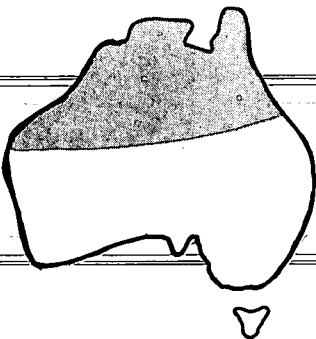


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John Warhurst

# The Northern Territory's Intergovernment Relations

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Australian National University North Australia Research Unit  
Monograph  
Darwin 1990

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# **THE NORTHERN TERRITORY'S INTERGOVERNMENT RELATIONS**

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North Australia Research Unit  
Monograph  
1990

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*Front cover photograph of Prime Minister Malcolm Fraser and NT Chief Minister Paul Everingham courtesy of NT Government Protocol and Public Relations.*

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## PREFACE

This study was made possible by the award of a Visiting Fellowship to the North Australia Research Unit, Research School of Pacific Studies, Australian National University for two and a half weeks in February and March 1989. I would like to thank all staff members of NARU for their warm hospitality during the time my wife Joan and I spent in Darwin. In particular I would like to thank the Director, Peter Loveday, the Librarian, Colleen Pyne, and Pam Hunter, Jann King and Janet Sincock.

I would also like to thank Annette Ford, Special Collection Librarian, Northern Territory University, Casuarina Campus, and John Hepworth for allowing me to try out my ideas on his public administration class at Northern Territory University.

Most of my time in Darwin was spent interviewing ministers, parliamentarians, public servants of the Northern Territory and Commonwealth governments and other informed observers. Thirty or more people gave me their time, often for an extended period. I was met with unfailing courtesy. This study could not have been undertaken without their cooperation and I thank each and every one of them wholeheartedly.

I circulated a rough draft of this paper to each of those whom I interviewed and to a number of other people. Subsequently, Will Sanders of the Urban Research Unit, Research School of Social Sciences, Australian National University and Campbell Sharman, Department of Politics, University of Western Australia very kindly provided me with written comments which I have taken into account in preparing this final version.

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## INTRODUCTION

There is a tendency in academic studies and in the media for inordinate attention to be paid to the competitive and conflictual face of government and politics in federal systems. This is so for a number of reasons. Conflict is played up by representatives of governments because it is easy to blame 'the other side'. State leaders play the game of 'Canberra bashing' because their local media appreciate it, and because it rallies their constituents behind them. Conflict becomes the public face of federalism, too, because disagreement and argument are more newsworthy. This is true of most reporting of politics.

The public image of relations between the Northern Territory and the Commonwealth government is certainly no exception to this general rule. In fact, it has often been said that these relations are even more conflictual than is usually the case in Australian federalism, because of the long history of 'benign neglect' and 'colonial' domination of the Northern Territory by the Commonwealth of Australia, and because of the fact that since self-government was given to the Northern Territory in 1978, the Commonwealth government has held back for itself a number of significant responsibilities. A recent discussion of Northern Territory government and politics sums up the standard view:

*The relations between the Commonwealth and the state governments can normally best be described as a stable condition of mutual suspicion. But relations between the Territory and the Commonwealth go beyond even that. The Northern Territory government exhibits a hostile suspicion towards Canberra that appears to verge on paranoia but in reality reflects the longer term economic and political difficulties faced by the Territory. 'Canberra' assumes an importance in Territory politics that is unique among Australian states, 'Canberra' is the fulcrum of Territory politics. This is so for both constitutional and economic reasons (Gerritsen and Jaensch 1986, 152).*

This study sets out to paint a fuller picture of the place of the Northern Territory in the Australian federal system. In so doing it seeks to redress the balance somewhat by concentrating not on the public face of federalism which is played out in parliament, in press releases and in election campaigns and which subsequently dominates media reports, but on the private face which is daily life for public servants and politicians. This is the world of intergovernmental relations in which representatives of the Commonwealth, states and territories work alongside one another and are in frequent contact with one another making and implementing public policies across the whole spectrum of government activities. Most of these representatives are public servants; some are ministers. Public servants as a whole do not have a high profile so much of this activity is out of the public eye, unrecorded and hence unreported.

