or community law in the form of bylaws should best be made by those people who live in and are aware of their own community needs and problems.

Turning now to the need for this amendment, honourable members will be aware that the municipal type of local government is basically designed for cities or large towns and is over-intricate for areas with small or dispersed populations. It is also fairly inflexible - that is, it would impose virtually the same arrangements on every community without regard to their particular circumstances. The government believes that, pending the comprehensive review of local government of which I have spoken, it should now be trying to provide the opportunity for communities outside of Darwin, Alice Springs, Tennant Creek and Katherine to participate in the management of their own affairs. I need hardly mention there is considerable diversity in these other communities in terms of population, isolation, traditions and prosperity. To cater for these needs, the government is formulating a broad and flexible type of local government system which is to be known as community government.

While the proposed legislation is designed to provide maximum flexibility, the government of the Northern Territory stands ready between now and its final passage to respond to any local community initiative or reasonable suggestions and invites the fullest possible input from communities. I and officers of my department will continue to travel to remote communities when we are asked to do so. To date, the Chief Minister and I have between us spoken to 12 communities about this offer and I say that the proposal has been met with universal interest and, in some cases, enthusiasm. These negotiations will, hopefully, lead us to offering a form of local government tailored to meet the community's specific needs. The concept of community government is meant to be flexible in point of time so that the features of a community government can be adapted to respond to the changing conditions or the wishes of the particular community.

Let me now turn to some of the specific conditions of the bill. Arrangements as to funding will be an important part of the package of community government which the Northern Territory government will negotiate with any community wishing to avail itself of the option we are laying before it. Many communities throughout the Territory already receive substantial sums of money from the Northern
Territory government under existing arrangements. This law will allow greater say by the communities in determining how those and other government moneys will be spent in their own areas. This government is not only offering local government to appropriate communities but is offering them the opportunities to fashion their own type of local government. I want to make it perfectly clear once again that there will be no imposition of community government or any other form of local government; there cannot be. The extent and style of this responsibility are matters for the particular community, as is the timing of their attainment.

A feature of the bill is the extensive provisions for consultation at all stages. This has a twofold aim. It ensures that the government responds to the express wish of the community and that there is a clear understanding of the rights and obligations which the community accepts. This is fundamental for a sound and workable relationship between the Northern Territory government and all the communities throughout the Northern Territory. The proposed law makes provision for the communities to formulate and develop a community government scheme for consideration by the minister.

I invite the attention of honourable members and the public to clause 425 which enables communities to express their wishes as to the form, management and administration which they consider to be most appropriate to their needs. The scheme which is worked out with any community would cover not only the question of functions and powers which a community government council would have available to it, but the nature of the council and other features of its leadership, the form of elections, the definition of an elector, the location of boundaries and such other aspects of operations as may seem necessary or desirable in each particular case.

Clause 433 of the bill sets out the responsibilities of the minister to satisfy himself that the community government scheme is appropriate to that community before he approves the draft scheme and that that draft scheme has the support of the majority of people in the affected area. Once the community and the minister have reached agreement on a community government scheme, the minister cannot alter that scheme without full consultation with the people in the community area. The bill is meant to allow for considerable flexibility in what functions and power each community government council will have. Clause 452 and related provisions give a wide range of functions and powers from which at the time the community government council is established and then as the need arises, the authority of that community government council would be agreed. In approving particular functions and powers of community government councils, the minister must be satisfied that the community supports and is willing to accept the proposals. In contemplating the activities of a community government council, it should be made clear that the community government council would not be able to engage in trading activities. This is a matter which is covered by other legislation to be dealt with by this Legislative Assembly.

As previously stated, the major source of revenue for a community government council will be grants made by the Northern Territory government. The amount of the grant to any community government council would depend naturally on the sort of activities of the particular community government council. Under clause 472 a community government council would have the authority to make bylaws for the purposes connected with its functions and powers, including the power to levy charges for services it delivers. Because of the large amounts of money which a community government council would be handling, there are a number of provisions dealing with financial administration which is standard practice for all local government organisations in Australia. There are also provisions for the auditing and checking of the accounts of community government councils.
Clauses 474 to 479 provide for the steps to be taken in the unlikely event of a community government seeking the minister's agreement to discontinue that council or being unable to fill the requirements of the law for some reason. These steps are also to be taken in close consultation with the council in order to seek a resolution of the problem. In any event, the full Legislative Assembly has the right to overturn the minister's decisions under these clauses. It can be seen that the minister would only take these steps in the most serious and irreversible circumstances. There are also provisions for re-election of a council after the problems have been resolved.

Whilst the provisions of this legislation have general application throughout the Territory, honourable members will be aware that many Aboriginal communities may seek to avail themselves of the benefits of this legislation. Honourable members would also be aware that the federal government has also brought in legislation called the Aboriginal Councils and Associations Act. Members would also be aware of the extreme disquiet of all Australian state governments and the people of the Northern Territory at the time of the federal government's passage of that law. The Northern Territory government for its part believes that the residents of the Northern Territory Aboriginal communities are as much a part of the Northern Territory as any non-Aboriginal community and their citizens are as Territorian as any resident of Darwin, Alice Springs or other towns. It is my firm belief, based on my personal discussions with many of our Aboriginal Territorians, that they wish to associate themselves with our new found Territory independence as much as you and I do. It is for this reason that I believe that those people will look to this future Territory law rather than the one made in Canberra. In any event, it would be clear from reading the two pieces of legislation side by side, that the Territory government proposal offers far more by way of self management than the federal act.

Notwithstanding all of this, however, we now believe the federal government intends to allow the federal act to apply to the Northern Territory. The federal act was designed to apply right across Australia. This legislation was designed to meet the specific and real needs of the Territory. There will be inevitable confusion if the federal act is allowed to apply to the Territory both in Aboriginal communities and in administration. No good can come from an improper competition of the kind which would inevitably result.

The Territory government, through this bill, has clearly demonstrated a desire and ability to recognise the special needs of remote communities. The federal act was brought into being at a time when there was a vacuum of such legislative thinking. There would not now seem to be any reason why the federal act should apply to the Territory. I am sure that our Aboriginal Territorians would agree that their affinity is with the Territory in the same manner as do the people of Batchelor, Pine Creek, Adelaide River and Ti Tree who are currently expressing considerable enthusiasm for an executive role in their own affairs. I commend the bill to honourable members.

Debate adjourned.

TRAFFIC BILL
(Serial 168)

Bill presented and read a first time.

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

This bill excludes small-powered cycles from the requirements of ordinary motor vehicles under the Traffic Act. A parallel amendment
is being proposed for the Motor Vehicles Act. The amendment does not exclude such machines and their riders from observance of the rules of the road; it merely places them in the same category as ordinary bicycles. It is a very simple bill and I commend it to honourable members.

Debate adjourned.

LIQUOR BILL
(Serial 153)

Bill presented and read a first time.

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

During the previous sittings of this Assembly, I tabled a preliminary draft of this bill and invited comments from all interested parties. Since then, comments have in fact been received from a number of sources and, as a consequence, several changes have been made to the bill. The main principles incorporated in the bill remain unchanged - that is, to remove the administration of liquor licensing from the police force and to provide for the wide range of circumstances existing throughout the Northern Territory to be taken into account when issuing individual liquor licences.

The basis of the bill is the establishment of a liquor commission. Honourable members will note that the original proposal to appoint a single commissioner has now been changed. The bill before us provides for a four-member commission. The chairman and deputy chairman will be full-time officials with the chairman being responsible for the day-to-day administration of the act in the northern region of the Territory and the deputy chairman responsible for administration in the southern region. The two other members will be part-time and one of these must be a legal practitioner of not less than five years' standing. Support staff for the commission will consist of a registrar and his deputy, assessors, who will act as advisers to the commission and inspectors.

The bill provides the commission with wide discretionary powers and selling conditions to apply to individual licences. There will be no specific type of licences such as we have now, only licences and special licences. General licences, if I may call them that, will have such conditions applied to them as the commission thinks appropriate in each case. A hotel in, say, Elliott may be subject to completely different conditions relating to standards of accommodation and the conduct of the licence than would be applied to a hotel in Darwin. However, it is certainly not the intention of this bill to allow all licensed premises to operate as hotels and I would expect licensed stores, for example, to continue to be subject to much the same restrictions as they are now.

Turning to the specific provisions of the bill, I draw honourable members' attention firstly to division 1 of part II which relates to the establishment of the liquor commission. The actual appointment of the members is covered by clause 7. I particularly draw attention to subclause (3) which gives the deputy chairman specific authority to exercise all of the powers of the chairman within the area defined as the southern region in accordance with sub-clause (2).

Clause 8 provides that the chairman and the deputy chairman are to be appointed for not more than seven years and the other two members for not more
than three years. Clause 9 provides for salaries, allowances etc for members to be determined by the Administrator. The remainder of that division deals mainly with determination of appointments and temporary absences of members. However, clause 14 should be particularly noted as it requires the commission to submit annual reports to the minister.

Division 2 of part II deals with the appointment and functions of assessors. As I indicated earlier, assessors are intended to act as advisers to the commission, particularly in relation to circumstances which may apply in specific communities. Honourable members will note that clause 17 places a definite onus on the commission to seek the advice of an assessor where such advice is relevant to a matter under consideration.

The next division of the bill relates to the appointment of registrars, deputy registrars and inspectors and details the powers of inspectors to enter licensed premises. In this regard, I particularly mention the requirements for inspectors to produce an identity card upon demand by a licensee. In the general section of part II of the bill, clause 21 requires members of the commission and assessors to disclose any financial interest they may have in any matter under consideration and also specifically prohibits any member of the commission from having an interest in a licence. Clause 23 enables the commission to delegate its powers whilst clause 24 precludes any criminal or civil action being taken against anyone concerned in the administration of the legislation for any act done in good faith.

Part III of the bill deals with the licences and it is not my intention to speak at length on these provisions as the basic principles involved have already been explained. Generally, the procedure to be followed is that an application for a licence is lodged with the registrar and the applicant is then required to publish in the Gazette or in a newspaper notice of the application. If no objection to the application is received within 30 days, the commission may proceed to either issue a licence or conduct a hearing into the matter. In issuing a licence, the commission may set such conditions as it thinks fit, particularly relating to matters on which such conditions could apply being specified in clause 32. Factors that the commission may consider are listed in clause 33.

A standard fee of $200 is payable upon the issue of a licence. Clause 36 prescribes the fee to be payable upon renewal of a licence. Honourable members will note that, in effect, the fees payable in each case are based on the value of sales made and those fees are generally the same as are payable at present. Provision is also made for surrender or transfer of licences, with provision being made for objections to be lodged against licence transfers where appropriate.

Parts IV and V of the bill relate to objections and complaints and the conduct of hearings respectively. Again, I do not think it is necessary to detail these provisions which are generally of a machinery nature. However, I do draw honourable members' attention to the fact that the deposit required to be lodged with the objections and complaints has been reduced from $100 to $20.

Part VI of the bill relates to special licences. The intention here, as indeed throughout the bill, is to streamline procedures - in this case, those relating to the issue of licences for special functions or special purposes. In practice, it is envisaged that the commission will lay down guidelines for the issue of special licences and, provided an applicant satisfies those guidelines, there should be no unnecessary delays in obtaining such licences.
The next part of the bill, that is part VII, deals with the commission's powers to enforce compliance with the act and with the conditions to which licences are subject. In essence two separate sets of circumstances are covered: the first to which clauses 66 and 67 relate, concerning the specific circumstances under which the commission may suspend a licence, and the second to which clauses 69 and 73 relate, concerning the specific circumstances under which the commission may cancel a licence.

Part VIII deals with supplies of liquor in areas which may be declared restricted areas under the act. In summary form, these provisions provide for the commission to prohibit the sale, consumption or possession of liquor within a specified area. Application must be made to the commission for that area to be declared a restricted area and the commission is required to hold a formal hearing to ascertain the opinions of the people living in that area as to whether such a declaration should be made. Notwithstanding the general prohibition to apply within restricted areas, the commission is also provided with the power to grant permits to individuals living within such areas to lawfully bring liquor into the area for their own personal use. Specific powers relating to the search of premises, seizure and forfeiture of goods, including vehicles etc have been provided to enable effective policing of the provisions relating to restricted areas. I feel sure that honourable members will agree that past experiences prove that only severe measures will be effective in ensuring compliance with the law in this particular area.

Turning now to part IX of the bill which deals with the obligations of licensees and defines the various offences to be created, there is little here that is not included in the current law. I would point out to honourable members one change that has been made to the original bill following discussions with representatives of the trade. Returns of liquor purchases are now to be required quarterly instead of monthly as originally proposed.

The provisions of part X which deals with alterations to premises have also been amended to now require the commission's approval only to structural alterations and not to alterations of a minor or temporary nature.

In the remainder of the bill, I think it is necessary to draw attention to clause 122 which provides for an order to be issued prohibiting the sale or supply of liquor to a specified individual whom the commission is satisfied is likely to endanger his health or the peace, welfare or happiness of his family through habitual or excessive use of liquor. A similar provision was not included in the draft bill tabled at the last sittings. However, it is in the current ordinance and I am assured that it is used at present to good effect.

Mr Speaker, I indicated to honourable members at the previous sittings that I would be seeking to have this bill pass all stages during these current sittings. Because of the importance of the bill and the fact that a number of amendments have now been made to the original proposals, it is not the government's intention to follow that course. I am confident, however, that the bill represents a major step forward in modernising the Territory's social legislation and that it will generally meet with the approval of all members. I commend the bill to honourable members.

Debate adjourned.
Bill presented and read a first time.

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

The purpose of this bill is to amend section 55B of the Traffic Act which relates to the issue of special licences to drive whilst disqualified. The bill itself removes some of the existing provisions and replaces them with provisions that remove any doubt as to how and when these licences should be issued. I believe they return us to the original intention of the issue of special licences and that was to issue them to a person who earned his living by driving so that loss of licence would not deprive him of his only means of earning a living.

In introducing this bill, I would like to recount some of the history of special licences. Legislation allowing for the issue of special licences was introduced in the former Legislative Council and became law on 7 April 1971. The essence of the legislation was that the defendant required the licence for his employment and that hardship could result if he was deprived of his licence during working hours. The emphasis on hardship as applied to a person’s livelihood was, at the time of the introduction of the legislation, expected to be strictly observed and considered at length by the courts. An additional provision, since removed, was that application for a special licence could not be made until half of the disqualification period had elapsed or three months, whichever was the sooner. A more recent amendment gave magistrates the power to order that a person may not apply for a special licence during such time as the magistrate may determine. As far as I know, this power has rarely been exercised by magistrates.

When the original legislation was debated in 1970, the question of hardship imposed on the convicted person, because of loss of licence, became a major issue. In the debate Legislative Council member Mr Williams, later Mr Justice Williams, while supporting the amendments to the bill proposed by Mr Plant, had this to say in relation to the hardship question - I quote from Hansard debates of Tuesday 10 November 1970:

The real issue is whether we are more concerned with the interests of some particular individual or whether we are interested in the protection of society at large. This issue arose in the Supreme Court of the Northern Territory quite recently and a learned judge said: "It is often contended that the person who wholly or in part earns his living by driving a motor vehicle, a professional driver, should, other things being equal, be treated more leniently in respect of disqualification than a non-professional driver. The argument is sometimes based on what is claimed to be unreasonable hardship on dependants also. No doubt it is a serious matter. But it should also be said that it is more serious for a professional driver to commit a traffic offence than for a non-professional driver to do so, since the tendency to commit traffic offences existing in a professional driver is a greater menace to society than when existing in a non-professional driver. If a solicitor steals he is not only punished for larceny but he is also disqualified temporarily or permanently from practising as a solicitor. Why should not a similar principle be applied to protect society from the menace of a professional driver who commits a traffic offence?"
More recently, the former Chief Stipendiary Magistrate, Mr Kirkman, had this to say in relation to the issue of special licences:

Well, I am well aware that there is a feeling around Darwin that licence disqualification on DUI matters really does not matter two hoots. All you have got to do is to go and apply for a special licence. So far as I am concerned, people are not going to get special licences unless they prove they are entitled to them. Now, there is only one way that the number of drink-driving convictions in this Territory is going to be reduced and that is if the Legislative Assembly has got the guts to do what other states have done, and either cut out special licences altogether or at least have a statutory period of three months or six months during which a person cannot apply. It is just a joke up here, in my view, and I am speaking as a judicial officer. It is just a joke that people can be disqualified from getting a driving licence one day, then go and apply for a special licence the next day. Until the law makes us see fit to alter that, they will never cut down the number of cases coming before this court.

It is obvious from both these comments that the concept of special licences is not held in very high regard by either the judge cited by Mr Williams or the former Chief Stipendiary Magistrate. On the one hand, the learned judge implies that a person who earns his living by driving and requires a driver's licence for this reason should be treated no differently by the courts than anybody else when it comes to loss of licence for an offence involving a motor vehicle. On the other hand, Mr Kirkman advocates the removal of special licences from our ordinance altogether.

However, regardless of the comments of Mr Kirkman, it has become patently obvious that special licences have become easier to get over the years since their introduction in 1971. In the first full year that the provisions were in operation, only 19 special licences were issued in the Northern Territory, when there were 27,000 licensed drivers here. In 1976-77, 383 special licences were issued and the licensed population had increased to 29,000 people. The last financial year 1977-78 saw a total of 428 special licences issued, with a licensed population of 32,000. These figures make it again obvious that a considerable amount of time of the courts is taken up with the hearing of special licence applications. Only drastic measures to amend the special licence provisions in NT legislation will remedy that problem.

It is my intention that the bill will set a mandatory period of two months wherein no application for a special licence may be made; secondly, the notice of a special licence application from the court to the registrar will be in writing and delivered to the registrar not less than seven days before the date of the hearing; and thirdly, special licences will be issued only to persons who earn their living by driving and who the courts are satisfied will drive without danger to the public.

In addition, the bill will provide that the courts cannot order the issue of a special licence to a person—(a) to drive a motor vehicle of a class which that person was not licensed to drive immediately before he was disqualified; (b) whose disqualification was related to a conviction for an offence committed during the course of his employment; (c) who was a holder of a special licence at the time of his conviction for the offence in relation to which he was disqualified; or (d) who has been convicted of an offence by reason that he was driving during a period of disqualification.
The setting of a period during which no application can be made is not a new concept. This was part of the original special licence legislation which provided for a non-application period of three months or half the disqualification period, whichever was the sooner. This provision has since been removed. The argument given for its removal was that the magistrates at the time believed their power to award special licences should extend to the whole of the disqualification period and not after the expiration of a certain period, up to three months for example. It is interesting to note that the removal of this provision was not argued on the grounds that it would place hardship on the disqualified person but rather was more convenient for the court at the time. The opinion of the court appears to have changed, as the former Chief Stipendiary Magistrate, Mr Kirkman, indicated in the statement I read previously. I agree with the magistrate that a non-application period be set and, consequently, the amendment sets that period at two months. It is hoped that a reintroduction of this concept will be an added deterrent to committing of offences against the Traffic Act, in particular those involving drink-driving which could result in loss of licence.

The amendment requiring the court to giving 7 day's notice to the registrar is necessary to adjust a situation which has arisen of late and that is that the registrar is often not advised of a special licence application until it is too late for him to collect any evidence which he may wish to present before the court. There have been occasions, for example, when the registrar has been phoned only five minutes before the hearing and, in one instance just recently, the registrar's representative was handed an application just prior to entering a courtroom to present evidence in another case. The application handed to him was scheduled to be heard that same afternoon. In order to afford the registrar sufficient time to research each application, the time of 7 days is included.

The provision that special licences be issued only to persons who earn their living by driving was the original intention of special licence legislation. That intention is now expressed very vaguely in the act and has been interpreted rather loosely on occasions. The act should be amended to make the intention patently clear. This will mean that only those persons whose entire livelihood depends on the possession of a driving licence are eligible to apply for a special licence. It will not extend, as is the case at present, to those persons whose employers require them to drive on occasions as a matter of convenience and not as a condition of employment.

Further to this, the bill provides that no special licence should be awarded to a person who earns his living by driving if that person lost his licence in consequence of a conviction for an offence committed whilst in the pursuit of his employment. The other provisions of the amendment have been included in an attempt to make the intention of the legislation absolutely clear to the various administering authorities. The courts have in fact, from time to time, ordered the issue of a special licence under the circumstances now listed for specific exclusion.

When I was considering these amendments, the question of the issue of a special licence for what might be termed extraordinary compassionate circumstances arose. I consulted with the Department of Law on this subject and the opinion I received was that it would not be possible to readily define the term. I reached the conclusion that it would be unwise to include a term that could not be defined, as that is the basic trouble with the special licence legislation at present: it is too open to individual interpretation. I commend the bill to the House.

Debate adjourned.
CASINO DEVELOPMENT BILL
(Serial 151)

Bill presented and read a first time.

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

This bill has been framed as an interim legislative measure to allow the government to progress its intention to eventually license casino operations of international stature in both Darwin and Alice Springs.

Honourable members will recall that some 7 months have elapsed since interested parties were invited to make submissions on casino development proposals in both Darwin and Alice Springs. The response augers well for private sector confidence in our second most important industry, tourism. From the 18 applications received, 7 corporations have been investigated with a view to proving their bona fides. That assessment is now nearing conclusion. Each company involved is prepared to engage in multi-million dollar developments should its application be approved. Members will appreciate the need to retain confidentiality in respect of the applicants but I can indicate that local, national and international interests are involved.

The bill, of course, is not intended as the final step towards the eventual establishment of casinos in the Territory. It proposes that the Treasurer be empowered to negotiate and enter into agreements with developers and that those agreements will be subject to later ratification by this Assembly. For the information of members, the responsibility for assessing the applicants has been vested in an interdepartmental committee comprising representatives of Treasury, the Law Department and the gaming unit. This panel will make recommendations to the government and I would expect that final selection of applicants will occur well before Christmas. At that time, the company or companies selected will be anxious to proceed with site assessments and development planning and, for that reason, this bill is now before the House.

Before detailing the provisions of the bill, I think it opportune that I should give further background information to honourable members on the casino proposals. The government holds the strong view that their introduction will serve the Territory's best interests. They form part of our strategy to broaden the Territory's economic base and increase both employment and investment opportunities. The industry that casinos directly relate to is tourism, and tourist development is accepted as probably the fastest job creator in any industry. It is a clean industry; it is diversified by definition and geography; it is labour intensive and it is a particularly high employer of women.

The government has noted with interest the five-year history of Australia's only legal casino in Hobart. Passenger arrivals in that state illustrate the impact that the casino has had on Tasmania's tourism industry. In 1971-72, total arrivals in Tasmania were 344,429. Wrest Point opened in February 1973 and in that financial year the figures climbed to 398,250. They jumped dramatically to 486,000 in 1973-74 and soared to over half a million in the next year. For 1977-78 the Tasmanian Department of Tourism estimated a 535,000 total arrival. The advent of that casino created expanding arrivals which in turn generated demand for extra hotel-motel bed space around the island, new restaurants, increases in hire-car fleets and demands on service industries, just to mention a few spin-offs.
Territory tourism today earns some $35m to $40m compared with at least $90m in Tasmania. It is interesting to note that the operators of Wrest Point report spending more than $2m in promotion campaigns in the five years, advertising both Tasmania and the hotel-motel complex. This is a supplement to the promotional expenditure of government and other arms of tourist industry. Wrest Point also employs some 500 people and, since 1973, its management reports the payment of some $25m in wages and salaries. A survey of the economic effects of the complex on its host state early this year reports nearly $10m paid in taxes to the Tasmanian government; $13m spent by Wrest Point in purchasing goods and services within Tasmania, and that includes foodstuffs; and an estimated $60m in goods and services bought by residential guests, exclusive of the amount they spent at Wrest Point and on fares. Those figures relate to the five years of operation.