Government is a collective term for a large number of individuals: a team of ministers supported by thousands of public servants and other government employees organised into departments and agencies. Intergovernment relations means, therefore, any contact or joint activity between any part of two or more governments. In the Northern Territory's case it may be an informal meeting between the Chief Minister and the Prime Minister (Paul Everingham recalls a fleeting conversation which he had with the Prime Minister between two passing cars in Darwin); it may be a telephone call between a Northern Territory public servant based in Darwin and a Commonwealth public servant based in

Canberra; it may be two such officers located in Alice Springs or one of the smaller Northern Territory towns or communities cooperating in a joint program. Some of the relations are formalised: a meeting of the Premiers Conference and Loan Council in Canberra; a workshop for technical experts anywhere in Australia; a Northern Territory Treasury submission to the Commonwealth Grants Commission or to the Industries Assistance Commission. The possibilities are endless. Intergovernmental relations encompass a web of activities, which the professional literature disarmingly calls interaction.

This study is about all of these relations. The four major chapters are about the most important elements in the Northern Territory's intergovernmental relations:

- (i) intergovernmental meetings of many types between ministers and/or officers;
- (ii) the role in intergovernmental relations of the Northern Territory's central agencies: the Chief Minister's department and the Treasury;
- (iii) relations which take place in the Northern Territory between a part of the Northern Territory government and a part of the Commonwealth government which is located in the Northern Territory;
- (iv) the part played in intergovernmental relations by Northern Territory Government representatives in Canberra, including Federal parliamentarians and lobbyists.

The aim of this study is to describe as many aspects of the relationship as possible and to generalise about them. As there is not one relationship but very many, generalisation is difficult and potentially dangerous. However, rather than focus on one or two departments, institutions or policy fields the study aims to explore the diversity and variety in the relationships.

Where a choice has had to be made, depth has been sacrificed for breadth. Participants whom I have interviewed will all know much more about their particular field than I do, but I hope to have gained a perspective of the whole which very few, if any, participants possess.



## CHAPTER ONE

### THE CONTEXT

The Northern Territory is the newest and smallest in terms of population of the political units in the Australian federal system. Self-governing since 1978, it is not a state like the other six states, but it is state-like in its powers and position in the system, although with some qualifications. Its capital Darwin is the smallest of the state capitals and only Perth is further (narrowly) from the national capital, Canberra. Both the government and the administration of the Northern Territory are the smallest in number in the federation. The Northern Territory shares the administration of northern Australia with Queensland and Western Australia. Darwin is the northernmost capital city and therefore the closest to South-East Asia. The Northern Territory economy is generally undeveloped and vulnerable, and heavily dependent on the public sector. Aborigines make up almost a quarter of the Northern Territory population, a far larger proportion than any of the states. Some of these characteristics are developed below.

#### Self-Governing Status

The Northern Territory has an unusual constitutional history. Prior to its coming under Commonwealth government control in 1911, the region had been part of South Australia for almost fifty years (Heatley 1979, 22-26). Its current status dates from the passage of the *Northern Territory (Self-Government) Act* 1978. The transfer of powers which had been agreed upon on 1 January 1977 took place in several stages in the late 1970s with self-government being declared on 1 July 1978. Three significant powers were withheld by the Commonwealth government from the new government at that time: over Aboriginal land rights, uranium mining and national parks. This situation has remained since then. The 'missing' powers are critical to the campaign for full transfer of powers and eventual statehood which currently is being waged by the Northern Territory government (see, in general, Loveday and McNab 1988). The full list of issues in dispute included in the statement by the Chief Minister on the further transfer of powers in February 1989 is much longer than this (Perron 1989). However the three major pieces of Commonwealth legislation at issue are (i) *The Aboriginal Land Rights (Northern Territory) Act*, which controls the granting of land rights to Aborigines in the Northern Territory; (ii) *The National Parks and Wildlife Conservation Act* under which two parks, Kakadu and Uluru, have been created and are administered by the Australian National Parks and Wildlife Service; and (iii) *The Atomic Energy Act* under which the ownership of uranium remains with the commonwealth. In contrast to the Northern Territory, in similar areas of responsibility, the six states have greater control and the Commonwealth government may not intervene directly.

#### Northern Territory Government and Administration

The Northern Territory's government and administration is quite small in comparison to the six States and the Commonwealth (see, in general, Galligan 1986). The Northern Territory government in 1978 comprised five ministers responsible for ten departments. In September 1989 there were eight ministers responsible for 16 portfolios. (See Appendix A)

The Northern Territory's ministry is the smallest among the states (see Table 1.1), and is less than a third the size of the Commonwealth which has 30 ministers.

**Table 1.1  
Government Ministries in 1989**

State	No. of Ministers
NT	8
NSW	19
VIC	18
QLD	18
SA	13
WA	13
TAS	10
COMMONWEALTH	30

The Northern Territory public sector has grown in size between 1979 and 1987 by 16 per cent; from 13,100 in 1979 to 15,200 in 1987, but this rate of growth is much less than for the total workforce or the total population (see Table 1.2). It is only 1 per cent of total government employment in Australia and less than half the size of the next smallest public sector, that of Tasmania (see Table 1.3). The Commonwealth public sector is about 25 per cent of the Australian total and hence more than 25 times as large as that of the Northern Territory.

**Table 1.2  
Growth rate of the Northern Territory Public Service 1979-1987  
(1979 Base Figure)**

	1979	1987
NTPS '000	13.1	15.2
Growth %		16.0
Persons Employed in NT '000	48.8	71.7
Growth %		46.9
NT Labour Force '000	51.3	75.4
Growth %		47.0
N T Residential Population '000	114.1	153.8
Growth %		34.8

Source: Public Service Commissioner for the Northern Territory Annual Report 1986/87, p56 Table 1

**Table 1.3**  
**Civilian Employees/Employed Wage and Salary Earners (a):**  
**By Sector, 1979-1988**

SECTOR	At June 1979	1980(b)	1981	1982	1983	At May 1984(c)	1985	1986	1987	1988
<b>Government:</b>										
Aust Public Service(d)	148.7	148.5	149.7	149.1	157.6	165.3	169.3	172.6	169.4	165.6
Other Aust Govt(d)	247.2	248.0	253.1	252.9	251.6	256.6	265.2	269.8	272.7	267.3
State	981.8	991.3	1002.0	1009.3	1020.6	1070.4	1093.2	1112.7	1137.0	1140.5
Northern Territory	9.9	14.1	14.3	14.2	14.3	15.6	15.6	16.5	15.8	15.5
Local	127.5	129.8	130.2	133.4	138.2	152.8	153.7	155.8	155.3	155.7
<b>Total</b>	<b>1515.1</b>	<b>1531.7</b>	<b>1549.3</b>	<b>1558.8</b>	<b>1582.2</b>	<b>1660.7</b>	<b>1697.0</b>	<b>1727.4</b>	<b>1750.2</b>	<b>1744.6</b>
Private	3465.9	3500.3	(e)	(e)	(e)	3448.0	3667.4	3857.5	4003.7	4209.9
<b>Total</b>	<b>4981.0</b>	<b>5031.9</b>	<b>(e)</b>	<b>(e)</b>	<b>(e)</b>	<b>5108.8</b>	<b>5367.0</b>	<b>5584.2</b>	<b>5756.4</b>	<b>5954.5</b>

(a) Excludes defence forces, employees/wage and salary earners in the private sector employed in agriculture, forestry, fishing, hunting and private households and those based overseas. See also footnote (c).

(b) Details for the Private sector are at April 1980 -see also footnote (e).

(c) From July 1983, data for Private and Government sectors are provided by the new Survey of Employment and Earnings using revised concepts and definitions. This has resulted in the inclusion of a substantial number of part-time employees, mainly in State and Local government, as well as government employees in agriculture which were previously excluded. Under the new collection arrangements, the men/women split is only available for the middle month in the quarter. Consequently, from 1984 onwards the information is presented as at May.

(d) Figures for the Australian Public Service for 1984 to 1988 are at June. Staff of the Departments of the Parliament are included with 'Other Australian Government'.

(e) Statistics of employment in the Private sector are not available from May 1980 to June 1983 due to the cessation of the "Civilian Employees" series.

Note: Any discrepancies between totals and sums of components are due to rounding.

Source: Department of Finance *Australian Public Service Statistical Yearbook 1978-88*, AGPS, Canberra, 1988 p4.