Mr Speaker, it is inarguable that Australia's first legal casino has been of dramatic benefit to Tasmania. It is a unique establishment in this country and has attracted keen interest from this government during appraisal of casinos for the Territory. This government considers that Territory casinos will directly benefit the construction industry, from any decision to build a new complex or expand existing establishments. Tourist numbers will expand; facilities of international stature will do much to attract higher visitation from overseas countries, including those in the Southeast Asian region, Japan and the United States as well as from the rest of Australia. This view is supported by the Tasmanian experience and that of the companies who are seeking licences here in the Territory.

The company or companies which operate casinos in the Territory will be committed to spending large sums on Territory tourist promotion to protect their own investment. The increased visitor traffic which will result will place new demands on existing facilities - restaurants, hire cars, airlines, souvenir shops and in fact the whole retail sector. Casinos in the Territory will create hundreds of new employment opportunities and the resultant economic stimulus will be felt throughout the community.

Territory casinos will be established under strict controls because the gains I have just mentioned could be outweighed by lack of control. The Wrest Point casino has had an unblemished five-year record and the control system exerted by the Tasmanian government and the management has been responsible for that record. We have examined those systems and in legislation which parallels this bill provision will be made for the establishment of a racing and gaming commission. It is proposed to give the commission powers including investigation and recommendation to the government in matters relating to the administration and operation of casinos. Those controls will be strict and, among other things, designed to eliminate criminal activity sometimes associated with the operation of casinos.

So far as questions of undesirable social implications from casinos are concerned, it is my belief that the Tasmanian experience can be repeated in the Territory so long as tight controls are maintained. I might add that early opponents to the Tasmanian casino, including church and social welfare officers, are now on record as stating that their earlier predictions that there would be gambling excesses creating cases of personal and family hardship have not occurred. The government believes that by and large the people in our community are sensible and casino gambling, like other forms of gambling, will be approached by local people on a rational basis.

Mr Speaker, to address myself to the specific provisions of this bill, you will recall that I earlier mentioned that it proposes to empower the Treasurer to negotiate and enter into agreements with developers. Those agreements will rot
be enforceable by either party unless and until they have been ratified by an act. This is spelt out in proposed section 3(2) of the bill. The form of agreement proposed specifies in proposed section 4A that no licence will be issued until premises have been satisfactorily completed and that will include substantial hotel development and other amenities to international standards. These facilities will benefit the resident population as well as visitors. By way of explanation, this provision would preclude a developer from constructing a gaming area, opening the doors and then leaving completion of the rest of the required development to a later date. It is my understanding that, in the case of Wrest Point in Hobart, the gaming licence was not issued until the day of the opening.

The requirement to provide substantial hotel development under proposed section 4B is related to the government's belief that casinos in the Territory will play a significant role in the further expansion of our tourist industry. The proposed form of agreement also lays down that games of chance and equipment used in the two casinos will require ministerial approval. The persons appointed as casino managers will also require ministerial approval. The bill provides that casino siting shall be within 30 kilometres of both Darwin and Alice Springs post offices.

Proposed section 5 outlines the type of tax being considered for the casino operations and is similar to the system in Tasmania. The bill provides for a monthly licence fee and a tax on gross profits. These levels are to be negotiated with the successful applicant or applicants. For comparison, licence fees in Tasmania are $2,500 per month and 25% of gross profit.

At this point, I would like to repeat that agreements which may be reached between the government and interests which are keen to establish casinos in the Territory will be subject to ratification in this Assembly. I would expect a bill incorporating the agreements will be presented to this House during the first sittings in the new year. That legislation, which will be termed the Casino Licensing and Control Bill, will supersede the development bill now before the House and will embrace the terms and conditions under which a licensee will be able to operate. I commend the bill to honourable members.

Debate adjourned.

MOTOR VEHICLES BILL
(Serial 148)

Bill presented and read a first time.

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

This bill purports to achieve two main goals: firstly, to correct what are seen to be uncertainties in the present hire-car legislation and, secondly, to reform the industry on the owner-driver concept and, in this, to approve leasing under controlled circumstances. The bill also presents the one-licence-one-person ideal but makes provision for existing multiple ownerships and also for circumstances where no other avenue is possible but to allow a person to acquire more than one licence. These circumstances should be extremely rare. Associated with this bill are amendments for hire-car regulations which will come into operation on the same date. I will comment on the general content of the regulations following my appraisal of the bill.
Clauses 1, 2 and 3 are the normal introductory clauses. Clause 4 – in drafting this bill the draftsman has separated the various forms of public transport. The present act refers to public motor vehicles and this term includes not only taxis but also buses. As the reformation action for taxis is not seen as being equally applicable to buses, the two have been separated making a division for public and private hire cars, a division for motor omnibuses and a miscellaneous division to cover areas which may be common to both.

The definition of "owner" is new to NT hire-car legislation and differs from that contained in the general definitions of the principal act. It has the effect of relating the registered owner of a motor vehicle to the licence to ply for hire. At present, it would appear that the licence to ply for hire relates to the vehicle rather than to the owner of the vehicle and this definition and other amendments attempt to correct this. It is, in fact, this very problem which is preventing settlement of the taxi dispute and has brought the question before the courts. The other amendments contained in clause 4, that is new section 26A and section 27, also carry the relationship of registered owner to the licence to ply for hire. Apart from clarifying this relationship within the public and private hire-car laws, and the removal of buses from this part of the act, there is little alteration to the existing wording or intent.

Clause 5 continues the owner licensed to ply for hire relationship in its rewording of the "hire car" definition. Clause 5B is necessary because of the section renumbering in this bill when compared with the principal act. The amendment to 27A(2)(b) merely corrects a long-standing omission – no doubt an error in the original legislation, as surely one of the basic requirements for a person to be granted a licence to ply for hire must be the possession of a licence to drive a hire car. This requirement has always been retained in the section relating to transfers but for some unknown reason was left out of this area. This simple amendment corrects the problem.

As I mentioned earlier, one of the thoughts presented in this bill is one licence per owner with saving legislation allowing for more than one licence per person under certain circumstances. This amendment and that in clause 6 requires the minister to be satisfied that it is not possible or practicable for him to grant or transfer a licence to any other person before he approves of more than one licence. Personally, I would expect that this action would only be taken in respect of licences in smaller centres where it is imperative that licences be kept operative and the demand for licences by persons wishing to enter the industry is very limited. In such areas it may well be that there is only one person or organisation interested in conducting the business, making it expedient and even highly necessary for the licence to be allocated albeit to a person who already possesses another.

The remaining amendment in clause 5 and that in 6 both relate to the owner-licence to ply for hire principle. Clause 7 introduces two new sections – 27C and 27D. Section 27C deals with the new principle of lease control over licence to ply for hire and section 27D makes special provision for the issue or renewal of licences only where the necessary driving licence is held, except under approved circumstances, and makes particular mention of corporate bodies in this regard.

Leasing of licences to ply for hire, to be covered now for the first time in legislation, has been in practice for some time and in fact sparked off the current dispute. To date, there has been virtually no control over leasing which has been working as a hotchpotch of agreements ranging from a gentleman's
handshake to a formalised legal document and, seemingly, all possible forms in between. This section does not seek to abolish leasing altogether but it does propose to control it and, at the same time, retain the stated intention of creating a largely owner driver industry. The section requires a lease to be formalised so that all lessors and lessees are bound by the same conditions except for the terms relating to payment which are to be kept open and included in the lease as a binding agreement.

There will be a fee for the registration, renewal or alteration of the lease and both the fee and the form of the lease will be incorporated in the regulations. The term of any lease is to be for 12 months but can be subject to renewal. Leasing will only be permitted under limited circumstances, these being where the owner is on leave, ill, dead or has been imprisoned for an offence not related to the hire car in any way or where the minister is satisfied that the licence is not able to be operated by the owner for acceptable reasons. In case of a licence to ply for hire owned by more than one person or by a company, it will be necessary for all parties to the licence to be each unable to operate the licence for one or more of the reasons stated.

In order to serve the best interests of the public, a six month limit has been placed on the leave period to discourage long-term leasing by owners who wish to spend a large portion of their time holidaying in the south or even outside Australia. The amendment allows existing leases to remain effective for a period of 12 months from the commencement of the act but will then be automatically terminated and have no legal status unless renewed in the prescribed form and in accordance with the act. Existing leases which terminate during this 12 month period may only be renewed in accordance with the prescribed form. No lease will be approved by the registrar if the proposed lessee already holds a lease, a licence or an interest in a lease or licence. This means that the one person one licence concept will extend to the leasing arrangements. The act will not permit subleasing under any circumstances and will be binding upon lessee and lessor alike. If a lease is to be varied in any way, that variation must be approved by the registrar and the prescribed fee paid.

New section 27D lays down conditions of driver licensing which must be observed by the registrar before he grants or renews a licence. All parties to a licence to ply for hire must be eligible to obtain a grant for renewal by virtue of possession of a hire car driver's licence. This idea is not new but is strengthened in this section. Exemptions may be granted by the registrar and these are specified. The registrar must also be satisfied that all parties to a licence to ply for hire are fit and proper persons in the terms of the act to receive that licence.

Clause 8 amends section 28 so that it conforms to the stated intention of attaching the licence to the owner rather than to the vehicle. All the amendments under clause 8 do just that. Clause 9 refers to division 2 for omnibuses and to miscellaneous division 3 which I mentioned previously. New section 28AA, whilst the wording has changed slightly, in no way alters the intent of the present act. This section has simply been extracted in order to differentiate between hire car and buses. Division 3, miscellaneous, now heads up both sections in the principal act which are common to both hire cars and buses alike.

Clause 10 amends section 102 in two ways. Firstly, it amends section 102E by ensuring that the owner licence concept is carried on. New subsection (7) is quite clear in its intent to ensure that no compensation, particularly relating to the value of a licence will be payable to a person who loses the
licence to ply for hire and consequently his business because of some action
of his which breaks the law. That is the intent of this bill. You will notice
that there has been no amendment which removes the value from licences. In
this regard, I intend that licence values will be retained and, in this way,
I will be honouring the spirit of the amendment made to the act some years ago.

In conclusion, I would like to mention briefly the content of the regula-
tions. A number of matters will be covered by the regulations, none of which
are inconsistent with the stated intentions. The matters covered are: a
requirement for licensees to keep records of drivers and hours driven; a
requirement that taxis be available for hire and be driven by the owner for
a minimum period in each week and year – the period here is 5 days and 40
hours per week for 46 weeks of each year; and a requirement for number plates
to be affixed and kept affixed to the vehicle unless the registrar approves
of their transfers to another vehicle. The regulations also contain the pro
forma of the standard leasing agreement. I commend the bill.

Debate adjourned.

MOTOR VEHICLES BILL
(Serial 169)

Bill presented and read a first time.

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

This bill, and one with identical provisions to amend the Traffic Act,
simply excludes small-powered cycles from the requirements of the act for
motor vehicles to be registered and insured and a driver rider licence issued.
These small units are basically little different from ordinary bicycles and
are capable of only marginally greater speeds under ideal circumstances than
bicycles. It appears unreasonable that these machines should be subject to
the same conditions of registration etc as are ordinary motor cycles. I
commend the bill.

Debate adjourned.

ABSCONDING DEBTORS BILL
(Serial 149)

Bill presented and read a first time.

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

The purpose of this bill is to introduce comprehensive new legislation
dealing with persons who seek to abscond from the Northern Territory to defeat
their creditors or who seek to transfer property out of the Territory for the
same purpose. The present law in this regard is somewhat obscure. There was
an old South Australian act which was repealed by the Supreme Court Ordinance
Repeal Ordinance but that ordinance has a provision that states the repeal will
not affect the continued operation of any principle or rule of law, established
jurisdiction or rule of practice or procedure. There is, in addition a part in
the Local Courts Ordinance dealing specifically with absconding debtors but
the extent of the jurisdiction of the local court under that part is not clear.
The matter was considered at some length by the Northern Territory Law Review
Committee which recommended the repeal of the relevant part of the Local Courts
Ordinance and its replacement with a new general provision.

This bill gives effect to the committee's recommendation. The important feature of the bill is that it applies to any debt of a specific amount in excess of $500 or, in the case of wages, a debt of any amount. The bill seeks to adopt a simple procedure while at the same time ensuring adequate guarantees against abuse. In particular, it has to be proved that failure to arrest the debtor would in some substantial way affect the creditor's prospects of recovery. There is an obligation to bring the debtor, once arrested, before a magistrate or judge promptly. The magistrate or judge has wide powers to deal with the matter and to order the release of the debtor conditionally or otherwise. He may, if the parties agree, deal with the question of liability to pay the debt or he may require the creditor to take civil proceedings for recovery. The debtor has a general right of appeal to a judge for his release. The appeal can be by telephone in urgent cases at the discretion of the judge.

There is a heavy penalty for abuse of the legislation and I am informed that the compensation provisions of the new Criminal Law and Procedure Ordinance would be applicable upon conviction. The provisions dealing with the removal of property from the Territory are new. The basis on which they operate is that an order of the judge must be obtained and, in making an order, the judge has to be satisfied the failure to make the order could substantially impair the creditor's prospects of recovery.

Given the transient nature of much of the population of the Territory, this legislation should prove to be a considerable aid to those persons genuinely carrying on business in the Territory and also, in the case of employees, where their former employers leave the Territory without meeting their obligations. I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr EVERINGHAM: I move that so much of Standing Orders be suspended as would prevent two bills associated with soil conservation and land utilization, firstly, being presented and read a first time together and one motion being put in regard to respectively the second readings, the committee report stages and the third readings of the bills together and, secondly, the consideration of the bills separately in the committee of the whole.

Motion agreed to.

SOIL CONSERVATION AND LAND UTILIZATION BILL
(Serial 157)

CONTROL OF WATERS BILL
(Serial 156)

Bills presented and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bills be now read a second time.

I have moved for the consideration of these two bills together because they are both drafted for the same purpose. The purpose is to provide for the additional environmental controls necessary to ensure that the establish-
ment of uranium mining in the Northern Territory has no adverse effects on the Territory environment. These two bills have been introduced as a result of an agreement between the Commonwealth and the Northern Territory government relating to the oversight of operations at the Ranger project and eventually other uranium mining projects throughout the Territory.

I need not remind honourable members that the mining of uranium in the Northern Territory will be controlled principally by the Atomic Energy Act and, more particularly, by conditions laid down under a permit to mine given under section 41 of that act. However, decisions have been made, with the approval of both governments, that so far as possible the control of the incidence of mining and of matters associated with the mining of uranium will be governed by Northern Territory legislation and will be under the direction of Northern Territory officers. Upon this decision being made, it was of course necessary to examine the legislation for the Northern Territory to see whether the terms of that legislation were sufficient to permit effective control of all incidence of the mining of uranium. In the Control of Waters Ordinance and in the Soil Conservation Ordinance some shortcomings were found. The purpose of these two bills is principally to overcome those shortcomings although the opportunity has also been taken to update some of the provisions of the Control of Waters Ordinance. Major detailed controls of mining operations are also to be made by regulation under the Mines Regulation Ordinance. By recent amendment, extensive powers to make environmental regulations under that ordinance were included. A draft of those regulations is well advanced and will provide for the detailed conduct of the mining operation at Ranger to ensure the protection of the environment.

Turning first to the Soil Conservation and Land Utilization Bill, examination of the principal act showed that it was deficient in powers to effectively control land use in respect of major mining operations. Minor amendment only was necessary to provide for the additional powers. Section 14(1) of the principal act is amended to add to the matters that the commissioner shall take into consideration the disturbance of the land surface in an area. Subsection (4) of that section, now subsection (1)(a) in the bill, is enlarged by the addition of a further provision providing that a soil conservation order may prohibit the disturbance of the surface of the land.

The preamble to that subsection is expanded to provide the soil conservation order may prohibit absolutely or prohibit in accordance with the terms and conditions of a written authority from the commissioner. In other words, specific conditions may be designed for any area of land use and, except in compliance with those conditions, specified land use practices may be prohibited. One of the important conditions which may be associated with such an order is the construction of fencing to specified standards. This may be necessary to ensure that large stock cannot enter the area with the risk of damaging and destroying the banks of retention ponds, thus permitting the accidental escape of contaminated water, nor by grazing remove the ground cover creating an erosion risk with a similar potential for serious result.

Much more extensive amendment is necessary to the Control of Waters Act. The extensive administrative structure in that act provides for all authority to be vested in the minister and an action under the act would only be possible by the minister or someone authorised by him. This is cumbersome and unsuitable for day-to-day control, particularly in respect of the mining operation. The bill therefore creates an office of controller of water resources, the occupant of which will perform most of the administrative functions of the act and who will, subject to any direction of the minister, be responsible for the day-to-day operation of the act. Final responsibility will, of course, continue to reside in the minister.
Dealing first of all with a need for the supervision of mining operations in uranium project areas, the principal problem seen is the disposal of waters which have been contaminated by uranium or other heavy metals. If there were no control, these contaminated substances would be released into creeks and water courses with possibly serious consequences. In the mining of uranium at Rum Jungle in the late 1950s, the escape of copper in excessive concentration was responsible for very considerable and very long-lasting damage to the waters of the Finniss River. Indeed, although mining and operations for the recovery of uranium have ceased at Rum Jungle for many years, the Finniss River is still recovering from the effects of that pollution. In order to cover the situation in future operations, whether they be at Ranger or elsewhere, the bill proposes to permit the creation of drainage control areas. So far as uranium mining is concerned, these areas will be confined to the areas upon which mining operations are carried on.

The bill provides that the controller of water resources may in those areas limit the amount of a given substance which may be released into any stream during any period and may prohibit the release of particular substances into any stream at all. In addition to these powers, the controller may require monitoring to be carried out by any person who is releasing or proposes to release or discharge water from a drainage control area.

Honourable members will note that the penalty for failing to comply with the terms of the notice relating to a drainage control area is $10,000. That is unusually high but the damage that may be done in an area as fragile as the subcoastal plain is incalculable. The real sanction is provided by the provision which makes an offender liable to pay for the whole cost of remedying the damage. That cost may, in serious cases, run into hundreds of thousands of dollars. Honourable members will notice that the operations of these provisions is not restricted to the Ranger project area. This course has been taken deliberately so that if any other proposal comes up - whether in the mining industry or any other industry - which may pose similar problems, the law will immediately be at hand to deal with the situation.

Honourable members will note in proposed new section 10A two new concepts - prescribed prohibited substances and prescribed restricted substances. Prescribed prohibited substances are substances that may not be discharged in any quantity into a water course. Prescribed restricted substances are substances that may only be released into water courses into prescribed concentrations. A further restriction is imposed by subsection (3) of that section which empowers the minister to declare areas to which that prescription applies. Further, within a drainage control area, the controller may impose specific restrictions under proposed section 16M. Those restrictions are designed to ensure that rates of discharge may be related to rates of water flow. An acceptable level of discharge when waters are high and fast may be quite unacceptable when waters are low and sluggish.

I commend the study of this bill to all honourable members. I am sure that they will agree that it is so designed that effective control over the release of contaminated waters from uranium mining operations is possible at all times and in all circumstances. Honourable members will also notice the amendment of the definition of "water course" to include estuary. It is clearly undesirable that the control of waters, at least from the aspect of pollution, should cease at some indefinite point upstream from the river mouth. Control of water where pollution has taken place or is likely to take place should extend right down into the estuary. In the case of the Ranger project, for instance. it is clear that the Magela Creek discharges into the East Alligator River at a point at which it could properly be said that the river had become an estuary. It would be absurd to have control cease at that point.
The provisions of the bills are in line with the Fox report which recommended that the control of all environmental side effects of uranium mining should be a matter for the government of the Northern Territory. All honourable members will be aware that uranium mining is now likely to proceed. I personally consider this to be exciting knowledge and look forward to the many advantages it offers to the Northern Territory. I am sure that members opposite will appreciate the effect such operations can have on employment in the Territory. All people concerned with job opportunity and economic development must welcome the news.

The bills I have introduced give the Territory government the means to regulate uranium mining activities to prevent environmental damage from such operations. It will be noted that in each act a statutory official will administer the act subject to the control and direction of the minister. This government considers this to be an area of such importance that, in most cases where ministerial decision is called for, the decision is likely to be one for the full Cabinet.

I commend the bills to all honourable members.

Debate adjourned.

ASSOCIATIONS INCORPORATION BILL
(Serial 158)

Bill presented and read a first time.

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

This bill is an amendment to the Associations Incorporation Ordinance and its purpose is to allow Aboriginal and other ethnic associations to incorporate for commercial activities. It is part of this government's policy of allowing Aboriginals a greater role in running their own affairs and should be seen in conjunction with the proposals already announced to allow Aboriginal communities to form their own local councils. Like those proposals, this bill is designed to help people once they have made the decision to form an association. There is no coercion at all involved. This bill will allow Aboriginal and other ethnic groups to form commercial associations and to have these associations registered as incorporated bodies. By doing this, they can carry out trading activities and have most of the benefits of a company without having to comply with complex and unsuitable provisions. In the past, there have been some problems with associations wishing to incorporate under the present Associations Incorporation Ordinance. That ordinance does not allow trading associations to be incorporated. Many Aboriginal associations, formed principally for the benefit of their members, carry out trading activities incidental to their main functions. These will be able to incorporate under this act. Small commercial associations with all-Aboriginal members may also incorporate.

However, this bill is not designed to allow persons to avoid Companies Ordinance requirements. Under the bill, the minister shall have power to direct any incorporated association to incorporate as a company where he considers the association would be more appropriately incorporated under the Companies Ordinance. The Commonwealth has passed - but, so far as I am aware, has not yet brought into full operation - the Aboriginal Councils and Associations Act 1976. That act provides similar provisions for Aboriginal associations to incorporate. However, my government believes it can provide the same facilities to Aboriginal associations through amendment of present Territory ordinances.
At this stage, I would like to foreshadow some of the amendments in committee. These will be to update the penalties in the Associations Incorporation Ordinance. This bill should provide to Aboriginal associations an alternative means of business management which is simple and flexible yet affords the benefit and protection of corporate status. This should encourage the growth of Aboriginal enterprise on a level more easily operated by an Aboriginal group. I commend the bill to the House.

Debate adjourned.

POLICE ADMINISTRATION BILL
(Serial 159)

Bill presented and read a first time.

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

This is a major item of legislation and I have great pleasure in introducing it into this Assembly. It contains comprehensive new provisions for controlling the police force of the Northern Territory. For all purposes other than residual matters, the force will be removed from the Public Service of the Northern Territory. In this regard, I refer members to the accompanying public service amendment bill which I will be introducing very shortly. The only provisions not carried forward from the old Police and Police Offences Ordinance are those dealing with petty offences. In this regard I refer honourable members to the Summary Offences Bill already introduced in this sitting.