At self-government the Northern Territory was governed by the Country Liberal Party (CLP) which won the 1977 elections for the Legislative Assembly. The CLP has been in office ever since, winning successive elections in 1980, 1983 and 1987. The first Chief Minister, Paul Everingham, held office until his resignation in 1984 to contest the Northern Territory's only seat in the House of Representatives. Since then there have been three Chief Ministers, Ian Tuxworth (1984-1986), Steve Hatton (1986-1988) and the current occupant, Marshall Perron.

The Northern Territory public service was staffed initially largely by former Commonwealth public servants who had been based in Darwin. Many of them were compulsorily transferred to the new service. Since then the Northern Territory government has recruited a number of senior officers from other services to head departments (Weller and Sanders 1982). However, over time the service has slowly acquired a more 'home grown' character.

### **Social Characteristics**

The Northern Territory has a population of approximately 160,000, almost half of whom live in Darwin (77,000 approx.). The other major city is Alice Springs (32,000) and the only other towns with population more than 3,000 are Nhulunbuy, Tennant Creek and Katherine. The Northern Territory is one of the least urban of the Australian states, and only Brisbane and Hobart contain a smaller percentage of their state's population than does Darwin.

The Aboriginal population is 23 per cent of the whole Northern Territory population. Aborigines live predominantly in small communities in rural areas which means that they are an electoral force in rural electorates in elections for the Northern Territory government. The Aboriginal population of Darwin is less than 6,000 (7.6 per cent), but this number is still far greater than for any other capital city (ABS, NT and NARU, 1989)

While the Aboriginal population of Australia is only 1.4 per cent (1986 census), the Aboriginal populations of New South Wales and Western Australia are larger in absolute terms than the Northern Territory's. Consequently, only 15.3 per cent of the total Australian Aboriginal population live in the Northern Territory (NSW 25.9 per cent, WA 16.6 per cent) (Department of Aboriginal Affairs 1988, 2).

### **Finance**

The financial arrangements entered into by the Northern Territory and Commonwealth governments at the time of self-government were enshrined in an agreement which was laid out in the Memorandum of Understanding (see, in general, Mathews 1985).

The arrangements were 'based on the state model' (Mathews 1985, 10), but initially were very favourable to the Northern Territory. The Commonwealth grants and other funds made available to the Territory included: (i) General Purpose Revenue Funds, which were the equivalent of the States' tax sharing entitlements - the tax sharing grant was to escalate as the Territory's population and the total Australian income tax collections grew. The Territory also granted additional assistance of \$20 million per year for the first three years, decreasing after that; (ii) Access to the Commonwealth Grants Commission which could grant special financial assistance; (iii) Specific Purpose Grants (recurrent and capital) on the same basis as were given to the states for state programs. The Territory was given special assistance for Aborigines and for the Northern Territory Electricity Commission; (iv) General Purpose Capital Funds (one-third grants and two-thirds loans). The Territory

would not be a member of the Loan council and its share of total borrowings would be allocated from the share of the Commonwealth not of the states; (v) semi-government and local borrowing, which also would be included in the Commonwealth's program.

Of this early period Russell Mathews has concluded (1985, 21):

*The financial arrangements which the Northern Territory Government negotiated with the Commonwealth although parallel to those which govern Commonwealth-State financial relations, were more favourable than the latter in a number of important respects. These included: the rate of increase in tax sharing grants; the provisions for additional assistance grants during the transitional period from 1979-80 to 1984-85; the Territory's continuing access to the Commonwealth Grants Commission; and the funding of a number of specific purpose programs exclusive to the Territory (such as the debt charges assistance, the subsidies to the Electricity Commission and the special programs for Aborigines.)*

However, as the Northern Territory was to provide the full range of state functions (with the exceptions noted above), and as it had been agreed in the Memorandum that the level of services should not fall below established levels, the special problems and needs of the Territory were also out of the ordinary. These are (again in Mathews' words 1985, 23)

*an unusual combination of a small, young and widely dispersed population containing a large minority group with special, long-neglected and very expensive needs; a vast land area with wide climatic variations and relatively poor internal communications; physical isolation from the rest of Australia with all the social, economic and financial disabilities that flow from that isolation; a retarded level of social, community and economic development which has reflected not only a long period of stagnation but also the devastation of Darwin in the 1974 cyclone.*