The bill has been prepared over a fairly long period of time, although this has been broken by the pressures of work arising from self-government. The police force and also the police associations have been involved in its preparation. It contains many new provisions which are innovative. It is my intention to circulate the bill widely and seek constructive criticism. All reasonable requests for amendment will be considered. I ask all members to give the bill their consideration with this in mind. As members can obviously see, the bill is very large and some of its provisions very complex. I commend the draftsman for his work and I commend all others involved in its preparation.

I now turn to the various parts of the bill. I will attempt to outline the provisions of each part in broad terms. It is not possible in the space of this speech to deal with every clause but I remain willing to discuss any particular matter with any member should he wish to raise it. Part I of the bill contains savings provisions and definitions and does not require any detailed comment.

Part II establishes the police force of the Northern Territory. Amongst the new innovations in this part is the introduction of the new office of deputy commissioner. The Commissioner of Police is charged with the general control and management of the police force, subject only to written directions of the responsible minister. Other provisions that may be of interest to members are the preference for internal appointments contained in clause 17 and the introduction of a new class of police aides in clause 19. The latter provision is drawn from the Western Australian act and I understand it is working very successfully, particularly in the case of Aboriginal persons. In relation to clauses 23 and 24, I draw members' attention to the appeal provision in clause 43. The provisions as to special constables have been greatly simplified.
I turn now to part IIA of the bill. This part and the sections within the part have been given alphabetical numbering as I have under consideration proposals to establish a single arbitral tribunal under Territory law. There has not been time to formulate these proposals into legislative form for this sittings but it is hoped that at some future time this will be done. In that event it is proposed that part IIA would be deleted from this act. There are some changes of note from the current provisions applicable to the Police Arbitral Tribunal. Under this bill, the tribunal will have a general jurisdiction to determine terms and conditions of members. In addition, the tribunal will be constituted by a single member, preferably a member of the Australian Conciliation and Arbitration Commission. There are new provisions for consent agreements and several other minor changes.

I move now to part III. This part establishes a Police Promotions Board to hear and determine matters relating to promotion of personnel and administration. The equivalent provisions were previously contained in the Police Regulations. They are obviously of considerable importance and should be contained in the act. The chairman of the board will continue to be a stipendiary magistrate and the part contains a number of consequential matters of administration. I draw members' particular attention to clause 43 which sets out the jurisdiction of the board. Clauses 45, 46 and 47 are important from the point of view of the way the board shall conduct its proceedings and the protection to be given to members of the force.

I turn now to part IV which deals with the discipline of the members of the police force. This part is drawn partly from the ordinance and partly from the Police Regulations. The provisions are brought together in a much more coherent and simplified manner. The general duties of members are set out in clause 52 through to clause 61. Clause 62 sets out the categories of disciplinary offences. The part then goes on to provide the disciplinary powers of the commissioner and for punishments. At the hearing of the disciplinary offence a person may be represented. The commissioner has wide powers of punishment subject to a general right of appeal.

I turn now to part V which establishes the Police Appeal Board to hear and determine appeals from any determination under the preceding part as a result of disciplinary proceedings. This board is established in a similar manner to the Police Promotions Board and is chaired by a stipendiary magistrate. There are provisions included to protect members of the force and to ensure that they get a full hearing on appeal. Under clause 89 a member has a further right of appeal from the appeal board to the Supreme Court. I foreshadow an amendment to restrict this appeal to points of law only because, in my view, there is adequate protection given to members of the force under the preceding provisions.

Clauses 90 and 91 provide for a power to suspend a member in anticipation of disciplinary proceedings but with adequate safeguard provisions as to salary. There may be urgent cases where a suspension is necessary in advance of the hearing.

I turn now to part VI which deals with the powers of members of the police force and related matters. In attempting to explain this most complex part, I should offer some general words of explanation. Members may be aware that there have been several recent investigations into the matter of police powers in Australia. The Law Reform Commission introduced a comprehensive report some time ago which found its way into the federal Criminal Investigation Bill and which I understand is about to be introduced in the federal parliament.
In addition, there have been recent inquiries in Victoria and Queensland. Apart from this Senator Bonner introduced a bill into the federal parliament dealing with admission and confession by Aborigines. I should also mention that not so long ago the Northern Territory Supreme Court enunciated in a judgment a number of principles which the police are expected to observe in handling disadvantaged persons. This new part must be viewed against the background of these developments. Indeed a number of clauses of the bill reflect proposals made in these other places.

The existing law as to police powers is to be found in part IV of the Police and Police Offences Ordinance and in some other Commonwealth and Territory laws supplemented by the common law and judges' rules. The task of attempting a total restatement of police powers is monumental. It is proving to be an ongoing project of considerable difficulty in the context of the Law Reform Commission's report. It was realised early in the piece that it was not possible to attempt such a task in the Territory if we are to have an early passage of new general laws applicable to the Northern Territory police. Accordingly, this part of the bill only seeks to deal with matters presently contained in the Police and Police Offences Ordinance, with some elaboration in specific areas. I do not rule out the possibility of further legislative change with respect to police powers that are not presently covered by the Police and Police Offences Ordinance but this must await a consideration of developments elsewhere. I think members will agree after a consideration of this part that, in so far as this bill goes, it is in many respects progressive. It includes provisions which give new guarantees of individual rights to the citizen. There are other provisions which seek to strike a fair balance between the rights of the individual and the need for adequate enforcement of the law and the protection of the public in the interests of the community generally. I now mention briefly the principal provisions in the part which members may wish to consider.

Clause 95 deals with the issue of search warrants in respect of both persons and premises. Clause 96 enables application to be made for search warrants by telephone or similar means. It is drawn from similar provisions in the drugs legislation which in turn are drawn from recommendations of the Law Reform Commission. Clause 97 provides for searches in emergency and is likewise drawn from recommendations of the Law Reform Commission. Clauses 98 and 99 are a rewrite of provisions presently found in the Police and Police Offences Ordinance. Clause 100 deals with arrest warrants and clause 101 enables application to be made by telephone in a similar manner to the clause 96 previously mentioned.

Clause 102 gives a general power for members of the force to arrest persons without warrant except for specified offences. At the same time, it seeks to encourage use of a summons in lieu of arrest wherever possible. Clause 103 deals with arrest without warrant of a person as to whom it is believed a warrant has been issued. Clause 103 deals with arrest of persons for interstate offences and follows a similar provision in Victoria. Clause 105 deals with powers of entry onto private premises to effect an arrest. Clause 106 deals with the powers of a private citizen to detain others for serious offences and clause 107 is a specific provision of similar effect. Clause 108 is a protective provision. Clause 109 requires a member effecting an arrest to inform the person of the reason for the arrest except in certain circumstances.

Clauses 110 to 116 are a rewrite of section 330 of the Police and Police Offences Ordinance with some new protective provisions recommended by the Law Reform Commission to moderate some of the more undesirable features of the
present section. Clause 117 contains provision for demanding the name and address of a person and includes a new reciprocal right in the hands of the person to whom the demand is addressed.

Clauses 118 to 125 are important new provisions dealing with police arrest. They introduce radical changes to the law which would afford the arrested person far greater protection upon arrest than he presently has. I do not think it is necessary to go into detail at this time on these provisions but I do draw members' attention in particular to the right of appeal to a justice against a refusal of police bail.

Clause 127 provides for a search of arrested persons. Clause 128 deals with medical examination of arrested persons. Clause 129 deals with fingerprinting and other recording methods of arrested persons. Clause 130 is a similar provision in respect of persons not involved in custody but who are believed, on reasonable grounds, to be in a position to assist police investigations in connection with an offence. The protection to the citizen lies in the fact that a magistrate's order is required under this clause. Clause 131 provides for the destruction of fingerprints and other records after a certain time and I stress that these provisions do not provide for general compulsory fingerprinting or similar recording of information.

Clause 132 is a new provision designed to enable the Commissioner of Police to close public places in the case of violence. This will be particularly useful in the terrorism or the highjacking type of situation.

I move now to part VII of the bill which creates a number of offences relating specifically to members of the police force. I do not think it is necessary to detail these offences. However, I do draw attention to the substantial increases in penalties proposed. Clearly, the present penalties are inadequate having regard to the high standards that are expected of members of the police force.

Part VIII of the bill contains a number of miscellaneous provisions. Clause 145 is a protective provision. Clause 146 is a provision relating to time limits under the bill and is drawn from section 105 of the Police and Police Offences Ordinance. However, members will note that the requirement of a prior written notice has been abolished. Clause 147 introduces the new concept of the vicarious liability for the negligent conduct of members of the police force and follows a similar provision recommended by the Law Reform Commission and included in the Australia Police Bill. Part VIII includes a number of other miscellaneous provisions.

In a bill of this size, it is very difficult in a second-reading speech to cover all of the features of the bill. I again ask members to closely consider the bill and let me have their comments as soon as possible. I would ask that comments be available to me some time before the next sittings so that they can be given full consideration and, if necessary, adequate amendments drafted. I commend the bill to all honourable members.

Debate adjourned.

PUBLIC SERVICE BILL
(Serial 171)

Bill presented and read a first time.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the bill be now read a second time.
This bill is complementary to three bills introduced into the Assembly during this sittings. In relation to two of them, the Liquor Bill and the Lotteries and Gaming Bill, it provides that the Liquor Commission and the Racing and Gaming Commission to be created by those bills shall be prescribed authorities for the purposes of the Public Service Act. That will provide for the employment of staff for those commissions as public service employees and for the conditions of service of such employees. Provisions relating to those two commissions are to come into operation on the date of operation of the enabling legislation, removing the need for separate administrative action.

The bill also deals with the situation with the police once the Police Administration Act comes into operation. Firstly, by clause 4, it vests the Commissioner of Police with the powers of a departmental head in respect of public service employees working under his control. Secondly, it provides in clause 5 that, if a person ceases to be a member of the police force, he does not cease to be a public service employee. The Public Service Commissioner is then required to place him in a unit of administration and determine his designation but he shall not do that without first advising the relevant police association of his intention. This is, of course, designed to give some oversight to the police association of the placement of persons who have ceased to be police officers. I commend the bill.

Debate adjourned.

CRIMINAL LAW (OFFENCES AT SEA) BILL
(Serial 161)

Bill presented and read a first time.

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

Members will be aware from various public statements made over recent times that there have been ongoing discussions between the Commonwealth and the states with a view to remedying some of the effects of the High Court decision in the seas and submerged lands case. The matter has been discussed at several Premier's Conferences, as well as at meetings of the Standing Committee of Attorneys-General which I have attended. The Prime Minister has described the exercise as a major exercise in cooperative federalism.

The matter is of considerable significance to a newly self-governing Northern Territory because there are considerable doubts as to the powers of this Assembly to legislate extra-territorially. The constant argument of my government in all of the discussions that have taken place to this day has been that the Northern Territory should be treated in so far as is constitutionally possible in the same manner as a state. This view was publicly accepted by the Commonwealth Attorney-General at the last meeting of the Standing Committee of the Attorneys-General in Darwin. One aspect of the exercise relates to the application of state criminal law to off-shore waters. A Commonwealth bill entitled the Crimes at Sea Bill was introduced by the Commonwealth Attorney-General into the Senate on 22 August. The bill contemplates complementary state and Northern Territory legislation.

The bill I am now introducing is the same as the bill drafted for introduction in the states except for necessary amendments arising out of our status as a Commonwealth territory. It would apply Territory criminal law to acts and omissions occurring in the coastal seas adjacent to the Northern Territory, to acts and omissions on Australian ships beyond the adjacent coastal
sea in the course of voyages between places in the Northern Territory and to acts and omissions of survivors of ships sinking in adjacent waters. The Commonwealth bill in turn would apply Territory criminal law to acts and omissions in specified waters connected to the Territory and would not come within the Territory bill.

Both the Commonwealth bill and this bill have been drafted after lengthy negotiations and discussions by Commonwealth and state attorneys and Commonwealth, state and Territory law officers. I welcome the approach of the Commonwealth to the Northern Territory in this exercise and look forward to its continuing cooperation in the various other aspects of the exercise. I anticipate in due course introducing further complementary bills into this Assembly in a parallel manner to the states.

Debate adjourned.

MINING BILL
(Serial 176)

Bill presented, by leave, and read a first time.

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

This is a very short bill but one of prime importance to the majority of people in the Northern Territory. It clarifies the relative responsibility of the Commonwealth and the Territory government in relation to the mining of prescribed substances in the Northern Territory. As honourable members will be aware, by virtue of the provisions of the Northern Territory (Self-Government) Act, the Northern Territory executive has been given executive responsibility for all matters relating to the mining of minerals in the Northern Territory excluding those associated with uranium and other prescribed substances under the Australian Atomic Energy Act. In respect of uranium and other prescribed substances, the Commonwealth has retained the executive responsibility in that area and is to have continued responsibility for matters associated with the issue of mining titles for those particular minerals.

Mr Speaker, the purpose of this bill is to amend the Mining Ordinance to fully recognise this situation and adequately provide for the Commonwealth's continued interest in respect of prescribed substances while at the same time ensuring that the development of uranium deposits ...

Mr ISAACS (Opposition Leader): A point of order, Mr Speaker!

Mr SPEAKER: What is the point of order?

Mr ISAACS: I am just wondering whether the minister is aware that yesterday he introduced Mining Bill No. 4, 1978. It is in identical terms; the only difference is that yesterday's bill was serial 175 and the one he is introducing today is serial 176. The text is slightly different. Is he aware that that is going on? Does he know what he is doing?

Mr SPEAKER: There is no point of order.

Mr TUXWORTH: I am sure, Mr Speaker, that if I can just get through this second-reading speech, I will be able to clarify the matter in the mind of the honourable Leader of the Opposition because he is quite correct in what he says.
This proposal will ensure the Commonwealth's continued interest in respect of prescribed substances in the Northern Territory and provide an appropriate platform of communication between the Commonwealth and Northern Territory government on matters affecting development of uranium in the Territory.

The only other amendment contained in the bill is to proposed section 147A(1B)(b) of the ordinance. This amendment is required to conform with the provisions of the Atomic Energy Act whereby ownership of uranium and other prescribed substances in the Northern Territory is vested in the Commonwealth. Under the existing provisions of this section, any uranium or ores thereof recovered in any unauthorised operation within a mining reserve remains the property of the Territory. The use of the term "Territory" in this section is inconsistent with the Atomic Energy Act and the amendment I have proposed will ensure that the Commonwealth's ownership of uranium and ores thereof is fully recognised. There is no urgency in this particular bill, Mr Speaker, and I commend it to honourable members.

Debate adjourned.

Mr TUXWORTH (Mines and Energy) (by leave): Mr Speaker, I seek leave to withdraw Mining Bill, serial 175, which I introduced yesterday afternoon. In explanation, through an error on my part, the incorrect bill was introduced and the correct bill is Mining Bill, serial 176, which I have just introduced into the House.

Leave granted.

APPROPRIATION BILL
(Serial 150)

Continued from 19 September 1978

Ms D'ROZARIO (Sanderson): Mr Speaker, I would like to take up two points which are of particular interest to my electorate in this budget debate. I hope they will not be regarded as fetishes, and I would say that any prize that was due to the honourable member for Fannie Bay for having the best budget fetish yesterday must surely have been wrested from her by the discourse delivered by the honourable member for Tiwi.

The two matters I want to take up, briefly I hope, are housing and transport. I would like to make an observation on the housing allocation because I feel that perhaps with the new Housing Act the situation is a little blurred. As honourable members will recall in the last sittings before the prorogation of this Assembly, the Housing Ordinance, as it was then known, was amended quite substantially to provide for the so-called single housing authority. I wish to leave aside the question of the allocation for public service housing.

Honourable members might recall that in the last budget, the 1977-78 budget, the Northern Territory Housing Commission was allocated for its public works program a sum of $21.2m. If we exclude the Northern Territory Public Service staff housing from the present allocation of $37m, we have an increase in money terms of some $2.6m and that is the additional sum which has been provided for public housing as opposed to public service housing. The increase we have in this allocation of $2.6m comes out at approximately a 12% increase on last year's allocation to the Housing Commission for public and welfare housing but I would like to point out, Mr Speaker, that in real terms there has been no increase on last year's allocation and that is simply because the addition this year of $2.6m is not sufficient to offset the increased costs
of construction that have been apparent since the last allocation and construction costs have risen by more than the allocation to public housing.

The increase in the rate of change of investment in dwellings throughout Australia has been in the order of 16% - it is actually 16.3% to be more precise - and honourable members will note that this increase is much higher than the increases that have been recorded for the same period in a number of other indicators, including the change in private consumption, the consumer price index and the index for business fixed investment. What I am saying, Mr Speaker, is that the costs of constructing new dwellings has increased more quickly than consumer prices or the prices for capital goods purchased by businesses and that is the reason why I say that, in fact, the rate of change in the cost of house construction is much higher. From this members can see that, in actual fact, we have suffered in real terms a net loss of 4% on the housing allocation for public and welfare housing functions discharged by the Northern Territory Housing Commission.

Even if we had had an absolute increase this year of $2.6m, I would like to indicate to the House that this sum in fact would not even cover the rate of change of demand for public housing. In 1977-78, the Northern Territory Housing Commission estimated the cost of constructing 20 new 3-bedroomed houses in the Darwin area at $680,000. These houses were to be precast which honourable members will realise is a cheap and expedient method of construction. The average cost of these houses as estimated at that time by the Northern Territory Housing Commission would have worked out at $34,000. On the figures given then by the Housing Commission and assuming that in fact we had had an increase in real terms of $2.6m for welfare and public housing, the additional allocation of that sum would have provided approximately 75 new houses. Those 75 new houses would have had to have been distributed throughout the Northern Territory. I might also remind members here that this calculation is worked out using a cheap method of construction.

Taking into account the changes in the cost of housing which have been notified in a recent paper by an economist of the Reserve Bank, the price per unit of those houses which would have cost $34,000 last budget is now $39,440 or, say, $39,000 to round it off. When we look to see how far our additional allocation would go, it works out that we would have only 65 new houses throughout the Northern Territory. I point out that the Housing Commission is doing more than just building single unit dwellings but I have used the calculation using single unit dwellings merely for the convenience of exposition. Those are using the best possible circumstances. What we find is that we can expect a net accretion to the housing stock this year of the equivalent of 65 new houses throughout the Territory centres. I think the honourable Minister for Lands and Housing would agree that more than 65 families are added to the housing list of the Northern Territory Housing Commission every year, and that excludes public service families. What I want to point out to him is that the increase in the allocation for public housing is not keeping up with the rate of change of demand for that housing.

I remind members that, when the 1977-78 budget was brought down last year, the sum of $21.2m for the capital works program was exactly the same as the sum for the previous year. Not only was there no increase in real terms but there was no increase in money terms either. The point that I would like to make from that observation is simply that there has been a backlog and I would have liked to have seen some action to overtake that lag rather than allowing it to continue.
As the honourable Treasurer said in his speech on the budget, the construction and housing sector is a key one for the Northern Territory economy. Indeed, it is a key sector for the whole of Australia. The difference is that, whilst in other places in Australia the demand for public housing is decreasing, in the Northern Territory, owing to a number of factors including the backlog of the supply to which I have just referred and the nature of our population, the demand for public housing is increasing.

Just to give a small comparison of the rates of participation by the government in housing, this rate has decreased over the last three financial years. In 1975-76 which is the last year for which figures are available, it stood at 2.31% of all government outlay. That is to say that the government spends that percentage of money on housing out of its total outlay. On the other hand, we find that the private housing market in the rest of Australia has an increased rate of participation. I just say for the benefit of members that we do not have the same trend in housing as the rest of Australia has and we are still well behind in catching up with the demands for public and welfare housing.

I would like to take up the point of the allocation for housing loans that was provided in this budget. The relevance of the 6% concessional loan is decreasing because people are no longer eligible to apply for that and that loan scheme has been terminated. However, the loan scheme which is still current is the 9% Home Finance Trustee loan. A number of people are eligible for this and, in fact, nearly every first home buyer in the Northern Territory has recourse to the 9% Home Finance Trustee loan. In the present budget, we find that $2.2m has been allocated for the 9% loan. When we consider that the maximum amount of the loan is $20,000, this would benefit only 110 families on the allocation that has been given. I am aware that the Treasurer has notified in this Assembly that the Home Finance Trustee has obtained approval to raise a further $4.4m through Loans Council approval but, even so, the funds available, to use the Treasurer's own words, "Will be maintained at least at the 1977-78 level". I suggest that that is not good enough because there is still potential for growth in the number of applications that will be handled by the Home Finance Trustee and, as I have mentioned, our demand for housing in the Northern Territory is still quite high compared to other places in Australia. I would have appreciated a recognition by the honourable Treasurer that the Home Finance Loan Scheme should be aiming at providing more than was provided last year. As far as the people in my electorate are concerned who are making a decision as to whether to buy their fine Darwin Reconstruction Commission houses, this assurance by the Treasurer that the housing loans have been maintained at last year's level does not appease them at all.

The second point that I would like to speak about concerns transport. I welcome the allocation of nearly $5m to commence stage one of the land-backed wharf as indeed do all members of the opposition. I must say that I was extremely disappointed by remarks made yesterday by the Minister for Mines and Energy concerning the development of public transport in the Northern Territory. I might also note that I detected in his remarks a conflict with the statement made on the opening day of the session by His Honour the Administrator who, at that time, said that improvements in the public transport services were taking place and that the government recognised the place of public transport in urban communities. I did find that the remarks of the Minister for Mines and Energy were a bit disappointing in that he obviously does not subscribe to that view and is quite content to let the situation ride as it is. He used the phrase "barking at the moon". I suggest that it is not so much a question of "barking at the moon" but coming to grips with the reality of urban transport systems.
At the last Premiers' Conference urban public transport was one of those areas for which funds were slashed or completely abolished. I presume that the honourable Minister for Mines and Energy is simply giving his support to that particular action. I repeat again in this House that, with the situation of ever-increasing fuel prices and the higher insurance costs associated with running a private vehicle some concentrated attention must be given to public transport. Indeed, although we have no direct control over the price of liquid fuel for the running of private motor cars, I think that factor could well be harnessed to boost public transport and to promote it.

The other point that I wish to make on the same subject is that it is all very well for the honourable minister opposite to talk about how we all drive anyway and that it is terribly difficult to change people's habits. This does not derogate from the fact that there are a number of carless families even in Territory urban centres and there are a number of carless families in my own electorate. These people have very little option in the way of transport because public transport in my electorate is virtually non-existent. There are also a number of families who have only one car although two people are working. If one worker is a shiftworker or happens to work in an area outside the central business district of Darwin, then these families are also disadvantaged by the lack of public transport. I am pleased to say that some of my electors have gone so far as to organise buses to take children and non-drivers to areas of recreation and I commend these efforts. However, I do believe there is a need and demand for public transport and the government ought to face up to it.

The honourable Minister for Mines and Energy said it was very difficult to modify people's habits. Well, I suggest to him that unless we start to persuade them to change their habits now, the situation will become intolerable. If he was saying by his remark that he intends to let the situation of lack of public transport continue until very few people can afford to run a car, when it comes to that point, of course, it will be too late. I suggest in all sincerity to his government that persuasion would be a rather better course than coercion. I must say, Mr Speaker, that I am most disappointed in the attitude of the Minister for Mines and Energy when he has no regard at all for fuel conservation. He should stand down from his portfolio.

There are a number of urban communities that have embarked on lengthy programs of persuasion of the public to alter their habits and their mode of transport.

Mr Dondas: Buy a pushbike.

Ms D'ROZARIO: The honourable member for Casuarina says, "buy a pushbike". I have done that; I do possess a pushbike and I do use it. I would say to the honourable member for Casuarina, since he has raised this point, that the government opposite ought also to be doing something for the cycling community in the Northern Territory.

Mr Speaker, before I was interrupted from the other side I was going to outline a program of persuasion which must be undertaken before we find that we cannot run cars at all. These widely travelled members opposite will surely have noticed the system which the government of Singapore has imposed on its residents. It is a very simple system and it is very persuasive. You simply cannot enter the central business district of Singapore in a private vehicle unless you are carrying at least four passengers. The incentive to either move to public transport or to start sharing cars is very strong indeed because
the daily fee to enter the central business district of Singapore is quite high indeed, although I do not remember offhand what it is. I must say, Mr Speaker, I am very disappointed that there is no program outlined for the development of public transport in Darwin or in any other centre and the $809,000 that has been allocated to cover the operating loss of the public bus service in the Northern Territory is a very severe indictment on this government's attitude.

Mr Speaker, those are two matters which are of concern to my electorate and I am pleased to have been able to make some remarks about them in this House. I would just like to say before I sit down that the budget papers this year were extremely lengthy and complicated, as members will have noticed by the large pile of documents that were handed out here. Like many other members, I would have like to have circulated these to people in my electorate who have a special interest in some of these matters. However, since the debate was brought on, I have not been able to do this and the only course now open to me is to keep raising matters that the electorate brings to my attention in subsequent sittings.

Mr DONNAS (Casuarina): Mr Speaker, I rise in support of this bill and, in my opening comments, I would like to make the remark that all I think the opposition is doing at the moment is grasping at straws because they have made no positive contribution to the debate whatsoever.

This first full budget of this government has been framed realistically, taking into account the special needs and difficulties in the Northern Territory. In my opinion, the budget makes important innovations in making provisions with respect to functions from which this government is responsible.

To take up the point that the honourable member for Sanderson made in relation to the cost of housing, I was very interested to hear that her division of the $680,000 by 20 units of housing came to a total of $34,000. The thing that strikes me as being significant, Mr Speaker, is that one of the last Housing Commission contracts let, possibly about a month, brought the average house that was being built by the Housing Commission to about $29,000. So much for the authoritative report of a house in Darwin costing $39,440.

In fact, if my memory serves me correctly, I think Orlits won two lots of contracts for 80 houses and the average price was between $29,000 and $30,000.

If I may take up a point which the Leader of the Opposition made yesterday in relation to my interjection, when I said yesterday that it might have been a misprint. I was quite wrong; it was not a misprint. However, if the Leader of the Opposition had looked at the particular item of health in the budget speech delivered by the honourable Treasurer, he would have noticed that the extra $8.4m was being provided separately under a provision of the Health Act. That is why the figures do not total up. I added them up today to make sure that he was right. He was right; it does come to $350m-odd but this $8m is not included. It comes under a separate allocation.

The Leader of the Opposition also said there were no comparisons. I looked up some of the records; I do not know whether they are completely accurate but I think they are. In 1976-77, the total spending by the Department of the Northern Territory for the financial year was $234.361m. In 1977-78 the total was $191.554m, as a direct allocation, plus our one-line budget of $52m which made the total spending by the Department of the Northern Territory and ourselves amount to $234.361m.

Look at the budget papers that have been presented today. I see there is an amount of $307.503m plus the Health Department's spending of $43.100m which
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gives a total of $350.603m, plus the $8.1m from the Health Department which
gives a total spending in the Northern Territory from the previous year of
$115m more.

Mr Robertson: And that's without education.

Mr DONNAS: That is without education and that is without the other money
that is going to be spent by the Health Department in the latter six months
of the financial year.

If we can go back to the housing side, then the significant point that is
made by the Treasurer is that we are now looking at a waiting time for people
applying to receive accommodation from the Housing Commission of 9 months and
they hope to reduce it to 6 months. I heard a press report a month or so ago
that in Queensland it can take up to 4 or 5 years for a person to get a house
from the Housing Commission and probably the same period in any other state.
This government is definitely working towards those people on low incomes
who are looking for accommodation by saying we hope to get the waiting time
down to 6 months. Not one member of the opposition gave credit for the earnest
of this government in trying to promote accommodation for those low-income
earners.

I noticed in the budget speech that the honourable Treasurer did make
mention that the number of uniformed police would be 53. However, the budget
paper says it will be 43 and I hope he might be able to enlighten me as to
what the final figure will be. It is nice to see that the police department,
after all these years, will get a higher staff ceiling. In the last 12 to 18
months, one-man police stations have been operating in isolated areas and
they will now become two-man police stations. It should be a definite policy
of this government to promote the idea that these police staff who are working
in isolated areas should have other support staff with them. It is very easy
for a person to become sick or to go away on an investigation. There is no
reason why our government should not budget in the future to expand finance
for this area.

On the social welfare side, I would like to mention the Homemaker Service.
In this year's budget, the government has allowed $100,000 for Homemaker Ser-
vice. This includes provision for the support of tenants of Housing Commission
residences. When fully operative, it should effect savings in Housing Commission
expenditure, maintenance and recovery of rents from delinquent tenants as dis-
tinct from emergency home help services. In other words, that is another step
in the right direction. It is a new service.

The other new service that is being introduced for $100,000 is the delivery
of welfare service to remote localities. Another $15,000 is being given for
the International Year of the Child - another innovation. I think that the
Treasurer should be applauded for taking such consideration.

In 1977, when we faced our electorates in the Assembly elections, all we
heard from the opposition was "Double taxation; it is going to cost you more". They
really confused the electorates to a point where people really did not
know who was telling the truth. I would say that the budget that has been in-
troduced by the Treasurer certainly puts our word on the line. I would like
to see how the Leader of the Opposition and his party are going to get out of
this budget.

The honourable member for Fannie Bay spoke about the arterial road. I had
a note handed to me this morning from a friend of mine who lives out in the
northern suburbs. It said: "This morning a minor accident caused serious
delays. It took me from 7.45 am to 8.30 am to get to work, a delay of thirty minutes in a very hot car. The conditions under which we drive are quite different from down south. Thirty minutes of creeping over 2½ miles is no joke. We need the Ludmilla-Fannie Bay Road. Pam O'Neil should ask her newly-arrived friends from Parramatta if they have experienced a delay such as we did this morning. If they have had that experience, do they now have the same attitude?"

I commend the Treasurer for our very first budget. The Leader of the Opposition also made reference yesterday to what the auditor had said. If I may reflect for one moment on the Auditor-General's report, I would like to make mention specifically of page 224 of that report. Paragraph 317.4, expenditure in excess of appropriation, says: "As a result of apparent inconsistency between the Northern Territory Allocation of Funds Appropriation Ordinance No. 3 of 1977-78 and the Appropriation Acts Nos. 1 and 3, the Department of the Northern Territory incurred over-expenditure of $670,490 under division 457-1 of the Northern Territory Legislative Assembly. In response to an inquiry by the Department of Finance, concerning a breach of section 82 of the constitution and section 34(2)(b) of the Audit Act 1901, the department attributed the irregularity to ineffective coordination between offices of the Northern Territory Public Service, the Department of the Northern Territory and the Northern Territory Treasurer who were associated with the administration of divisions 457-1, 899-1 and 899-2. The department indicated that officers of the Northern Territory Public Service apparently considered the Allocation of Funds Appropriation Ordinance No. 3 1977-78 to be legal authority for their actions but this ignored the primacy of the limitation imposed by the Commonwealth Appropriations Act. Notwithstanding the existence of unusual circumstances" - and the unusual circumstances was that we still had the Department of the Northern Territory holding their hands very close to their chest and they weren't telling us very much - "the evidence available to this office suggested that the over-expenditure occurred as a direct consequence of failure by the responsible authorising officers to comply with the statutory requirements".

If I might just go over to section 4, the Northern Territory Legislative Assembly, on page 290. $52m was what we were given. If you look at the division 457-1 on page 290, the appropriation was $27,337,200 with an expenditure of $28,007,690. The capital expenditure was $25,200,000 with the expenditure of $24,490,430. They broke about even. Where was the bad management that you talk about?

Mr Isaacs: Read page 295.

Mr DONDAS: I am not reading page 295. I am on page 291, Mr Speaker. This has been a very boring debate, Mr Speaker, and I am going to try to take my time and see if I can get what I want out of this debate.

The total allocation for 1977-78 was $587,600; the expenditure for 1977-78 was only $532,923. That is good management from my side of the board; we did not spend as much as we said we were going to spend.

Then we get to the Department of the Chief Secretary, division 12. The allocation was $1,304,000 and the expenditure was $1,331,062. We over-spent maybe $27,000. When you take an organisation like the Chief Minister's Department into consideration, it is not difficult to spend $25,000 more than you should have because there are expenses that you don't know are there until you cop the bill.
The police unit was allocated $10,349,400 and all that was spent was $10,325,000. That is good management for an organisation like that. I can't wear what the opposition is saying all the time — that our Treasurer is incompetent. He is not; he is on the ball so far as I am concerned.

We have the establishment grant for the Department of the Chief Secretary. $12,053,400 was the allocation but all we spent was $11,920,184. We are well and truly below the allocation and it is on page 292 if you are trying to follow the debate, Mr Speaker.

The Department of Community and Social Development was given an allocation of $6,617,050 and they spent $6,705,277. That is probably about $80,000 more than they should have but look at the size of the department, look at the problems that we have with social welfare, look at the extra money that we had to pay out to pensioners that was not budgeted for.

The total allocated for Finance and Planning was $1,074,150 and they spent $1,046,836. The opposition still say it is bad management.

The Department of Resources and Health: $3,041,500 was the allocation and they spent $3,192,464. They probably spent $80,000-odd more than they should have. I do not know why they have; I do not really think the Department of Health warrants spending that extra money and maybe the Treasurer should give them a rap over the knuckles for it.

The Department of Transport and Industry: the total allocation was $3,847,000 and they only spent $3,642,992. That is something like $203,000 under the budget allocation and they still reckon we are bad managers.

The Department of Law: $1,135,500 was the allocation and they spent $1,246,563. The Chief Minister's Department overspent again. Maybe the Treasurer better pull that department into line as well — too many big electric typewriters or something.

The Department of the Chief Secretary — capital works and services and the police unit: $162,200 was the allocation and they spent $160,041. They were well below the allocation. Bad money managers, that is what we are.

The Department of Community and Social Development once again: $1,043,600 was the allocation and all they spent was $1,023,033. That is $20,000 below allocation. Still bad managers?

Division 55, capital works and services — the Department of Finance and Planning were allocated $21,200,000 and they spent $21,200,000. The Department of Resources and Health capital works: $90,000 was allocated and $90,000 spent. The Department of Transport and Industry: $2,085,200 allocated and they spent $2,017,257. All I have heard for the last two days is how this particular government cannot manage its affairs.

As I said, the debate has been pretty boring because I thought that the opposition has been grasping at straws for the last couple of days. They have not been able to put any serious contribution into it; they have not been able to pay any reasonable compliment to the first budget of the Northern Territory, a one-line budget of over $350m.

Mr PERKINS (MacDonnell): I would like to say at the outset that I fully endorse the remarks that have come from the Opposition Leader and other members of the opposition on the budget. I was amazed at the scintillating performance
of the honourable member for Casuarina when he was talking about the budget, particularly the figures he quoted in relation to the matter of over-spending and under-spending. I think that everyone here was treated to an entertainment of great proportions. I would suggest that the honourable member for Casuarina go back to the drawing board and do his homework and extract the proper figures if he is about to give us a serious debate on the Northern Territory budget.

Mr Dondas: Your Opposition Leader quoted from that book.

Mr Perkins: In answer to the interjection of the honourable member for Casuarina, I would say that he has obviously misunderstood the Opposition Leader and he has misrepresented him because as a matter of fact the Opposition Leader was not quoting from the particular sections that he quoted in his Address on the budget. As I understand it, the Opposition Leader was looking out of the auditor's report, page 295, and he referred to the fact that in monetary terms these amounts are relatively insignificant but in principle they represent a serious breakdown in the overall control in relation to financial matters. I would again urge the honourable member for Casuarina to go back and do his homework more adequately next time.

However, I would like to make a few general comments about the Northern Territory budget. There are two general comments I would like to make before I get down to the specifics in the budget. I would regard these as matters of interest. In the first instance, I regarded the bringing down of the budget in this Assembly as almost a non-event. The budget which has been brought down by the Treasurer appears to be directionless. I did not note any particular kind of strategy to overcome the high unemployment rate in the Northern Territory. Where is the strategy, Mr Deputy Speaker? I would say without doubt that the high unemployment rate in the Northern Territory which is in excess of 9% is a matter of grave concern to everyone and I would have imagined that the Northern Territory government would have been interested to propose a strategy which would directly come to terms with the high unemployment rate in the Northern Territory.

Mr Steele: How about uranium mining?

Mr Perkins: It is the highest rate in Australia. In fact, I think there are even higher rates of unemployment amongst Aboriginal communities in the Northern Territory. We are talking about 4,700 people who are out of work in the Northern Territory, not to mention the many people who are not registered but are also out of work and cannot find work. This is a serious problem and, if you look at the budget and if you look at the speech by the honourable Treasurer, there is no strategy on the part of the Northern Territory government to overcome this particular problem. Where are the proposals to solve the high unemployment rate? In reality, there are none in the budget.

In the second instance, I would like to comment in a general fashion on the capital works allocation in the budget. I note in the budget documents that more funds for capital works are again allocated in the Darwin region at the expense of the Alice Springs region.

Mr Vale: Work it out on a per capita basis.

Mr Perkins: I would argue again that the Alice Springs area has been discriminated against in the allocation of priorities and funds in this Northern Territory budget. Unfortunately, this is the same practice which has been adopted by the Commonwealth government in years past. I would have thought that, with self-government in the Northern Territory, there would be a more
equitable distribution of funds and resources around the Northern Territory communities. You only have to look at the regional summary in the speech of the Treasurer and you will find that in excess of $24m is allocated in the Darwin region and yet, in the Alice Springs region, there is a little over $10m allocated in respect of capital works programs.

Although it might seem that the Northern Territory government has actually made an attempt to provide for an equitable distribution, I believe that on those figures there is still a long way to go before we reach the stage of a proper and a fair distribution of resources in the Northern Territory, especially to isolated communities. I would urge the Northern Territory government in future to make a fairer allocation of resources and funds in the Northern Territory in respect of capital works programs. I am sure there are many communities in isolated areas in the Northern Territory which have considerable needs for capital works programs. In this respect, I would urge the Northern Territory government to have a proper regard for their needs.

I would now like to turn to the specific matters in the budget which are of interest to me. In the first instance, I would like to refer to the essential services to Aboriginal communities which was raised in the speech of the Treasurer. I take note that over $13m will be set aside in this budget for the provision of essential services to Aboriginal communities. I welcome this: I think this will bring the Northern Territory into line with other states in respect of being able to provide essential services in Aboriginal communities. This is quite rightly the responsibility of the Northern Territory government as it is the responsibility of other governments in the states in Australia.

I would hope that these funds will be distributed on a fair basis, in respect to Aboriginal communities in the Northern Territory. I would hope that Aboriginals themselves will be able to set their priorities for funding of these essential services and that they will be consulted on this particular matter. I would hope that the Northern Territory government will effectively take into account their views and their wishes when allocating these funds, as I believe it is important that the people themselves have a say directly in how the funds ought to be allocated and what the priorities are in their particular areas. Unfortunately, there is still some confusion amongst Aboriginal communities about the essential services proposal, and also perhaps the message of the Northern Territory government is not adequately getting through yet. I would like to ask the honourable Treasurer whether in fact there are any plans to train and to develop Aboriginal people to take over responsibility themselves in respect of their own essential services. I have not seen any evidence of this to date; certainly there is no proposal in that regard in the budget or in any other debates we have heard in the Assembly so far.

I believe that some communities are already capable of being able to run their own essential services and, indeed, there have been some who have expressed an interest in wishing to have responsibility in respect to their essential services, and also provide the necessary training of members of their own community to accept that responsibility. The Northern Territory government ought to proceed with caution on its essential services proposal because it is a new responsibility and there is confusion amongst Aboriginals. I believe the Northern Territory government ought to be looking at the creation of employment and training opportunities in respect of Aboriginal people being able to run their own services.
I would now like to turn to the matter of tourism. Of course this was covered in the speech by the honourable Treasurer. I would say at the outset that like the Northern Territory government the opposition appreciates the value of tourism in economic terms to the development of the Northern Territory. Indeed tourism is a major industry in the Northern Territory and, as indicated by the honourable Treasurer, it is estimated that it injects up to $40m a year into the Northern Territory economy. Without doubt, I think the potential is there to increase this annual value of tourism but only on the basis that the Northern Territory government is able to continue the support of the positive initiatives of the tourist industry.

I welcome the allocation of over $1m in the budget in respect of the tourist industry in the Northern Territory. This will be an incentive for the industry to further develop its potential. However, I am also concerned about the fact that no funds were allocated in the budget for the building of the Yulara tourist village at Ayers Rock. In recent times the tourist organisations of Alice Springs have expressed their concern about this. In fact, I think they described the village in public as a myth and I suppose they might be right in a sense.

Let us look at the facts of this matter. On 12 May in Alice Springs at a meeting of the representatives of the tourist industry, the honourable Minister for Mines and Energy indicated to the industry that there were funds actually available and that the work would commence on the village in this financial year. He also indicated to that meeting that there would be a new all-weather airstrip and it would be operational in the next year. In addition, he indicated that new beds would become available in the new village by 1983. After that meeting, there was a press release - I think it was printed in the Centralian Advocate of 18 May - by the honourable Majority Leader as he then was. He did not actually refute the undertakings given by the honourable Minister for Mines and Energy although there were some conflicting remarks. In recent times, we have had an indication from the Treasurer of the Northern Territory that funds will come from the federal government to build the new village.

However, in a letter of 8 June of this year to the tourist association of Alice Springs, the federal Minister for Industry and Commerce indicated that, as from 1 July this year, the Northern Territory Legislative Assembly is the body which will actually become responsible for the new village. I would like members to take note that, on the one hand, the federal minister says that the village is a responsibility of the Northern Territory government and yet the Northern Territory Treasurer says they have to seek the funds from the federal government. This is precisely the conflict.

Mr Perron: The village is still our responsibility.

Mr PERKINS: Unfortunately, as a result of this conflict of statements which have been emanating out of the Northern Territory government and also the federal government, there is confusion in the tourist industry and amongst other people at Ayers Rock itself in respect of the plans to build a new village. We are at a loss to understand who is actually correct in this situation and also what the local tourist industry in Central Australia is to understand in view of this conflict of views.

In addition to this, the tourist association of Alice Springs is also concerned about a number of other issues regarding the new village. They are concerned about the building of the new village and when this might commence. I have already asked a question in this Assembly on that particular matter. They
are also concerned to know the expected date of completion and what action will be taken by the Northern Territory government to protect the current lessees and the local industry at Ayers Rock in the period between the procrastination over planning and the actual completion date. I believe these are important questions which require answers. I have asked a couple of questions in this House of the Treasurer and I am waiting to receive adequate answers to those questions, even though he did attempt to answer them to some degree. There are answers to be supplied on such matters as when will the construction commence and be completed. We have yet to hear from the honourable Treasurer as to what action will be taken by the Northern Territory government to protect the lessees and the industry.

This is an important matter and requires urgent action in the interests of the tourist industry of Central Australia. I do not think the Northern Territory government ought to fall into the trap of inertia on this matter as has been the case with the federal government for many years. I would urge them in strong terms that they ought to respond to the needs and the wishes of the tourist industry in Central Australia and be able to give them some definite answers on the construction of the village at Ayers Rock.

In the final analysis, I would like to refer to an attack made in this House yesterday by the honourable Chief Minister in a speech which he made about the budget. He attacked the Central Australian Aboriginal Congress and the Miscellaneous Workers Union in respect of a staff award which was being negotiated in the Conciliation and Arbitration Commission at present. I am amazed to note...

Mr EVERINGHAM (Chief Minister): A point of order, Mr Deputy Speaker!

Mr DEPUTY SPEAKER: What is your point of order?

Mr EVERINGHAM: I am being misrepresented. I did not attack the Miscellaneous Workers Union.

Mr DEPUTY SPEAKER: There is no point of order.

Mr PERKINS: Mr Deputy Speaker, that interruption is unfortunate. I think the honourable Chief Minister was being mischievous. Unfortunately, he bucketed the two proposals in the proposed award which is being negotiated on behalf of the Central Australian Aboriginal Congress by the Chamber of Industries in the Northern Territory and also the Miscellaneous Workers Union.

The honourable Chief Minister referred to clause 22 in the award which actually relates to public holidays and objected in particular to the inclusion of National Aborigines Day as a public holiday. In the second place, the Chief Minister also referred to clause 47 in that particular award which relates to special leave conditions. He objected to the proposal for special leave of up to one week on full pay and up to three weeks without pay for tribal Aboriginal people who want to attend their tribal ceremonies. He had the audacity to suggest that these provisions were designed to jeopardise employment opportunities for Aboriginal people in the Northern Territory if they were successful. He said that, if these proposals were introduced, it would be a backward step in the creation of employment for Aboriginal people. He also said that unemployment amongst Aboriginal people would not improve but would get worse.
I would like to hotly deny those allegations by the honourable Chief Minister. I believe they are absolute nonsense. They also show a serious ignorance of what the Central Australian Aboriginal Congress is endeavouring to do and a lack of understanding on the part of the Chief Minister of the traditions of Aboriginal people. I do not believe the CAAC proposals are designed at all to jeopardise Aboriginal employment opportunities or even to worsen employment opportunities for Aboriginals. On the contrary, the Central Australian Aboriginal Congress is aiming to have these important documents recognised in the Northern Territory by the Northern Territory government and other employers.

The first option, of course, is the one which relates to the provision that Aboriginal people and particularly staff employed in Aboriginal organisations ought to have a public holiday on National Aborigines Day in view of the significance... 

Mr DEPUTY SPEAKER: Order! I would draw the honourable member's attention to standing order 58 - digression from subject. I find this is irrelevant to the budget speech.

Mr ISAACS (Opposition Leader): Mr Deputy Speaker, the deputy leader is responding to remarks made by the Chief Minister in precisely this same debate. The Chief Minister was allowed the latitude of speaking on the matter and my recollection is that he spoke at length. It is perfectly proper in my view, therefore, that the deputy leader of the opposition should respond to those remarks in the same debate.

Mr EVERINGHAM (Chief Minister): In answer to the Leader of the Opposition, Mr Deputy Speaker, I did not speak at length on this particular subject. I made some passing remarks which might be lucky to have comprised two paragraphs of Hansard.

Mr DEPUTY SPEAKER: Would the honourable member confine his remarks to the budget speech or to parts thereof.

Mr PERKINS: Mr Deputy Speaker, that is what I have been trying to do in answering the claims made yesterday by the honourable Chief Minister.

As I was saying, what the Aboriginal congress is trying to do is to have the whole significance of National Aborigines Day recognised in respect of staff employed in Aboriginal organisations and other Aboriginals in the Northern Territory in view of the significance that those people place on the idea of National Aborigines Day. In this respect, I think the Northern Territory government ought to take up this initiative of Aboriginal people and to legislate to recognise National Aborigines Day as a public holiday for all Territorians. I believe the Northern Territory government ought to be more positive and should respond to this kind of proposal from strong and influential organisations such as the Aboriginal congress.

On the second point which was disputed by the honourable Chief Minister yesterday, I would like to say that it was the Aboriginal staff themselves employed in the Aboriginal congress who actually want this recognition of special leave, particularly in respect of tribal Aboriginals to attend their ceremonies. They were the people who made this special request. I suppose this might be a new doctrine in relation to employees awards in the Northern Territory but I do not think it is new to those of our tribal people who have wanted to attend their important ceremonies to continue their culture. It is
a doctrine that the Northern Territory government and employers ought to rec­
ognise now if they have any respect for Aboriginal wishes and Aboriginal
traditions. I would like to state - and again this is in reply to the claims
by the honourable Chief Minister yesterday - that the clause I have referred
in to the CAAC award is only a discretionary one which may be - and I emphasise
the words "may be" - adopted. In his attack on the Central Australian Aboriginal
Congress and the Miscellaneous Workers Union, the honourable Chief Minister
amazes me with his hollow criticism. I believe it shows an ignorance of the
real intentions of the CAAC awards which is being discussed in the arbitration
commission and a lack of respect for Aboriginal traditions.

In closing, Mr Deputy Speaker, I would hope the Northern Territory govern­
ment is interested to take up the ideas which have been suggested in the speech
I have just made on the budget and be serious about these ideas in relation
the creation of employment opportunities for people in the Northern Terri­
tory. That is an important matter for concern. It is unfortunate that to date
and in this budget they have not been able to adopt a strategy in the Northern Terri­
tory which will be able to bring down the high unemployment rate.

Mr OLIVER (Alice Springs): Mr Deputy Speaker, I preface my remarks with
the observation that Alice Springs is the hub of Central Australia. It is
the administrative centre; it is the commercial centre; anything that happens
in the adjoining electorates has a profound effect on the electorate of
Alice Springs itself.

I have been listening to the debate on the budget and there have not been
very many strong points emanating from the opposition. Actually, there is
very little that could be picked up. However, I do pick up the points made by
the honourable member for MacDonnell when he said that Alice Springs is being discriminated against. It was discriminated against in the 1977-78 budget,
according to the honourable member for MacDonnell and it is again being dis­
criminated against. Mr Deputy Speaker, I think we could have a rational look
at this discrimination to see what we end up with.

In Alice Springs, we are well provided with schools, both primary and
secondary. The Sadadene High School is almost completed and that, together
with the existing high school, should serve Alice Springs well into the 1980s
if not right up to the 1990s. We would probably have the most up-to-date
primary schools in Australia and, with the Commonwealth government's commit­
ment to Ross Park school, this too will be completely modernised. I see no
reason for complaint in that area.

Alice Springs can boast a magnificent hospital that is well in excess of
current needs and will be for some time to come. A new court house is under
construction. That will add a bit of beauty and dignity to the town itself
and replace the old court house now in use. The municipal council has been
presented with a fund to erect a civic centre. We do surely need a venue
for performing arts. However, this is in the pipeline. We cannot accomplish
all that we desire in the one year; if we attempted that, all the opposition
would scream blue murder at the heavy impositions that would have to be put
on the taxpayers to accomplish that. Mr Speaker: softly, softly catchee monkey.
We are a newly pledged self-governing entity. Mr Deputy Speaker, let us sort
out our priorities and I earnestly believe that this budget has done just that.

The honourable member for MacDonnell said something about going a bit
easy on Aboriginal essential services. I though this has had a very high
priority. To point out briefly just what we do have going in Aboriginal ess­
cential services: works in progress, we have at Areystonga electrical reticul-
ation and water supply - $58,100; at Docker River, we have a powerhouse and the water supply - $50,800; at Santa Theresa, we have water supply and powerhouse - $209,900; and at Yuendumu, we have sewerage reticulation, water reticulation and supply - $384,300. The proposed new works in relation to Aboriginal essential services, and I only quote the major items, are: at Amoonguna, we have a sewerage scheme - $296,000; at Areyonga the electricity supply will cost $92,500; at Hermannsburg the water supply will cost $64,700; at Papunya the water supply will cost $78,600; at Santa Theresa, with the public toilets that were brought to the fore yesterday, there is the sum of $50,000; and at Yuendumu the electricity supply will cost $74,000 and to upgrade the airstrip will cost $180,400. I think the Aborigines are being very well served in relation to these essential services and I do not think it could be said that this government has neglected them.

Another vital concern in the Alice Springs area is the roads. We have works in progress. I bring these works in progress into the debate because it indicates the activity that is going on. We have the Stuart Highway from Smith Street to Mount Nancy being done up at a cost of $125,700. The Head Street subdivision is costing $759,600. I will not go further with the finer details, but works in progress in Central Australia total almost $1.6m and that does not include the $2.637m for the Stuart Highway through the hills north of Alice Springs.

Turning to the new road works, two major works are the sealing of the road from Jay Creek to Gler Helen at a cost of $2.5m and the stage 1 of the sealing of the Tanami Highway at a cost of almost $2.5m. The road to Ayers Rock will be sealed from Erldunda to Angus Downs turnoff, roughly about 105 kilometres, at a cost of just over $3m. Not included in these amounts is the sum of $474,500 for minor road works. What an uplift to our roads and what benefits will accrue to my electorate anyway with improved road communications!

Finally, I want to look at the proposed new works for water and sewerage. In Alice Springs, we find the equipping of bore number P7 at a cost of $192,000, the upgrading of Templebar pumping station for $441,000, extensions to the water mains to Blatherskite Park $76,000 and the construction of an effluent disposal scheme for $652,700. The foregoing does not include the sum of $1,094,000 for the repair and maintenance of water and sewerage installation in Alice Springs.

To say that Alice Springs has been discriminated against is rather strange when you see the activity that is going on around the town. The budget is a healthy budget. It will stimulate activity throughout the Territory and create jobs that will ease unemployment. It is a hopeful, encouraging budget which sets a pattern for many a good budget yet to come under self-government. I congratulate the Treasurer for his efforts and I wholeheartedly support the bill.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, at the risk of being accused of nitpicking, I would like to point out what seems to me to be a couple of minor errors in this capital works program booklet. On page 9, there is an item for upgrading water supply under the heading Croker Island and, on page 12, there are two items for construction of stormwater drainage, construction of new barge landing and bulk fuel facilities under the heading "Crocker Island". On page 10: "Erection of powerhouse and provision of bulk fuel facilities, Minjilang". I have no doubt the spelling "Crocker" is a typographical error and will be picked up but I hope that it is realised that these four allocations under three different names all apply to the same community.
On page 20, I am extremely happy to see for the Victoria Highway the construction of King River Bridge at $1,509,400. This will certainly make many people in my electorate very happy and it will help them a great deal. It is a relatively small river which floods at a high level and either locks you in or out of the country. I know that is a most necessary and overdue effort. At Wave Hill, the upgrading of the access road to Hooker Creek at a cost of $259,000 is much needed. It is quite a reasonable road except for a black soil plain; a little drop of water on that and it puts the road out. On page 19, I must say that it is extremely pleasing to see that the Daly River Road will be sealed from Survey Creek to the police station at a cost of $994,000.

It has been said by several members of the government party that there are no deficiencies in this budget. Personally, I can demonstrate that there is a very serious deficiency. I can find no allocation for the road from Daly River to Port Keats. I find this almost unbelievable. I have spoken at length in a few debates and told this House that there is almost a desperate need for a road for the 126 miles from Daly River to Port Keats. This has apparently been to no avail because I can see no reference to it anywhere.

A few months ago, I drove from Hooker Creek down the middle of the Tanami Desert down to the bore on a road that really serves very little purpose whatsoever except for gorg runners running from Lajamanu to Rabbit Flat. There is no real purpose for it to be there and that is an upgraded highway compared to the Daly River to Port Keats thing. To disregard the 300-odd residents of the Daly River Reserve who are in four separate communities - Peppimenarti, Nardirdi, Palumpa and Port Keats - is nothing short of criminal.

On page 13, there is an allocation or an estimated cost for the construction of an airstrip at Peppimenarti of $120,200. This is very good but how about the vehicle transport? I can give you a fairly graphic description of what that road was like. I bought a Toyota 4 months ago and it is the only new vehicle I have ever had in my life and it is not in real good nick at the moment. I have travelled all over the electorate and never done it any harm. It looked like it had come out of a showroom until I did one trip to Port Keats. In that one trip on that road, I staked a brand new tyre and tube so there was $103 down the drain. If you look at her now, she has a distinct list to port because the springs have lost all their tension. That was the result of one trip to Keats and back; I will have to fork out $200 plus to get that rectified and put it on an even keel.

That is my trouble, but the troubles of the people down there are very desperate and it seems that no notice has been taken of them at all. This road is impassable to any vehicle other than a truck or a 4-wheel-drive vehicle. I am speaking about the dry season; no one worries about it in the wet because it is completely out. It is almost impossible to do that trip even once without breaking something on a 4-wheel-drive vehicle or a truck. It is totally unreasonable that people have to put up with conditions like this.

The cost of transporting foodstuffs and materials to Port Keats overland is vastly cheaper than by barge. Because of the lack of road transport, the barge operators are holding the people to ransom. As a matter of fact, at one stage, a person who works on the barge told me I had better stop talking about upgrading the roads down there because they might lose the business. They have no competition; they charge what they like and they get away with it. It is quite unfair. I would ask the Treasurer - I am sure that he has a cunning buck or two stuck away in the reserve, somewhere - that he take a serious look
at the need for an upgraded road down there. It is a hopeless place in the wet; nobody wants the road in the wet, Peppimenarti are trying to get cattle out - they have now run a road down to the beach on Hyland Bay at the barge landing. That is also out in the wet; it is only a dirt road which they have built themselves with a dozer. I would ask the Treasurer to take a serious look at finding some finance somewhere to do something about the road.

The only other comment I would have on the budget is that, in the explanations of Appropriation Bill No. 1, under rural adjustment scheme, it says: "The rural adjustment scheme commenced on 1.1.77 to provide assistance to rural industries. The scheme replaced previous federal schemes which provided assistance to rural industries. Assistance in 1977-78 was provided in the following forms: carry-on finance - commitment $482,623, expenditure $335,153, revote $146,470; debt reconstruction - commitment $1,063,000, expenditure $465,000, revote, $598,000; farm improvement - commitment $359,000, expenditure $223,750, revote $135,250; farm buildup, household support and rehabilitation - commitment, $13,000, expenditure $2,500, revote $10,500".

Mr Deputy Speaker, if we could just look at this one item headed "reconstruction", the commitment is $1.663m, expenditure $465,000, revote $598,000. We see that over 50% of the commitment, a sum of nearly $600,000, has been revoted. It would seem to me that an extremely hard line must have been taken by whoever was responsible for the expenditure of the committed sums in view of the fact that pastoralists have been so desperately seeking finance during the 1977-78 period. I am at a loss to understand how a total of almost $900,000 could have been revoted.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, talk about the revote brings to mind the loss on the Darwin bus run. I understand that is $800,000 and the revote was $900,000, so somewhere along the line there seems to be a lot of money floating around for public convenience.

The first obligation of this Northern Territory government is to solve the employment problem. This can only be done by promoting our primary industries. It would seem to me that mining, pastoral, fishing and agriculture must be made viable. It would seem that a radical new approach must be taken towards these industries. Unless we do make them viable, we are going to see the present dependence on the public sector and there is no reason at all for this. Food is in short supply throughout this Southeast Asian region and it is up to this government to exploit the markets that the trade delegation found earlier this year. I think it is reprehensible - to use a good Labor word - that this government has not done that.

Mr Everingham: Intolerable.

Mr MacFARLANE: Yes, intolerable - and also unfortunate for the industries concerned.

I think the pastoral industry employed 2,000 people, black and white, in 1973. Naturally, since then they have gone down and in 1974, although the crisis was on the cattle industry, the Miscellaneous Workers Union applied for further increases of $15 per week in the pastoral award. You can see, when you are down, in some cases you get kicked as well.

In 1974, we saw the Labor government abolish tax incentive for development, abolish outback concessions for mail services, revalue the Australian dollar and abolish foreign investment. We saw the Woodward Aboriginal Land Rights
Commission. We saw the abolition of superphosphate subsidy and bounty, the abolition of freight incentive for fuel in outback areas, the abolition of beef payroll incentive, worth about $1.50 per 100 pounds, the introduction of the export beef levy collected by the government, worth about $1.6 per 100, and the trouble with transport and communications and the increased interest rates.

A lot of these things have not been replaced by either that government or this one. I talk now of this federal government. You can see the lot of the cattleman is not a happy one. This government has not gone far enough. Cattlemen will not be able to do what they should be doing, all the things a cattleman has to do - improve his turnover etc - until he gets a fair price, and a fair price is approximately twice what he is getting now or something like the 1973 figure. 1973 was the year before the bust.

One of the things, of course, which is stifling development and really making cattlemen squirm is the interest which has accumulated on their original debts over the past 4½ years. Most of these debts have been at commercial rates and this is what cattlemen just cannot pay. This year the average price for cattle was about $75. This includes stores, live exports and meatworks - I am talking about the Top End. This is about half the price of production. I would suggest the first thing that this government should do is to restructure the loans and somehow remove this tax, this interest accumulation which is going to strangle cattlemen.

There are lots of schemes which could make the cattle industry viable. One of them is a government killing facility somewhere near Elliott. This is going to cost the taxpayer, some people say, because all government-owned meatworks throughout Australia are a burden on the taxpayer. Well, so is the Darwin bus run. It is a convenience for some, not for most. Anytime I see the bus around here, it is empty. Of course, people might get off half way; it might be packed the other end. Anytime I have seen the bus, it has been empty and it cost the best part of $800,000 in the last financial year.

A government killing facility near Elliott or somewhere in the Top End could cater for the Barkly Tablelands, for the Victoria River area, for the Katherine area. Right at the present time, there are some Israelis in the Northern Territory who are reputedly looking for 1,000 tonnes of forequarter beef but there is nowhere to kill it. There is no service meatworks in the Northern Territory and this I feel is a requirement. From the tablelands every year we see 100,000 head of cattle going into Queensland for fattening or for slaughter. In fact, the manager of Eva Downs, that is out from Elliott, finds his cattle weigh and yield better in Bowen after a 1,000 mile trip than they do at Katherine which is just up the road from him. They must have something in that peanut state. Those cattle could be killed, or some of them, provided the meatworks is economic in this Northern Territory. That is what would happen in South Australia. They do not welcome the cattle down there; they levy them - 1% on Northern Territory cattle going into South Australia. We possibly could reverse that and levy these cattle for going out, provided we had somewhere to kill them. but we have not.

If we are going to develop the Northern Territory in agriculture and in cattle and beef, we will have to have some firm undertaking with the gentlemen who run the wharf. It is no good putting $5m into a land-backed wharf unless there is some firm agreement worked out with the gentlemen who run it. I bring to the attention of the Assembly the fact that only last week the wharf
labourers loaded cattle for Malaysia during a national waterfront strike and I commend them for their action. It does seem that they are open to negotiation. They can be reasonable. The future of the export industry from the Northern Territory depends either on the Darwin waterfront or the deep sea port to be built in the years to come out from Borroloola.

There are schemes available to this government. I do not know if they know about them. The first one is the federal scheme: the export incentive scheme and the export development plan. For all I know, they may be quite expert in these schemes. Seemingly the federal government does appreciate the need to export, but in this budget I cannot find any reference to delegations going overseas, to hard-headed businessmen going overseas to tie up these markets that the babes in the wood found. I think it should come. I think we should regard ourselves as desperate for markets and we should be doing everything we possibly can to find them and to tie them up and to supply them. We seem content to sit back and waste another year. We should become self-sufficient in beef, cement, milk, salt and fertilizer.

It is interesting to note that a lot of our beef, particularly the beef that supplies Vesteys shops or William Angliss shops, comes from Queensland. Prime beef is going begging at Alice Springs. I think that Vesteys who own huge stations and run vast herds would be well advised to think of supporting the Territory which allows them to do that. We should endeavour to become self-sufficient in beef; that should be mandatory.

We import all our cement and yet we have huge limestone deposits around Katherine. We bring milk 2,500 miles. With this scheme that the honourable Minister for Transport and Works brought in the other day, with 10% differential for local contracts, something like that could help, so that the higher prices up here compared with the higher prices of say Malanda could, with the 10% differential, equate with the price of Malanda milk plus the transport. It cannot be cheap to bring milk 2,500 miles. As a matter of budgetary consideration, we should do all these things here. All the salt I have seen lately comes from Rockhampton. There are miles of salt lands close to Darwin. We used to get all our salt from Darwin. It was not the best salt but it was good stock salt and I think cattlemen would be able to afford that. Fertilizer is another area the government seems to have neglected, if you read the budget. There are other areas too. One of the reasons why Willeroo was developed was to supply some of the ingredients for stock feed, poultry feed, fowl feed. Other ingredients, of course, are meatmeal.

It would appear that the government has not done anything about practical education. Yet they see the results of neglecting practical education in the delinquency which is so worrying people in this Assembly. Hardly a session goes past but you hear about the troubles confronting unemployed people. All these things put together could provide education for a lot of people who want to work but practical education is a particular need. The honourable member for Victoria River has just spoken about the road between Port Keats and Daly River. With a second-hand grader which is fairly cheap these days and with youths trained as grader operators at a rural college or a school of practical education, at least two kids from Port Keats or Daly River would have employment grading that road and it would save the honourable member staking his tyre and busting his springs. I don't know how he would get on bull-catching because he would find things a bit rougher out there. That is just one facet of what practical education means and could do.

It was interesting to note the comment from the member for Casuarina, the $15,000 for the Year of the Child - and I do not blame him. I hope it is a girl.
It was interesting to hear the need for barges to Port Keats. I seem to remember some years ago the Department of Aboriginal Affairs buying a controlling interest in V.B. Perkins. It makes me wonder why V.B. Perkins and Aboriginal Affairs are not doing something to supply the needs of the Aboriginal communities on the seaboard.

There seems to be a need for this government to put some money away for public relations. The people in Katherine were very upset to find that $300,000 or $400,000 have been bunged into fluoridation of their water supply without any consultation. Whether fluoridation is necessary, whether it is compulsory, is one thing. I think a public relations exercise could have taken a lot of pressure away from this government - which does not need any more publicity at the present time of the kind it is getting down there - because these people find there is self-government in one place and compulsory government in another.

The road from the Stuart Highway to Maranboy on the Mainoru road has been a bottleneck for a long time. I have spoken often in this place about it. There is only about 14 miles of ti-tree country and you cannot get around it although the road has been realigned. This road has been on the estimates for about ten years and it has never made it on the program. Apart from the thousand people at Bamyili and the couple of hundred at Beswick, you have settlements at Bulman - I am talking about Aboriginal communities - then you have the cattle stations of Mainoru, Bulman, Mountain Valley, Goondaloo, Beswick and Eva Valley, all served by that road and all cut off every year at this one area. I have made representations to ministers Bryant, Cavenagh, Johnson and Viner. I think communications in some cases are more important to Aboriginals than land rights and I would bring this to the attention of the government again. The honourable Minister for Transport and Works has noted my complaint. Money is available this year for graveling but this is not solving the problem. These people deserve all-weather access and they must have it.

Roper settlement - there is a half a million dollars in the budget for water reticulation, for electrical reticulation and upgrading and for the provision of a better road. Under Canberra control, the road to Roper stopped at the edge of Arnhem Land. I am pleased to see that this government has bridged this gap.

The bridge over the King River on the Victoria Highway and the bridge over the Warlock Ponds on the Stuart Highway have both been needed but I do not think there is any roadworks in the Northern Territory required more than the bridge over the King River. It has been long overdue and we have had fatalities when it has been flooded. I think it is a disgrace that it has taken so long. I commend this government for earmarking the money even before the budget was brought out. Sections of Roper Road were washed out in the big floods 5 or 6 years ago and they have never been replaced. That road requires attention. There are many things missing in the budget; there always will be. One thing about this budget we can be proud of is that it is our own.

Mr ROBERTSON (Community Development): Mr Speaker, I see that the only member of the opposition who has not spoken has absented himself on other business for quite some time during this budget session and does not want to speak. I did wish to extend him that courtesy if he wished to.

In reference to the honourable Minister for Mines and Energy, the honourable member for Sanderson used the most significant words that have been used throughout this debate on the attitude of the opposition in this debate and that was "barking at the moon". I do not think that I have ever come across any better description. It was in reference to the honourable minister.
Ms D'Rozario: I was quoting him.

Mr ROBERTSON: Let me quote from someone else who is probably the most important person among those thousands of important people in the Northern Territory and that is the elector - the person out there who puts that little white paper in the electoral office box. Let me quote from a letter to the editor of the NT News of 24 August 1978. This summarises precisely the attitudes of the Leader of the Opposition and that of the opposition generally. The article was entitled "Bark that has no bite" and I will read it to honourable members:

Sir, your paper gives too much notice to 2 of Darwin's annoying and noisy problems - dogs and Jon Isaacs. They are similar because both bark at the moon and at all times they bite at everything that moves. Did you notice that in his budget comments (Labour Puts View NT News 17 August) Mr Isaacs referred to Grant Tambling eight times by name and used about half of his statement to "take the mickey" out of Mr Tambling and Mr Marshall Perron. The rest of that short article was meaningless, particularly coming from an economics graduate. By comparison, in the previous day's article by Mr Grant Tambling, we were treated to a lengthy, good and practical analysis which had some depth and did outline most of the budget for the NT and only once, incidentally, managed to mention Mr Isaacs. As a regular reader of the NT News, I would be very happy if you would choose to give less space to dogs and knocker Isaacs.

I think that typifies and describes better than any painting I have ever seen anywhere in the Northern Territory the attitude and the nonsense we have heard. Let us look at what really has been suggested by the honourable Leader of the Opposition. I suppose the most significant thing he sought to explain was the reduction, as he saw it, in capital works. Let us assume that the $27m had to be added to the Northern Territory budget having regard to the generous, realistic amount allocated by the Commonwealth to the Northern Territory government for the fiscal year 1978-79. We have a suggestion that we are going to solve unemployment and the economic problems of the Northern Territory by providing an incentive for apprenticeships. Not only are we going to create - and incidentally we do not really have the power to do this unless it is within the Department of Industrial Development - an apprenticeship scheme, we are going to offer a payroll tax incentive for people to employ apprentices. Not only is this an expensive program having regard to the present employment patterns of the Northern Territory, it is also an impossible one. After all, the role of an apprentice is that of trade. A tradesman's normal role is for repair and indeed there would be some role for the repair side. The most common usage of apprentices throughout this country is for production. Unless you can create an economic base with which people purchase the goods and require the services of apprentices, you have no point in employing them. It is an absurdity to suggest that you will solve any problems by subsidising employers to employ employees unless you can come up with something that actually gives them a productivity base, that gives them a reason for being in the market place.

If we balance up what the Leader of the Opposition has said, we are certainly not going to achieve that. He talks about economic mismanagement in the Northern Territory. That reminds me of a very interesting incident we saw this morning. Of course, Mr Deputy Speaker, you were perhaps intent upon the preparation of that magnificent dissertation which tore my department apart. We saw a very interesting thing. The Leader of the Opposition, apart from his nonsensical discussions which he tried to impress upon the electors of the
Northern Territory, concentrated 90% of his speech on economic mismanagement. So concerned was he to achieve this end that what he did was pass around this volume in front of me - the report of the Auditor-General for the year ended 30 June 1978 - firstly to the member for Victoria River.

Where did he have it open? On this infamous page which he has quoted many times - page 295. The member for Victoria River looked at it and looked back at the Leader of the Opposition and said, "Good grief, I do not understand what you are talking about". Immediately, the Leader of the Opposition snatched it back off his table and tried it on the member for MacDonnell. He could not understand it either because what the Leader of the Opposition was trying to get at was not the area that he had already spoken about - which was the last paragraph outlining this incredibly criminal negligence on behalf of the Northern Territory government and its Treasurer of $351.05 - what the Leader of the Opposition was trying to do was hope that they could remember what they did about 35 years ago or 45 years ago and that is learn how to read and pick up some of other points from it. The member for Victoria River really could not manage that. Having snatched the document back off the member for Victoria River, he then shoved it in the hands of the member for MacDonnell. What happened then? Dear me, another absolute disaster. He could not read it either. The Leader of the Opposition grabbed it back off the member for MacDonnell and shoved it back on the desk of the member for Victoria River.

Mr Isaacs: Haven't you got anything better to do?

Mr ROBERTSON: Incredibly enough, he could not read it either because he never even mentioned the document. Let us look at the document.

Ms D'Rozario: This is worse than the adjournment debate.

Mr ROBERTSON: Oh my God, we are not talking about flowers and driveways and pretty rivers, we are talking about the merits of debate, about the nonsense that has gone on in this House. Let us demonstrate the nonsense.

The Auditor-General's report runs to about 600 pages in the first bracket and another series of 200-odd pages. In 180 pages of criticism of expenditure in areas for which the Commonwealth is responsible, in that broad area called 'comments', the Northern Territory's sins are exposed in 3 sentences involving $351. I do not really think that is a bad performance, having regard to the fact that there was no Treasurer when we took over that $52m or $50m as it originally was. There was no structure; there was only my colleague, the honourable Treasurer at the moment and a few people on secondment. It was not a bad performance at all, hardly something of substance for an entire attack from the opposition because there was nothing else in their debate. It was hardly something that would turn the Territory voter off this government.

Quite frankly, looking back through what has transpired over the last 2 days and particularly today, I find it rather difficult to come up with anything that the people could really pay any credence to. The member for MacDonnell made great play of his so-called 9% unemployment in the Northern Territory. I have pointed out in this place before that a high percentage of that figure, particularly for central Australia, comes from Don Dunstan's ALP government in South Australia and the northwest Aboriginal area all inclusive. While I have said that Aboriginal people, all people, have an entitlement to work and self-satisfaction, the employer in this country is entitled to employ only those people that he believes are capable of working within his industrial
system. Unless that can be achieved, those people are not only unemployable but unreferable - to use the jargon of the Department of Labor and Industrial Relations. If you did an analysis of what percentage of people are really employable, much less referable, in the Northern Territory, I think you would find the real figure is far less than the 9% suggested. Of course, we do know of active campaigns to register people who have never been employed in their life and who are incapable of being employed. I believe that we ought to be looking towards methods of employing them. Indeed, this government will be seeking methods of employing people who are otherwise displaced. It is very sad that this has occurred but it is also very unrealistic to use them in the statistical analysis of those who are unemployed.

I must take issue with the honourable member for Elsey on his reference that he was disappointed that there were no adult educational training schemes within the Northern Territory budget. I would draw to the honourable member's attention that it is illegal for the Northern Territory government to expend any funds at all unless those funds are approved by appropriation and those appropriations are approved by a schedule under the Northern Territory (Self-Government) Act. It is therefore quite impossible for us to go into the field of education. Otherwise all we are going to do is provide little snippets for the Leader of the Opposition to nitpick at when he comes to review the next budget.

The member for Elsey referred to the trade delegations. The Leader of the Opposition would be well aware of the arrangement entered into between him and the Chief Minister in relation to having ministerial, backbench and government member delegations overseas accompanied by senior officers of the departments as a rolling program over the next 18 months or so. The honourable member for Elsey may be well assured that these undertakings overseas will be continued. It is also very essential that the public never gets the idea that these are junkets; they are extremely hard working programs. I am quite sure that, if the Leader of the Opposition ever thought that they were anything but hard working delegations on behalf of the Northern Territory people, he would not have agreed to them either.

Looking at the broader spectrum of the Northern Territory budget, we have outlined by my colleagues, and indeed admitted by the opposition, that the industrial side is being well catered for. I have even heard the honourable member for Victoria River, albeit reluctantly, give credit to some of the capital works side of the budget. I think the other side of it need never be forgotten by Territory people. There is the dual responsibility of government and one is to those people who require government stimulus to private enterprise. Business has an entitlement to look to government for support. I think this budget indicates that.

Additionally, this budget also looks at the welfare side. That goes through my ministry of 3 separate divisions: the community welfare division, the local government area and correctional service. If anything disturbs me about this budget - and I have said this publicly and to my cabinet colleagues - it is the tremendous cost we are looking at in correctional services. I think that everyone in this Chamber who has looked at the figures contained in this budget for correctional services would have to be disturbed about where our society is going. I will be quite frank; it disturbs me and worries me. It is for this reason we look to such programs as community service orders, reporting centres, weekend detentions and work release programs to try to reduce the tremendous burden on the public purse and the public conscience of criminal activity.
For the operation of the Darwin gaol, there is an increase of $5,700. That is not much but it is quite gratifying. Gunn Point operational vote this year increases by $25,700. I think it is interesting, and the honourable member for MacDonnell might be interested, that the estimates for this year and the expenditure in Alice Springs are some $14,700 less than we would have expected in a previous year. If any program of community services orders is going to work, it is the very nature of the centre, the environment, the relationship that exists in that community, particularly with service clubs and so on, that will allow that reduction to occur. I can assure this House that I, my officers and the Correctional Services Division will be working towards that philosophy to reduce the burden on the community.

The maintenance of prisoners south is an area which has concerned me greatly. There is a recent pattern - I might say this with the greatest respect to the Supreme Court - of recommendation that people be ordered to serve their sentences south. I believe, as a matter of principle, that if a person wants to come to the Northern Territory to commit an offence, then it really is not up to the Northern Territory taxpayer to support him between $19,000 and $28,000 a year in a place away from here, because it happens to be convenient to him. In other words, if it is convenient to break our laws, I wonder if it is not convenient to spend the sentence here - if we are going to sentence people to gaol at all. Nevertheless, we believe there will be a reduction of about $61,900 this year in our maintenance of southern prisoners. I will stick around to see whether that is the case, Mr Deputy Speaker, because I have grave reservations about it.

We heard yesterday the proposed budget being announced by the Darwin City Corporation, with an increase of 12%. The mayor commented that they were terribly pleased that they could keep it down to 12%. Let us look at why she was able to keep it down to 12%. Subsidies to local government authorities last year were $1.3833m. This year they are $2.820m - an increase of $1.4367m. I will admit, Mr Deputy Speaker, that a substantial part of that is the picking up of the original 1967 road programs which Darwin has been requiring for some time and I think Darwin is entitled to. It is rather miserable that the first Northern Territory government has to pick up a Commonwealth commitment back to 1967. I do not think there would be any honourable member here who would disagree with that. That incidentally is a reality. We have had to pick up 1967 commitments out of our global figure.

Grants to community organisations this year have increased from $153,500 to $348,300, an increase of $194,000. That is the commitment of the Northern Territory government to community organisations who wish to be self-helped and wish to work at their own programs on community problems. Again, family homes see an increase. Concessions to pensioners was mentioned by the Chief Minister; that increases by $201,000. In fact, it was only a pilot study last year; this year it is a major program.

The other area in which my department is pursuing its activities is subsidies to social workers employed in community work. This, again, is a relatively new idea where we believe that, if you involve community organisation actively in the community, then they are entitled to government support provided they fit within a certain bracket, a certain frame of endeavour and it fits within government policy. Quite frankly, their endeavours are worthwhile. The increase in that area this year is almost $60,000. Supporting benefits fund has a massive increase from $291,800 - an increase of $158,200. That is quite significant.
Mr Speaker, I have not gone right through the budget for obvious reasons. It would take all day to cover my department's allocations. The point I was trying to make is that, while this government recognises its responsibility to the fiscal development of the Northern Territory, under no circumstances will it abdicate its responsibility to those who normally require assistance from state and welfare services or to those who, despite their best efforts on their own behalf, are unable to manage their own affairs properly themselves. In other words, there is that balance between the development of economic growth and looking after those who really depend on the "welfare state" as the term is used in other countries.

Mr PERRON (Treasurer): Mr Speaker, after this budget was introduced into this House last week, I waited eagerly to see what sort of descriptions were hung on the budget and, sure enough, it only took a day to find them. The Leader of the Opposition - "lacking direction, no exciting government initiatives". Senator Robertson - "lack-lustre, unimaginative and disappointing". After that, I thought, "Let us wait until next week's sitting and we will hear what the alternative government is proposing for the Northern Territory". Let us hear how the opposition would split up the $350m to make it an imaginative budget, to give it direction, to see those exciting government initiatives that the Labor Party would have introduced into this House had they been on this side.

Firstly, running through the list given to us by the spokesman on financial affairs for the opposition, the Leader of the Opposition, they would have increased the Home Finance Trustee loan to $30,000. At first glance, it seems a commendable suggestion but on a closer look we find it has its price and its drawbacks. The additional cost in government loan funds or in government direct funds would be in the order of $2.4m - that is, if we were budgeting for the same level of loans that we are budgeting for at present and just increasing them by $10,000 per loan. For what result? If we are looking to home loans as a source of stimulating the building industry, one would get better value from increasing the amount which can be borrowed to those who propose to build rather than to those who will buy a house. The total of many loans in the Northern Territory goes straight out of the Territory as people sell their houses and move away. If the opposition's aim in increasing the home loan is to stimulate the NT economy by this extra $2.4m, they should have chosen a measure that was guaranteed to work.

On the other hand, if the intention was primarily aimed at assisting young families and others on relatively low incomes to own their own home, as distinct from a direct stimulus to the economy, the Home Finance Trustee loan is probably not the right vehicle to use at all. Many people, particularly those on low incomes and young families, will never be able to raise the deposit or meet the repayments on the conventional loan of $30,000 plus. The answer to that problem, is the deferred interest loans such as proposed under the new Commonwealth-State Housing Agreement. That system, which the Northern Territory unfortunately is unable to participate in at this moment, will allow people on less than $150 per week to purchase homes costing up to $45,000 on $500 deposit. That is the type of solution the opposition should be promoting - something that works. This government is continuing in talks with the federal government to enable the Northern Territory to participate in this deferred interest scheme and we will continue to press on with this matter until we have achieved our goals.

So much for the first big suggestion, Mr Speaker, to revitalise the budget and jazz up the Territory's economy. Let us look at the next one. The Leader
of the Opposition claimed that our efforts to assist pensioners will achieve nothing. I doubt that those pensioners who are going to receive portions of the $208,000 that has been allocated will agree with him that our efforts are going to mean nothing. What did he propose as an alternative? He said we should have allocated more money to assist pensioners in a real way — no details, no proposals or suggestions, just a fairly meaningless ramble without any forethought at all.

Next, the opposition would have set up — again to jazz up, vitalise and make exciting the Northern Territory's economy — a Territory government insurance office. It has to be one of the exciting new initiatives that the Leader of the Opposition is obviously so fond of; we keep having it bashed around our ears from time to time. The opposition proposed no moves to ensure that such a move as a Territory government insurance office would reduce insurance premiums for Territorians. They do claim the profits from workers' compensation and other forms of insurance would be used to avoid increases in third party premiums but that is only half the problem. How about proposals to reduce premiums? How about proposals to assist Territory businesses by offering high risk insurance that they currently find difficult or impossible to get at all? How about offering no-fault third party insurance? Mr Speaker, again the opposition goes off half-cocked about these great schemes of theirs. They have done it before, many times. If the Northern Territory government ever moves to open a government insurance office, it will be after proper study and report, not straight after the first idea flashed across somebody's mind.

The next point that was raised was that we should be encouraging employers to take on more apprentices. The Leader of the Opposition said we missed this point completely but that the ALP would move into it by way of payroll tax concessions. I do not know if the Leader of the Opposition is aware or not but there are a number of existing innovative schemes offered by the federal government through its agencies to encourage employers to take on more apprentices. They do exist anyway, whether he knows it or not, and rather than offer payroll tax concessions in the hope more people will be employed, he should aim his objectives at the crux of the problem as to why they are not employed now. If you want employers to put on more workers, including apprentices, then get them more business. To stimulate the building industry would perhaps be a good idea — stimulate tourism, stimulate fishing, stimulate the mining industry, particularly uranium. That is what a government has to do to get more people and apprentices employed. The Leader of the Opposition's proposals are so far off the mark he does not seem to realise that hundreds of small employers do not even pay payroll tax. They are below the threshold level. It is not much point hoping that payroll tax concessions will encourage them to employ more apprentices. So much for that great scheme.

Finally, in that list of the Leader of the Opposition, the last great exciting initiative we have offered to us is solar research. Notwithstanding the fact that technologically advanced nations in this world are spending something in the vicinity of $600m a year on solar research, the opposition believes we should either cut existing spending or increase Territory taxes to the tune of hundreds of thousands of dollars, perhaps millions, to get into the race. Information that was supplied to me from the Energy Policy Division of the federal Department of National Development in Canberra indicates that to their knowledge the US government is spending $120m on solar research in 1977-78; private industry in the United States is spending $130m; government and private European, Japanese and Middle East interests are spending an estimated $350m. That is a total of $600m world-wide in 1977-78.
The Leader of the Opposition mentioned no figure at all when he proposed that, as another exciting initiative, the Northern Territory government should have moved into the area of solar research. Even if we think of a very small project, say a dozen people, we would still be looking at a fairly hefty sum to set up our own research institution or experiment. Research scientists themselves do not come cheaply. We would have to provide houses for them, as we do for other public servants in the Territory. They do not come cheaply either. We would have to provide cars, laboratory equipment, materials for research and studies, airfares, reference books and presumably overseas study trips. We could not expect people to start off without any background at all; we would have to give them the opportunity to catch up on what is happening elsewhere. The opposition proposes that we move into all this in the hope that one day we in the Northern Territory might achieve a breakthrough that will revolutionise solar energy collection before the rest of the world does. Someone once mentioned — and I think all honourable members in the House will recall this saying — first things first. Before we attempt to lead the world in technological, scientific research, we should first ensure that people can enjoy the smaller luxuries of life, like bus shelters for example.

There we have the alternative government's budget. It is really basically the same as the budget that I presented to this House, plus a misconceived home loans stimulus costing Territory taxpayers an additional $2.4m, plus unspecified pensioner handouts at unspecified costs, plus the Territory government insurance office which will not do anything but maintain existing premiums, again at unspecified costs this financial year, plus a payroll tax concession plan to produce more apprentices even though many employers do not even pay payroll tax, plus our own solar energy research unit, again at unspecified costs. Add to this package that we have been offered by the alternative government, the thumbs down on uranium mining and we have the bright, imaginative budget with firm direction, full of exciting government initiative. Tremendous!

As the opposition did not propose cuts in any of the areas of spending that we have proposed in the budget that I have introduced into this House, one must assume that the additional cost of the schemes would have come from additional Territory taxes. These could range anywhere from $2m upwards on a conservative estimate of what the exercises they propose would cost — just depending on how grandiose their unspecified schemes really are. I am amazed! We have a suggestion of over $2m in additional taxes from a party which bleats continuously about the cost of self-government. Mr Speaker, an example of the financial management expertise that is amongst their ranks can be found in the Northern Territory News report of Senator Robertson's remarks of 13 September:

"Mr Perron is certainly counting his chickens before they are hatched," Senator Robertson said. Mr Fraser has learned the hard way that the Aborigines cannot be pushed around and Mr Perron should have taken note. It is rather premature to allow for receipts of $2.5m from royalties when the agreements have not been ratified yet.

Mr Speaker, as most honourable members in this House know, the $2.5m in revenue income to the Territory government included in this budget is not, as Senator Robertson would have everyone believe, from uranium mining. It is from the mining operations which currently exist on Aboriginal land, namely those at Gove and Groote Eylandt. That is how close to the mark he was.
Having analysed the proposal put forward as a package alternative budget I turn to some specific criticisms that have been made of the budget that I introduced. The Leader of the Opposition claimed that there was a discrepancy of $10m in the health figures between the budget speech and the Appropriation Bill before the House. He obviously has not read the speech very closely or perhaps I should have an abridged version printed in French as he is obviously very good at that or very good at telling us about it. I will read the relevant section on page 10: "$34.7m has been provided to the Northern Territory government as part of the $280m general purpose grant. $8.4m will be provided separately under the provisions of the Health Insurance Act. The estimated combined outlays on health during the last six months of the financial year will therefore be $33.1m". Obviously, the Leader of the Opposition did not read it but he was very quick to attack that. The $34.7m in the Appropriation Bill added to that $8.4m which we will receive outside the $280m appropriation by federal government adds up to $43.1m which is the amount which will be spent on health services in the last six months of this financial year. That is a very good example of the level of expertise of the opposition spokesman on financial affairs.

The amount of executive members' orders which vary expenditure last year brought a lot of criticism from the Leader of the Opposition. He said that, if we act like that again, the budget lacks any meaning at all. That is a fairly shallow statement from a fairly shallow thinker, Mr Speaker. This exercise of varying expenditure to obtain the best use of funds is standard procedure in all Australian state governments. The federal government gets around the procedure largely by using an enormous Treasurer's advance to meet unforeseen and emergent circumstances. The federal Treasurer has $120m at his disposal this year and even that will probably be topped up during the year with any uncalculated income that the government may receive. To state that the practice makes the budget meaningless is simply nonsense. We would be rightly criticised if we refused to vary expenditure to meet changing needs. Would the Leader of the Opposition have preferred procedures which existed within some federal government departments in the NT prior to 1 July where you could not even buy a biro if the particular vote had been expended even if there was $10,000 in the travel vote alongside it and it was a week before the end of the financial year? That is the sort of insanity that inflexible budgeting brings and that is the sort of inflexibility that we are getting away from.

Despite explanations previously given during the budget speech, lack of comparative figures was again attacked. The Leader of the Opposition snidely inferred that if the Attorney-General had detailed figures on last year, why could we not provide detailed figures on last year. He missed the point, Mr Speaker. I suspect he deliberately missed the point because he cannot be that thick. Of course we had last year's figures and this budget gives this year's figures. I repeat that they cannot be compared across the board as they do not relate to the same functional groupings. It must be remembered that, prior to July 1, we had the Department of Northern Territory with 12 or so divisions, the Department of Administrative Services, the Department of Construction within which was the electricity supply division and an element of transferred functions to this executive. These were all running functions which today are transferred to this Assembly. They are now administered by 10 government departments and a number of statutory authorities. It was not just a case of shuffling whole cells of people from one area to the other. Some sections were broken up completely and dispersed throughout the NTPS. These are the reasons why comparative figures cannot be gleaned between last year's budget and this year's.
One example was the Management Services Division - the people who handled the Department of the Northern Territory salaries, personnel, promotions, ministerial assistance and office services. All of these were handled by Management Services within the Department of Northern Territory as a central unit. After transfer, these people went to the various Northern Territory government departments - Public Service Commission, Treasury, Chief Minister's and other departments - because our system provides for a less centralised system of control. It would tend to mislead this House to attempt an across the board comparison with last year's expenditure. Obviously, in future years such comparisons will be made as is standard practice but 1978-79 is not a standard year, not in the Northern Territory anyway.

Mr Speaker, the Leader of the Opposition obviously feels strongly against some senior public servants. To highlight that fact, I quote from Hansard. When speaking about the increases proposed in the Northern Territory Public Service, the Leader of the Opposition said: "It seems to us, on the basis of an analysis of who we are going to employ within the public service, that the bulk of the increase is going to be in the upper echelon area ... stacking its own public service with senior people, senior public servants who are not producing any more of a service". Coming from a man with a background in the trade union area like the Leader of the Opposition, that is a very surprising statement.

He has overlooked two straight facts. The first is that a government does not decide to put on extra staff and then go around creating special positions for them. The need has to exist for the people and those needs exist at certain levels within the public service. Suitably qualified candidates have to be recruited to fill those positions. The second point is that the people the Northern Territory government is most short of in the public service are those people at senior levels because we have now taken over the functions which were formerly performed in head offices of the Department of Northern Territory, the Department of Administrative Services, the Department of Construction in Canberra and Melbourne. Using the logic that the Leader of the Opposition expressed here, one would put on five more typists instead of a level 1 because it seems to make better sense to him.

Another area where the Leader of the Opposition muddled his figures was over the provision allowed for salary increases, an area in which he should certainly be expert. Based on an expectation of a 2% national wage increase at quarterly intervals over the current financial year, the increase in total salaries will be 3.4%, the principle being one of an accumulative effect not a fixed full year percentage. Our figures are based on a cumulative national wage increase of 8%, even more than the federal government has predicted in its budget. The Leader of the Opposition will simply have to learn to do his sums better in the future.

The subject of capital funding seemed to cause some confusion in the mind of the Leader of the Opposition. He certainly succeeded in causing some confusion in the minds of myself and my officers who tried to work out what he was saying. I have been unable to identify the figures used by the Leader of the Opposition in his reference to the civil works program. I can find no trace of new projects totalling $105m for 1977-78 nor $73m for new projects in 1978-79. The Leader of the Opposition may have arrived at the latter figure by adding $59m for new works to the public service housing cash outlay of $13.3m. If so, his figure is certainly incorrectly based. In 1977-78 the Darwin Reconstruction Commission programmed $56m for new works, but this was not a cash provision and included all departments, some of which have not and will not be transferred to this government.
For the benefit of the Opposition Leader, I will restate the provisions for the capital works program for 1978-79 as it appears in this budget. The government has provided for an expenditure of $53,051,000 on building, water and sewerage, road works, health and essential services to Aboriginals. To this must be added a cash allocation of $13.3m for public service housing now included in the estimates of the Housing Commission and $12.746m for reconstruction works on electricity resulting in a total cash outlay of $78,787,000 for 1978-79. In addition the Electricity Commission has an approved semi-government borrowing program of $8.123m.

I would like now to briefly touch on some of the other comments raised by other honourable members in this House. The honourable member for Sanderson waffled on about housing costs and the length of waiting lists. To allay her fears, the best one could do would be to provide her with some information. One is that the cost of building houses by the Housing Commission is coming down as contracts are being let. This is down from the very high levels of the immediate post-cyclone years. Her assumption that the average house cost must now be $39,000 because an Australia-wide report reported such a move is obviously nonsense. To demonstrate the falsity of her claim that the rate of new houses was obviously behind the rate of the increase in demand, why are waiting times generally shorter now than they have been before?

The member for Sanderson was also worried about the level of funds we have put aside for the Home Finance Trustee loans. If insufficient funds are found to be put aside for the Home Finance Trustee loans, we will endeavour to get some more. It is part of flexible budgeting. We may have to introduce some executive members' orders in this House to shuffle some money but I am sure not too many members will worry about that other than the Leader of the Opposition.

In another interesting side reflection, the member for Sanderson, when asking why the government did not help public transport by forcing people not to use their cars, suggested that we should look towards Singapore for the answer to many of our problems but I do not think very many would appeal to her. They charge something like $6 a day, which is a lot of money in Singapore, if you want to drive your car into the central business district. This encourages people to go on public transport. Singapore has over 2 million people and its problems cannot be compared to those of Darwin. I do not think local people in Darwin would take kindly to being asked to pay some exhorbitant sum or leave their cars at home.

The honourable member for MacDonnell seemed to see a disparity between the capital works levels of funding on a regional basis. He seems to assume that the Northern Territory budget was the only money being spent in the Northern Territory and has obviously overlooked the fact that there are functions yet to be transferred and there are some functions which will not be transferred to the Northern Territory government. There is something like another $150m other than in this budget going to be spent by various government agencies in the Northern Territory.

The honourable member for MacDonnell, like the Leader of the Opposition, made great play about the unemployment situation and said we should have got off our backsides and allocated some money towards getting the problem solved. They did not say what sort of solutions they saw to the problem. One presumed that, with typical Labor mentality, they would be looking at the hand-out type solution. Suppose the 4,000 unemployed we have in the Territory were informed that we would pay them a $150 a week on a scheme where they could break rocks or something to keep them employed at a cost of $600,000 a week.
I do not think that is very appealing, certainly not to me; it may be to members of the opposition. Some form of jump-through-loops scheme to keep people employed - anything, just as long as it sounds appealing to the electorate.

The honourable member for Victoria River is so concerned about the Northern Territory economy that he finds that the major serious deficiency in this budget is that there is no provision for the sealing of a road in his electorate. This is particularly important, Mr Speaker, because he staked a tyre. Because the particular road the honourable member for Victoria River mentioned is not in the capital works program does not mean that the road will not have money spent on it this year and it does not mean that it won't be maintained or graded. The roads program generally refers to roads which are being sealed. He is off on the wrong track there which is not really surprising.

To just touch on the comments by the member for Elsey, there is in this budget some follow-up to the overseas trade delegation. There were many problems raised by the honourable member for Elsey and the best way to cover them would be to say this: we have had the reins of this government for two and a half months. There are many tasks to be undertaken. There is an enormous amount of work to be done and all I can really say is, "Give us a go".

The opposition are not really an alternative government; they are really an alternative opposition because the honourable member for Nightcliff would have done a far better job of trying to find holes in this budget than they have done collectively. "An alternative opposition" - I think that should stick. Public comment has been very favourable throughout the Territory. Even on the talkback radio program that I went on, questioners had no criticisms of the budget; they simply sought more detail on various appropriations. The Allocation of Funds Bill before the House does provide a sound basis for self-government. Our measures to stimulate development on all fronts will instil confidence in the Territory and promote private sector development. The opposition is very much alone in their criticism of this budget and I believe they will stay alone.

Mr SPEAKER: Honourable members, standing order 152 indicates that the question cannot be put that the bill be now read a second time. As the bill is not an urgent one nor does it involve unnecessary hardship, there will be no suspension of the standing orders and the bill will be stood over until the next sittings of the Assembly.

Bill stood over until next sittings.

LEGISLATIVE ASSEMBLY (RENUMERATION, ALLOWANCES AND ENTITLEMENTS) BILL (Serial 166)

Continued from 14 September 1978

Mr ISAACS (Opposition Leader): The Opposition supports this piece of legislation as being necessary to ensure that we are paid legally and secondly, to provide a proper framework in which the members of the Legislative Assembly can be paid in future. I see that it takes in the definition of "services" in clause 3 - the same wording which is used in the Remuneration Tribunal Act. In clause 4, the legislature is somewhat restricted by the wording of the Northern Territory (Self-Government) Act - section 54 I think it is - where it talks about the Assembly having power to pass laws in relation to remuneration for
members of the Assembly, members of the Executive Council and ministers of the Territory. I have been convinced by the draftsman that office bearers of the Assembly, that is whips of both sides and the Leader of the Opposition, are covered by the definition of "services" and I think perhaps, at some stage, we should give consideration also to including as office holder the position of deputy leader of the opposition as well.

One thing does concern me in relation to the operation of the Legislative Assembly (Remuneration, Allowances and Entitlements) Bill: as I read it and as I listen to the Chief Minister's second-reading speech - and there can be no doubt that it is an urgent bill in the sense that members of the Assembly won't be paid for another two months unless we do pass it at this sitting - upon its passage, the Administrator acting on the advice on his Executive Council will make a ruling that the decision of the Remuneration Tribunal, as it is purported to apply to the Legislative Assembly in its 1978 review, will be brought into force as from 1 July this year. Therefore, we can be paid according to that determination. I would hope that the government would look very carefully at the decision of the Remuneration Tribunal, especially in its preliminary discussion - and I refer specifically to paragraph 57 which appears on page 30 of the 1978 review of the Remuneration Tribunal. I quote from that paragraph:

It has been submitted that the tribunal should have regard in this review to the executive powers which are to be transferred on 1 July 1978 and the further transfers which are scheduled to occur by 1 July 1979. The tribunal has concluded that it would be preferable if the range of matters raised, and especially those pertaining to allowances and entitlements, was considered further in a separate review in the latter half of this year when it would be possible to look in detail at the implications of the transfer of additional powers.

I would hope that the Chief Minister would attend to that and make a request of the Remuneration Tribunal to look at the question, not so much of salaries which I personally believe are quite perfectly adequate, but in relation to entitlements that members have. In particular, I would like to mention the matter of electoral assistants. The federal parliament has just agreed to give each member two electoral assistants and I believe that, in the states, there are provisions for electoral assistants per member. We in the Territory ought also to have full-time electoral assistants. It is not requesting full-time electoral assistants plus a stenographer or plus a telephonist or a receptionist. It is just seeking one full-time electoral assistant per member. I am quite sure that members on both sides would willingly forgo some salary increases if we were to have that sort of assistance given to us.

I know the work that goes through my office and I do know the workload of other members of the opposition. I am sure it applies similarly to members opposite. Our job requires us not only to be in the office but out in the electorate as well, at the same time almost. When you are outside your office, you must have somebody there to take queries, to try to assist the people of your electorate. I refer the Chief Minister to paragraph 57 of the Remuneration Tribunal review. I would hope the tribunal will consider the matter towards the end of the year, especially in the matter of entitlements, so that all members will receive the proper assistance in their electoral offices.

The opposition does support the bill and its urgency. If an urgency certificate is not granted - I do not know whether it has or has not been; I have been informed that it has been - we certainly would cooperate with the suspension of Standing Orders. If it has been granted, that will not be required.
Mr SPEAKER: Honourable members, on the application of the Chief Minister, I declare this bill to be an urgent bill because I am satisfied that the delay of one month provided by standing order 151 could result in hardship being caused.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I have no quarrel at all with the remarks of the honourable Leader of the Opposition. The position as outlined by him, namely that the Administrator will make an interim determination based on the recommendations of the tribunal to come into effect on 1 July is correct. As I outlined in my second-reading speech, it will be the intention of the government to take up the suggestion of the tribunal that a further review should take place during the remainder of this year. I agree entirely with the proposition that each member should have a full-time electoral assistant and I understand that my party made this submission to the tribunal on the last occasion. I do not know that circumstances will have altered that much in relation to that particular situation so as to make the tribunal change its mind. I certainly hope that it can be persuaded to do so. We will again make such a submission. I would hope that, perhaps now that the Northern Territory is self-governing, the tribunal will take the activities of this Assembly rather more seriously than I feel they may have done in the past.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr EVERINGHAM: Mr Chairman, I move amendment 2.1.

This amendment deletes the word "is" and substitutes the words "and the Legislative Assembly (Remuneration of Members) Act (No. 2) 1978 are". You will remember that there were two bills passed previously by this Assembly and this is to ensure that both previous pieces of legislation are repealed.

Amendment agreed to.

Clause 2, as amended, agreed to.

Remainder of the bill agreed to.

Bill passed the remaining stage without debate.

STAMP DUTY BILL
(Serial 174)

Continued from 19 September 1978

Mr ISAACS (Opposition Leader): I shall be mercifully brief, Mr Speaker. The bill introduced by the Treasurer and the reasons given for it in relation to the renewals of insurance policies and the matters he referred to in relation to the large sums of money and the very insignificant effect that the excess of $100 has on those large sums of money bring no opposition from this side of the Assembly and we support the passage of this particular bill.
Mr SPEAKER: Honourable members, on the application of the Chief Minister's, I declare this bill to be an urgent bill as I am satisfied that the delay of one month provided by standing order 151 could result in hardship being caused.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

SUSPENSION OF STANDING ORDERS

Mr ROBERTSON (Manager of Government Business): Mr Speaker, I move that so much of Standing Orders be suspended as would prevent the passage through all stages at this sittings of the following bills: Aboriginal Sacred Sites Bill (No. 2) 1978 (Serial 172), Registration of Births, Deaths and Marriages Bill 1978 (Serial 146) and Lands Acquisition Bill 1978 (Serial 145).

By way of explanation, Mr Speaker, these are bills which do have to pass through all stages of the Assembly at this time but would not otherwise gain your certificate of urgency.

Mr ISAACS (Opposition Leader): Mr Speaker, there is some debate on this. So far as the Aboriginal Sacred Sites Bill and the Registration of Births, Deaths and Marriages Bill are concerned, if the Minister for Community Development had sought our support for the suspension of Standing Orders, it would have been given gladly because we do see a real need for the passage of those two bills at these sittings. The same does not apply to the Lands Acquisition Bill. We have seen this piece of legislation before, slightly different from its current form. It is true there has been some argument about it but there are significant amendments in this Lands Acquisition Bill compared to the one which came through this Assembly in May and June. I do not believe there is any great urgency to pass this piece of legislation. I cannot imagine that there is any acquisition program which the government has up its sleeve which requires the passage of this bill before November. I do believe that because of the importance of the legislation, there should be sufficient time for the community to discuss the various amendments which the Minister has introduced.

So far as the Aboriginal Sacred Sites Bill and the Registration of Births, Deaths and Marriages Bill are concerned, the opposition gladly and wholeheartedly supports the suspension of Standing Orders to ensure that those bills pass through all stages at these sittings. That does not apply to the Lands Acquisition Bill. That is the reason we will not support the overall motion moved by the minister.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I would also like to speak in opposition to the suspension of Standing Orders in relation to the Lands Acquisition Bill only. Firstly, I would like to say that I have been requested by the honourable member for Nightcliff, who has leave of absence at this time, to say that she opposes the passage of this piece of legislation at this sittings. She has not had the opportunity to circulate the amended bill to electors and other interested persons and she is distinctly opposed to what is happening.

On my own behalf, I would like to remind honourable members of something which the honourable Minister for Mines and Energy said this morning in relation to the Liquor Bill. It is brief and I will quote it:
I indicated to honourable members at the previous sittings that I would be seeking to have the bill passed through all stages during these current sittings. Because of the importance of the bill and the fact that a number of amendments have now been made to the original proposals, it is not the government's intention to follow that course.

I would argue that the Lands Acquisition Bill is similarly and equally important as a Liquor Bill. It is a major piece of legislation. There have been significant changes to the original proposals and that argument of the honourable minister in relation to the Liquor Bill applies equally to the Lands Acquisition Bill. Mr Speaker, I oppose the suspension of Standing Orders in relation to the Lands Acquisition Bill.

Mr PERRON (Treasurer): Mr Speaker, honourable members were informed earlier this year that there was a great necessity for the Northern Territory government to have a lands acquisition facility. At the present time, I am advised by my department that there are a number of proposals that are awaiting acquisition and there are a number of minor acquisitions, such as easements and the like, which are liable to cause some difficulty.

The consolidated bill was circulated to members just prior to this sittings. It was unfortunate that it was as late as it was but it was circulated as soon as it was available. The consolidated bill is really the bill that was introduced into this House in July and not proceeded with in August. The amendments circulated at that time have been incorporated and there have been a couple of other minor changes. Substantially, the bill really is the same. It has been drafted by a different draftsman and probably results in some of the different readings that people gather from it when they pick the bill up and compare it to the last one.

In speaking to the motion to suspend Standing Orders, I reiterate the point that there are acquisitions which are necessary for the proceeding of government works. One of those in particular is the widening of Berrimah Road where work is currently under way and I believe that matter would cause a great deal of difficulty if this bill was left over until the November sittings. The bill itself does institute procedures which could be somewhat time consuming in the interests of the community. We could find ourselves with a number of proposed works programs being seriously affected if we do not proceed at this stage.

Ms D'ROZARIO (Sanderson): Mr Speaker, I oppose the suspension of Standing Orders for the Lands Acquisition Bill. The honourable minister has said in his second-reading speech and again this afternoon that the bill is much the same as that which he introduced earlier. It is fair to say that in relation to the procedures that are outlined in the present bill, serial 145, that is certainly not the case when we look at some of the principles which have been incorporated in the new bill. It is on these points of principle that we believe that members of the community ought to be informed.

I am sure the honourable minister and some of his other colleagues on the other side would realise the question of land acquisition does excite a great deal of interest in the community and indeed in some regions one only has to mention the word "acquisition" to cause quite a stir in the population. I accept that the bill has retained a number of provisions which are similar or analagous to the ones that appeared in the previous bill but those are largely related to procedure. There are significant matters of principle upon which I think the community ought to be consulted.
As to the programs that the honourable minister has mentioned, some of those programs were instituted before 1 July and I would not have imagined that the necessity for a Northern Territory acquisition bill rested on those. The main point about this — and I do not think it is just a question of a different draftsman — is that, either intentionally or inadvertently, some principles have been altered and they are the principles that were recommended by the Law Reform Commission.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I can only enter this debate to say that I certainly challenge the honourable members opposite to indicate where the principles of this legislation have been changed from that legislation which was first introduced into this House in May of this year and could well have been passed at the sittings in July had my colleague, the Minister for Lands and Housing, not determined to defer the passage so that the large slab of amendments could be amalgamated with the substantive bill. I believe that the community has had more than adequate time to consider the principles that were previously enunciated. I do not believe that any substantial difference exists between those principles and the principles that we are proposing to legislate on at the moment.

The Assembly divided:

Ayes 12
Mr Ballantyne
Mr Dondas
Mr Everingham
Mr Harris
Mr MacFarlane
Mr Oliver
Mrs Padgham-Purich
Mr Perron
Mr Robertson
Mr Steele
Mr Tuxworth
Mr Vale

Noes 6
Mr Collins
Mr Doolan
Ms D'Rozario
Mr Isaacs
Mrs O'Neil
Mr Perkins

ABORIGINAL SACRED SITES BILL
(Serial 172)

Continued from 19 September 1978

Mr PERKINS (MacDonnell): I would like to indicate that the opposition will support the bill. We agree that the bill is necessary to bring it into line with the provisions of the federal Aboriginal Land Rights Act. I wonder whether the Chief Minister would be agreeable to the suggestion that he ought to approach the Minister for Aboriginal Affairs to see whether any change could be made to the federal act in order to provide for the situation whereby, if we have to determine the wishes of Aboriginal people on the extent to which sacred sites ought to be protected, then we ought to be going to the custodians of the Aboriginal sacred sites. I propose that suggestion to the Chief Minister because it is important that the custodians themselves and other people directly related to the preservation of sacred sites ought to be the people directly consulted. There would be a problem if the matter were left wide open and it was possible that Aboriginal people in Australia at large had to be consulted on their wishes in relation to the extent to which the sacred sites ought to be protected. The opposition will support the bill. We realise its urgency.
Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES BILL
(Serial 146)

Continued from 14 September 1978

Mr DOOLAN (Victoria River): Mr Speaker, the opposition supports this bill. I will not comment at length on it. The option given for the naming of the child after the father or mother is a good thing. Over the years, Europeans have decided what names Aboriginal children will bear and that the wife should bear the husband's name. I do recall a Mr Nandjiwara Amagula at Groote Eylandt. At one time, someone decided that his wife should be Mrs Nandjiwara and the people were appalled because, if this had been the fact, Mr and Mrs Amagula would have been committing incest. Nothing but good can come out of a thing like this where there is a choice on how the child will be named.

Mr ISAACS (Leader of the Opposition): I too want to express my support for the bill and commend the government for the legislation that they have introduced. I think that it is an imaginative piece of legislation. I am not quite sure whether the Chief Minister himself referred to it as a revolutionary piece of legislation, but he made some similar comment and I wholeheartedly support it. It is an excellent and flexible piece of legislation. You would be aware of my interest in the matter. Indeed, the Chief Minister himself referred to it. There are a number of people in the Spanish speaking community in the Northern Territory who are waiting for this piece of legislation. It certainly will accommodate them and I feel that it is flexible enough to accommodate most of the requirements of the various diverse communities which we have in the Northern Territory. I would like to again express my support and commendation of the government for this piece of legislation.

Motion agreed to; bill read a second time.

Bill passed the remaining stages without debate.

LANDS ACQUISITION BILL
(Serial 145)

Continued from 14 September 1978

Ms D'ROZARIO (Sanderson): I do not want to take up a great deal of time in going over arguments or the points of debate that were raised in relation to the earlier bill that was presented in this House which I shall refer to as serial 93. The points that I do want to speak about at length concern those points where I believe a departure of principles has occurred from the earlier bill.

One of the outstanding omissions from this bill is the lack of any reference that this act will apply only to the acquisition of land for public purposes. I have raised this point with people who are extremely competent and have worked in this field for a number of years. They too have signified their surprise that there is no indication anywhere at all in this bill that the act will apply only to the acquisition of land for a public purpose.

The first indication of this departure is to be found in the title of the bill. For the information of members, I do point out that the earlier bill con-
I did not know whether there is a great deal of significance in this omission and, if there is not, I would like to be reassured by the minister in his reply because already there is some consternation about this point.

I might point out also clause 3 of the earlier bill, serial 93, contains a definition of "public purpose" whereas no such definition occurs in clause 4 of the present bill, serial 145. I am a little bit apprehensive about this omission. One of the reasons is that the commissioner who undertook the major investigation into this reference made quite a deal of play upon the validity of acquisitions for public purposes.

I might just refer to the report of the commissioner, Mr Murray Wilcox QC, on this particular point. The discussion is to be found in working paper number 8 which is a larger and much more detailed version of discussion paper number 5 which was circulated to members of this House and to the public by the honourable sponsor of the bill. The commissioner has stated quite correctly that the Commonwealth act and all state acts contain a specific reference that the acquisition is to be for public purposes. The relevant section, section 10(2), in the Commonwealth act states that the Governor-General may authorise the acquisition of land by compulsory process for a public purpose approved by the Governor-General.

The commissioner in charge of the reference has said that nomination of the public purpose is important since it ensures compliance with the limitation inherent in section 51 placitum 31 of the Constitution. He has also gone on further to say: "The constitutional limitation could not be enforced if the particular public purpose was left unspecified". The commissioner has also outlined one or two cases which were taken up in the High Court where the acquiring authority had neglected to specify the public purpose for which the acquisition was to take place.

My concern is that, not only is there no provision to specify a public purpose for which the acquisition will take place but also there is no express provision that acquisition can only take place for public purposes. In other words, it is quite within the provisions of this bill that an acquisition can take place by the minister responsible at the time for a private purpose. That is to say, the Crown could be placed in a position of becoming a real estate agent where what it does is acquire land, sometimes compulsorily, and then simply divert it to another private owner for a private use.

The honourable minister, in his second-reading speech, made reference to section 50 of the Northern Territory (Self-Government) Act. He said that, in his view, the present bill serial 145 reflects the principal outlined in section 50 of the Northern Territory (Self-Government) Act. What he neglected to tell the House was what section 50 was about. I shall come to that in a minute. It is quite true that, in the letter which the commissioner wrote to staff of the minister's office on the first bill, he said that, whilst it was not necessary, it was useful to have the limitation in our own bill that any acquisition that took place would take place on just terms. Mr Speaker, that is the limitation of the Australian Constitution.

If I can relate that back to the reason for specifying public purposes in the present bill, let me just outline to members who may not be so familiar with the Northern Territory (Self-Government) Act what section 50 of that act says. Section 50 reads:
(1) The power of the Legislative Assembly conferred by section 6 in relation to the making of laws does not extend to the making of laws with respect to the acquisition of property otherwise than on just terms.

(2) Subject to subsection 70, the acquisition of any property in the Territory which, if the property were in a state would be an acquisition to which paragraph 51 placitum 31 of the Constitution would apply, shall not be made otherwise than on just terms.

My interpretation of that section and also the minister's reference to it in the second-reading speech is that in fact we are bound by section 51 of placitum 31 of the Constitution. Again I refer to the remarks that have been made by the commissioner in charge of this reference. He has already stated, and I have read the necessary passages, that the constitutional limitations could not be enforced if the particular purpose was left unspecified.

The term "public purpose" is defined in the federal Lands Acquisition Act which we are hoping to replace by this particular bill. My fear is simply that when actions have been taken to contest the validity of an acquisition merely by reason of the specific public purpose not being specified, then I believe - if my interpretation is correct - that the lack of any reference to this bill applying only to the acquisition for public purposes - that is to say, the Crown cannot acquire land and divert it to private use later on - must be explained. I call on the minister to explain why this has occurred. It could, as he says, reflect a different style of drafting but I believe this question has been given so much attention in higher courts that it behoves us to resolve it.

I might also point out that in clause 14 of the earlier bill, serial 93, specific words were contained which again reinforce the idea that an acquisition could only take place for public purposes. The words are: "Subject to this ordinance, where it is proposed to acquire land for a public purpose the minister shall ..." The analogous section in this bill, which I believe to be clause 32, does not cope with this question at all. It merely says that the minister shall not acquire land unless he does certain things but it contains nothing at all which says that the minister may only acquire land to implement a public purpose.

When I first noticed there were no references at all to acquisitions for public purposes in the present bill and that there were some 9 or 10 references in the earlier bill, I did not worry too much about it until a specific instance was brought to my attention. I discussed it with people who have worked in this area for quite a long time and who are quite familiar not only with the laws of acquisition pertaining to state jurisdictions within Australia but also those pertaining to the Canadian provinces. They thought this omission was very strange indeed. However, quite recently, I had a person come to me and say that, in relation to a proposed casino development for which there are already preliminary plans, a block of land owned by this person was included in the proposed development. This person then contacted those who had prepared the plan and said, "Look, that land is owned by me and I have had no approach whatever for the sale of it and no negotiations for the sale of it have taken place." To this, the person who had prepared the casino development plan said, "You could be acquired". This person rang me up after learning that a lands acquisition bill had been presented to the Assembly. I must confess that I had not had any specific examples placed before me but when this particular person rang up and asked if this could be done, I said to her, "As a matter of fact, I have looked at this bill quite closely and there is no specific provision for public purposes only". If this is not a correct inter-
pretation and if it is only a style of drafting, I would be most appreciative
to hear the honourable minister's explanation.

I did mention there were specific points of departure in principle from
the bill that was presented to us earlier. The matter which I would like to
take up now is the question of the pre-acquisition hearing. This particular
provision was hailed as being very revolutionary in the manner in which it
appeared in serial 93. I must say that I agree with that assessment of the
provision. It was very largely in line with the recommendations of the Law
Reform Commission and, in fact, every point that had been raised in both the
working paper and the discussion paper had been incorporated in that bill.
However, I now find that the pre-acquisition hearing provisions which are
provided in clause 40 of the current bill, serial 145, do not compare very
well with the provisions as outlined in clause 16 of serial 93. In my assess-
ment, these provisions and the whole principle of the pre-acquisition hearing
has been significantly watered down.

Under the earlier bill, it was open to a person to approach a pre-acquisition
hearing and to appear before the Lands Acquisition Tribunal and to raise a
number of questions. These questions are listed in clause 16 of serial 93.
The questions are: whether the acquisition is necessary; whether an alterna-
tive course of action not involving the acquisition of that land is available
and should reasonably be taken; whether the public purpose - note that phrase
again - could be achieved by the use of other land or part of the land pro-
posed to be acquired; or whether the use of the land would have a deleterious
effect on the environment in which the land to be acquired is situated.

In a later section, there are also outlined a number of environmental issues
and these have been reproduced in the present bill in clause 40(3). However,
the matters which related specifically to the pre-acquisition hearing have
not reappeared in the current bill. It now just simply says that the tribunal
shall consider, having regard to the evidence placed before it, whether the
proposal should be implemented by the acquisition of (a) the land, (b) part
only of the land, or (c) other land, the subject of the proposal.

I am sure that honourable members realise the earlier proposal has indeed
been watered down. Under earlier proposals, a person was permitted to enter
into a discussion of whether the acquisition was necessary and, indeed, whether
even the public purpose was necessary. In the present proposal, the acquisition
of his land or somebody else's land is inevitable. He has only the three options
- acquisitions of his land, acquisition of part only of his land or acquisition
of somebody else's land. This significantly removes the idea that a person
appearing before the tribunal could say to the tribunal and present evidence
to this effect that either the public purpose is not necessary and could be
achieved in some other way or that the acquisition is not necessary. The current
proposal, I must stress, makes acquisition absolutely inevitable. You cannot
argue that the acquisition is not necessary.

I consider this a significant departure in principle from the earlier pro-
visions which were presented to us in serial 93 and from the recommendations
of the Australian Law Reform Commission. I say this because the Australian
Law Reform Commission set out not only to make the question of compensation
as a result of acquisition more equitable but also to remove the inequities
that arose from people having their land acquired perhaps on some ill-conceived
scheme of the government - they could then prove that it was not necessary
to acquire their land - or for some other reason. I consider this to be a
significant departure which I would have liked to have taken up with other
people as well.
The other point that I want to discuss at some length is the question of the disclosure of interest. The question of disclosure of interest in a matter such as land acquisition is very vital indeed. The provisions which were earlier presented to us in an amendment by the honourable sponsor of the bill were very good indeed. In a proposed clause 47A, the honourable minister proposed that there should be a quite stringent provision relating to the disclosure of interest and that provision read as follows:

(1) A member who has a direct or indirect interest in the question or matter referred to the tribunal under this ordinance shall, as soon as possible after he knows that he has the interest and that the tribunal is hearing the question or matter, disclose his interest to the tribunal by way of declaration which shall be lodged at the office of the registrar.

(2) Where a member of the tribunal makes a declaration in accordance with subsection (1), that member shall not serve as a member for the hearing of the question or matter to which the declaration relates.

I thought that was a very good provision indeed and I quite looked forward to supporting that amendment. However, the present analogous provision is very weak. It is to be found in clause 12 of the present bill, serial 145, and this simply says that "a person who has a direct or indirect interest in land, the subject of any proceedings before the tribunal, shall not be selected as a member of the tribunal in relation to those proceedings under section 19(1)".

I suppose that could be considered sufficient but I do not think so. For one thing, the responsibility of knowing who has an interest rests with the selector, who is the chairman or the deputy chairman and, for another, there is no provision for a member to notify that he has an interest or to have it registered, as we had in the earlier bill. Further, Mr Speaker, subclause (2) of clause 12 is to be utterly condemned as far as the principle of the disclosure of interest being vital to matters such as land acquisition is concerned. This subclause reads that "a determination of the tribunal is not vitiated by reason only that a person acts as a member in contravention of this section". In other words, a person can sit on a tribunal in which he has a direct interest and the decision to which the tribunal arrives is considered to be valid. In fact, there is no real reason at all why the disclosure of interest clause should be in there if, in fact, subclause (2) is to stand. I must say that I heartily condemn this because I think that the matter of land acquisition is already one which causes a great deal of public anxiety, excites a great deal of interest and the dealings of the tribunal should be absolutely above reproach. I call on the honourable minister to reinsert the amendment he proposed to bill serial 93 and to delete clause 12 of the present bill.

Another small matter which has been brought to my attention by people who are again concerned that perhaps this bill could apply to the acquisition of land for other than public purposes relates to the clause for the disposition of acquired land. Under the earlier bill, serial 93, proposed section 57 stated that "where land acquired by the Territory is no longer required for the public purpose for which it was acquired, the Minister may publish a notice in the Gazette declaring that the land is no longer required for that purpose and, upon such publication, the land shall become capable of being dealt with as unalienated Crown land under a law in force in the Territory".
The provision in the present bill might be considered to be not very much different but, in view of the fears that have already been expressed to me in the short time that this bill has been introduced in the House, I think it is worth taking up. The analogous provision is now to be found in clause 48 of the present bill, serial 145, and that reads:

Land acquired under this act may, if the Minister so directs, be dealt with as though it were unalienated Crown land.

As those people who know something about the manner of dealings in crown land - and the honourable member for Alice Springs has already given a very good discourse on the subject - would realise, the current provision is very much different from the earlier provision. The earlier one required a statement from the minister that the public purpose was no longer to be undertaken and it required gazettal that the land was now available. The present one merely says that, once it is acquired at any time - the minister need tell nobody about it - he may direct that it be dealt with as unalienated crown land which means that it could be given by way of lease or licence or even as an estate in fee simple to anybody else. The question does arise as to whether land could be acquired from private landholders in the Northern Territory and simply diverted, by the action of the minister, to other private persons. As I say, this puts the Crown in the position of a real estate agent and not having to account, to anybody for the implementation of public construction programs in the Northern Territory.

A matter that was also mentioned by the honourable sponsor of the bill was that of injurious affection and in his second-reading speech he said that the question of compensation for injurious affection has not been dealt with in this bill and that this was in accordance with the recommendations of the chairman of the commission. I am a little bit disappointed that the question of injurious affection has not yet been taken out of the too-hard basket. I cannot really reconcile the statement of the minister with the reports of the Law Reform Commission. Perhaps he has some private correspondence in which the chairman has advised him against this course and, if he has, I would ask him to inform me of it.

On the question of injurious affection, I would point out that Commissioner Wilcox made several recommendations and they are listed as recommendations Nos. 39 to 43 and they are to be found in working paper No. 8. I regret that I cannot give the page number for that because these particular pages are not numbered. However, there is also a lengthy chapter in this report, chapter 7, which examines the law relating to injurious affections in all jurisdictions in Australia and also in other places where reform of land acquisition law has taken place and that includes some provinces of Canada and Britain. Although the commissioner has said that these are tentative conclusions - indeed all the conclusions that have been notified in these reports are still tentative; the commissioner has not yet brought down a final report - I am extremely disappointed that the minister has not yet come to grips with the question of injurious affection.

If I might just mention some instances in which it should be necessary to afford compensation to people whose land is not necessarily acquired but those who suffer injurious affection as a result of an acquisition undertaken by the government, I would like to do so now. I do think that not having dealt with this question must be considered as a failure on at least two grounds. One of those is that it simply perpetuates the inequity of the present land acquisition law and the other is that it prevents the development
of provisions for off-setting the amount of compensation by the enhancement that might be enjoyed by a person whose land is not necessarily acquired but who does gain some benefit.

Quite briefly, the Law Reform Commission has suggested that physical factors ought to be compensated and it is physical factors which result in injurious affection. It has mentioned these in two categories; namely, the construction factors - and listed here are the denial of access of frontage lots to public road, the loss of air, the loss of sunlight and so on and so forth - and nuisance factors, such as noise, vibration, smell, fumes, smoke, artificial light, emission of noxious discharges and so on. The commission has suggested, and I believe this particular provision has been taken up in the British act of 1973, that in fact you can compensate people for injurious affection by looking at the situation 12 months after the completion of the public work for which the land was acquired. 12 months is considered to be an adequate time span whereby the market can be gauged and the physical effects of the land can also be judged. I find the statements that this absence is on the recommendation of the chairman of the commission a little hard to understand.

Mr Speaker, there is also another question relating to injurious affection which is the converse of it and that is enhancement. By this, I mean the occasions where people benefit from the public work that has been undertaken by the government. We have had instances of this in the Northern Territory. If I might quote one which would be of interest to the honourable member for Tiwi and the honourable member for Victoria River, that is the Darwin River Road. The acquisition of land for this road and the construction of it was of immense benefit to people who held land in the area and, certainly in the last few years since the completion of the construction of the road, sales of land in that area have increased as a result of access having been opened up. It is only fair that, in these cases, the amount of compensation which would have been due to people as a result of the acquisition of their land should be offset by the enhancement that they enjoy. This has happened time and again in the rural areas near Darwin. Another instance is, of course, the acquisition of land for and the construction of the Arnhem Highway.

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

Mrs O'NEIL (Fannie Bay): I move an extension of time for the honourable member for Sanderson.

Motion negatived.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the debate on this bill be adjourned.

The reason for moving the adjournment of the debate, despite the suspension of Standing Orders to enable the passage of the legislation through at this sittings, is that this is the sort of legislation that I want introduced with the fullest public confidence.

I have listened to the honourable member for Sanderson this afternoon and she has raised a number of matters. I believe most, if not all, of them can be answered. For instance, she raised at the outset the matter of public purpose being used in the legislation and the definition of the term "public purpose" I would say simply, by definition the purposes of the Territory are a public purpose. Rather than put this legislation through, even though it has been canvassed in this House more than sufficiently, I am prepared to
move the adjournment of the debate at this stage. We will stand the legislation over until the next sittings so that it can be once again canvassed and so that there can be no complaint that the legislation was pushed through.

Debate adjourned.

ADJOURNMENT

Mr TUXWORTH (Mines and Energy): Mr Speaker, I move that the Assembly do now adjourn.

In speaking to the adjournment this afternoon, I would just like to take up some few remarks that I started yesterday and that I was not able to finish because my time expired. However, I believe they are of such import that I would like to place on record my feelings on the matter.

In the budget handed down by the honourable Treasurer, there were several allocations made for the encouragement of sport and recreation in the Northern Territory and I believe that, while a start has been made in this particular direction, there is much to be done. I am a very firm believer in the fact that team and competitive sport does much to build the character and fibre of young people and that we have a vested interest as legislators and a government to try and provide for the youth of the Northern Territory every opportunity to develop their characters and their bodies and their minds in the best way possible. I believe that sport plays a very important role in this development of people.

Admittedly, not all individuals are interested in sport or partake in it, particularly competitive sport, but there are many thousands who do. I made the point yesterday that I believe the youth of the Territory are our greatest resource. I believe it is in our interests to try to retain them in the Territory and it is in our interests to see that they develop to their greatest potential. The honourable the Treasurer outlined several schemes which will become available for young people. I would like to touch on a couple of them that we may have started and some that I believe we should continue with.

There is a very great need in all walks of life and in all facets of our recreation for Northern Territory people to have available to them the equality in training and competition that exists for people living in the other states. I believe the proposals by the Minister for Community Development to encourage coaching programs to be brought to the Northern Territory by national bodies and national sporting organisations is commendable. It is one that has already been started by many sports and I believe the Territory has benefited greatly from it. I believe the young people get a great deal of benefit from it in the sense that it equips them to go away and play in Australian championships on a much better footing than they otherwise would.

I believe there is room for us in the Northern Territory to ease the financial burden that is placed on people competing in national championships under the Northern Territory flag by the Northern Territory government contributing to the cost of fares. We would like to see the situation in the Northern Territory where Territorians generally have the same opportunities as people in other states. People living in South Australia, Victoria, New South Wales and Queensland, for a very small fare of some $40 to $50, can all compete against each other in national championships every year without the onerous financial burden being thrust upon them that Territorians have to bear. I believe, as a government, we should start to concentrate our efforts on young people competing in national championships of any sport. Provided people
Under the Northern Territory flag, there is more than enough reason for us to support them.

Another aspect we should enter into is the provision of floodlight facilities for sport in all major centres in the Northern Territory. It costs about $100,000 to provide lights for any oval or facility in the Northern Territory for people to play competitive games of any sort. It seems obvious that it will cost us as much as $150,000 to $200,000 to provide additional playing facilities, with all the infrastructure that goes with them such as toilets and roads, to accommodate the people that want to play sport. We would be doing ourselves a very good turn if we doubled the utilisation of existing playing facilities by putting in lights. If we could use them both at night and during the day for respective sports, the whole community of the Northern Territory would benefit from it.

Mr Ballantyne: Paying the bills is the worst thing.

Mr TUXWORTH: The honourable member for Nhulunbuy has just made a comment about paying the bills for the lights. I accept that this could become onerous in some circumstances but I also accept that, in other circumstances where the lights were available, the patronage in the respective communities would be sufficient to be able to afford the use of the lights on certain occasions. It is not the sort of thing you would use for training but you would most certainly use it for strong competition.

There is one other aspect in which I believe sport is important to the Northern Territory young people and that is in relation to employment. When I came out of school any young person who aspired to play sport for money was regarded as the lowest form of animal life and in the true spirit of amateurism, no man would accept money for playing sport. I think the pendulum has swung the full gamut. I believe that it is not only reasonable that people be paid for playing sport; it has become socially acceptable and in some cases very rewarding for the people who do it well. We all like to watch a good game of sport, whether it is cricket or tennis or soccer or whatever and the only way that any country has ever raised its standard of sport up to a satisfactory level where it can compete favourably on the international scene is to move into the arena of professionalism, and professionalism simply means that you are being paid to do what you like doing.

I have been heavily involved in coaching young people in sport since about 1964. I have never ceased to be amazed at the amount of talent we have in the Northern Territory for our small population. One of the most extraordinary things is the potential we have amongst the Aboriginal community for people to play sport for a living and do it well. I do not see any stigma on a young man entering into the sports world to play sport for money, particularly if he is good at it and particularly if he enjoys it. There are many Aboriginals that I could name and I am sure honourable members on both sides of the House could think of dozens themselves who, given the right opportunity, could compete in any national competition in Australia in all sorts of sports and maintain for themselves a position of respect and dignity and get good employment from it. I do not say that the employment which would flow to people in this particular arena would be great but it is certainly one that is significant and rewarding. Anything that we can do as a government to encourage it, we should do.

Mr BALLANTYNE (Nhulunbuy): Mr Deputy Speaker, I know it is getting late and I do not want to take up too much time but there is one little problem in my electorate I would like to discuss. There was a recent announcement that,
by the end of September, a decision will be taken whether Dhupuma College will continue or be closed down. It did cause quite a few problems. Going back over the last five years to see how that college has operated, first of all we must remember that, when it was first introduced at the old ALDO tracking station, the buildings were not in a good condition. It was never built as a school and it was only there as an interim measure following the lines of Kormilda College and Yirrara. It has operated in a temporary way and it has served its purpose.

A great deal of money would have to be spent on the upgrading of the building. They have problems with the sewerage system. One of the bigger problems is that they have spent money there unwisely. Probably one of the greatest shames is that they built a swimming pool in the last couple of years which cost a lot of money. They have bought in caravans for the staff and they have also spent quite a bit of money on the demountable units. Aside from the education part of it, one of the biggest things is that it is like a little village. You have to apply for accommodation. They have accommodation for all the staff - teaching, industrial and ancilliary people. It is a costly function.

It has served a great purpose for the people in the northeast arm of Arnhem land. We have had some very good students come out of there and make their way in life in the various fields. Some have become nurses aides and one apprentice started this year. Others have taken on office jobs and are acquitting themselves quite well. One of my biggest worries is that, if it is phased out, there are quite a few people who will be without a job, particularly the Aboriginal women in the kitchen and in the laundry. I have stressed my concern to the federal Minister for Education and to the minister here and I hope that we can help those people if it does wind down.

The teachers and staff just about outnumber the students. If you took a rough estimate, it would cost about $13,000 per head to keep the students there. They do have problems sometimes with students leaving and then they have to follow this up. I do not think you can really get down to accounting for every cent but it is costing a lot of money. I am sorry to see it go but I think everybody understands that there are problems in other community colleges. I think that Kormilda College could quite capably cater for all the students in our area. Many of those young people will have to move away. Some of them are already moving away now so it will only be a few extra hundred kilometres further than they are now.

I believe that the college could take about 100 students. I don't know whether that is a viable operation. I know that a report which came out last year showed that they were operating quite successfully. However, upgrading the building or perhaps even building a new one is probably out of the question because, in recent years, we have had an extension to our pre-school, we are finishing a school at Yirrkala and we are going to build a new high school over on Elcho Island. They are just finishing off Sheparton College which provides a wonderful area for Aboriginal children to be educated in crafts. The classrooms are modern; they have carpet on the floor and everything you could possibly want. That in itself would stop many of those children from going to these live-in colleges.

The philosophy behind it in the first place - and I think that Mr Jim Gallagher was one of the original instigators - had a lot of merit but I think it may have been a little ahead of its time. I would just like to express my appreciation to the people who have built up that college. They have
done a tremendous amount of hard work in trying to get adult Aboriginals into education programs but it has not quite come to that. We will know by the end of this month whether it will be wound up by the end of the year.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this afternoon I want to speak briefly on two things. The first one is on the subject of white safety lines down the Stuart Highway. I accepted the answer given to me by the Minister for Industrial Development. I can see the good reasons why the lines were not painted on the highway at the time it was repaired. I do hope that the lines are painted on the highway before the heavy rains of the wet start to fall. In the wet, these white lines assume an even greater importance in safety for drivers using the highway. I would say that all of us have driven on bitumen roads in the wet. We have all driven when the rain has been pelting and sheeting down and any windscreen wiper is useless. The guide posts down the highway may be of marginal use but it is that white line down the middle of the road that can be a lifesaver in any storm conditions. They can prevent accidents from a car perhaps straying over the wrong side of the road, perhaps round a bend with visibility negligible, and the accident happens when it is too late to take avertive action. These white lines down the middle of the highway can prevent a car from going over onto the soft shoulders on the left because the white lines are useful to help the car driver judge the distance between the centre and the edge. Many times I have crawled along in my car in a storm, only able to see the white line down the centre of the road.

The next subject on which I would like to speak is again something about which people do not usually talk, like the toilets I spoke about yesterday. I would like to say a few words about rubbish dumps. Dumps are places where people dump unwanted stuff. They are not places in which we live and they are not parks, but still they are important places because without them we would be in a fix. Some time ago - it was many months but I remember it from the particular time - a lady wrote to the newspaper giving her views on rubbish dump management. Her idea showed imagination and was in line with practical conservation, about which a few more people should interest themselves instead of the nebulous conservation which is usually only hot air and talk but which seems to get the headlines. This lady recommended that the rubbish dump be divided into three sections: the first section would be for wet, undesirable, sloppy sort of rubbish like bad food; the second part would be for large rubbish like car bodies, and the third and largest section would be for household rubbish, builders' rubbish, paper and garden cuttings. This last section is where people could go to dump their discards which could be of use to the next dump visitor. It is a case of one man's garbage being another man's gold. In the days of the dump at Gilruth Neck many years ago, if one visited the dump with a load of garden rubbish or anything else, it was the usual thing to check the situation over to see what one could find of use. Arc mesh was as scarce as hen's teeth and any piece found was grabbed immediately. One day I found a nice silver teapot on the dump - the sort that sits on a little stand over a spirit lamp - but try as I might, I could not find the stand. This view of exchanging discards at the dump is exactly the same principle as the white elephant stall and we all know about jumble sales and opportunity shops.

To conclude, I would like to say that I have something with me today which came from the dump. I do not know which dump it was. A fried gave me a red jumper after a visit to one of these dumps. I unpicked it and knitted it up into this stole I have on the chair. In conclusion, I would like consideration being given to the dump management proposals I have outlined.
Mr PERRON (Stuart Park): Mr Speaker, I use this opportunity in the adjournment firstly to answer a question asked of me during the sittings and I would like to get it on the record and off my desk. The honourable member for Sanders asked when the next industrial land auction would take place in Darwin. I am advised that the last land auction of industrial land in Darwin was the Pruen Road subdivision in August 1977. At that time, 25 lots were offered for sale and only 10 lots were sold. As is the practice, the balance of unsold lots was made available for purchase over the counter from the Lands Branch. At today's date, 11 lots in this subdivision are still available for purchase. The last lot which was sold was on 16 December 1977.

Inquiries from real estate agents reveal that there are currently about 20 industrial lots available in the Pinelands industrial estate and about 3 in the Berrimah area. Associated with these vacant lots, there is an oversupply of vacant warehouses available for lease in the Winnellie area and the space and layout of these cater for a wide range of potential use. In view of the large quantity of both vacant land and empty warehouses, it would be uneconomic to make available additional land for this purpose at this time. To answer the honourable member's question, no industrial land auction is proposed in the near future in Darwin.

I presented a petition this morning from residents of rural Darwin pertaining to a cement batching plant which is proposed to be erected in an area near Humpty Doo and I would just like to put on record that it is of concern to me and the Department of Lands and Housing that there has been no plan put over rural Darwin earlier than this. Most honourable members will realise the Darwin Reconstruction Commission attempted once or twice to produce plans for the area and have them accepted but there was a great deal of hostility from people towards town plans in that area and, for one reason and another, they were never implemented.

The only practical way to stop undesirable and obnoxious uses being erected or installed in the vicinity of residential dwellings is by way of a town plan. The area is freehold land. There are no lease convenants and people can do absolutely what they like on the land, providing they comply with the building manual. This position will prevail, unfortunately, until such time as a plan is put over the area and, whilst I am taking steps now to try to have the proposed concrete batching plant moved to another site more acceptable to everybody, it is by negotiation alone and I have had to make it quite clear that there is no legislation whatsoever that the government can call upon to compel a person not to place an obnoxious or a noxious industry in the vicinity of residential dwellings. I just hope that our endeavours to discuss a rural plan over the area with all the rural associations in the area prove successful. To date, the cooperation has been very good. The executives of these associations appreciate the reasons for a plan to protect their own interests as well as to guide the government in its own development program and I just hope this level of cooperation extends throughout the community out there because, if a great deal of hostility is raised against plans, the situation can only be made worse in the future as more and more people seek to take up industrial uses in the area, and that will be to everyone's detriment.

Motion agreed to; the Assembly adjourned.
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