Five years after Territory self-government there was a change of Commonwealth government. The Liberal-Country coalition government led by Malcolm Fraser was defeated and replaced by an ALP government led by Bob Hawke. Since then the Commonwealth funding of the Northern Territory has altered in two important ways (Gerritsen 1988). Firstly, the Commonwealth has reviewed the relativities of the tax sharing arrangements so as to benefit the larger states, NSW and Victoria, and remove the imbalance which had developed in favour of the smaller states, including the Northern Territory. The Hawke government has also cut back its level of funding of the states across the board. Secondly, the Hawke government instituted a review by the Commonwealth Grants Commission of the Northern Territory's finances which found that it had been allowed greater than deserved funding between 1982-83 and 1984-85. Some of this funding was recovered by cuts in later years. More importantly the 1984 relativities review, ratified by the May 1985 Premiers Conference determined that the 'special' aspects of the Northern Territory's Commonwealth funding would be removed gradually by July 1988, the Memorandum of Understanding notwithstanding.

The consequence of these developments is that by 1990 the Northern Territory government is funded by the Commonwealth Government as if it were a state. Some special claims remain, but this has often been the case in the Australian federal system for the smallest and most vulnerable states. The Northern Territory now raises 25 per cent of its expenditures, compared with the average of 14 per cent which it had raised between 1978/79 and 1984/85 (Gerritsen 1988, 49).

## CHAPTER TWO

### INTERGOVERNMENT FORUMS

Governments in the Australian federal system need to work together in almost every policy area. They need to do so to overcome the division in constitutional responsibilities, in financial capacity and in human resources which federalism entails. Some of this working together is done informally, but much of it is achieved at or around formal meetings of officials and ministers who are representing governments.

There are a very large number of these intergovernmental forums (Chapman 1988). The *Register of Commonwealth-State Cooperative Arrangements* (Advisory Council on Intergovernment Relations 1986) includes 248 bodies working in all policy areas. The types of meeting vary. They can be of ministers supported by officials or of officials alone. The officials can be heads of departments or middle-ranking officers. They can include the Commonwealth and each of the states or a smaller grouping from among them such as the Commonwealth and one, two, or three states, or a number of states alone. The most senior of the meetings are the Ministerial Councils, of which there were 36 in 1986, plus the most senior of all, the Premiers Conference and Loan Council, at which the Prime Minister and Treasurer meet with the Premiers and Treasurers of the states.

Meetings of all of these bodies will normally occur annually or more frequently. Premiers Conference and Loan Council meetings occur in Canberra. Other meetings rotate around capitals. The ministerial councils are usually preceded by a meeting of senior officials known as a Standing Committee. The meetings also spawn sub-committees, working parties, technical meetings and so on.

The purpose of the meetings is to address policy issues in a way which stresses interaction and interdependence rather than competition and conflict (Chapman 1988, 99). The powers of the forums vary but in general the ministerial meetings 'act as advisers and co-ordinative bodies' (Chapman 1988, 106). In formal language they are 'consultative'. Sometimes they are attempts 'by members to hammer out a common policy' (Chapman 1988, 107). The level of partisanship varies over time and between committees but in general there is less than in the public forums. This is so especially at the officer level. Chapman concludes (107):

*Councils provide a forum in which the component units of the federal system can come together to arrive at a common understanding of the issues. The informal nature of the discussions and the relatively non-partisan context increases opportunity for frank exchanges of views. This is not to say that political considerations do not play any part, nor to claim that members of councils are not sometimes fettered by instructions from their cabinet colleagues or their Premiers. Generally, however it would appear that tensions between state and state, and state and Commonwealth, may be alleviated at these meetings. They are tools of effective policy-making in a federal system; ways of coping with the inevitable conflicts of jurisdiction and interest that emerge over time.*

## Northern Territory Participation

Self-government for the Northern Territory raised the possibility of the first addition to the membership of these forums since their first meetings which in some cases were fifty years ago. When the then Minister for the Northern Territory, Evan Adermann, made his ministerial statement on Northern Territory/Self Government in September 1977 (House of Representatives 14 September 1977, 1087-90) he did address this question under the heading of Commonwealth-State Consultative Machinery (p1090)

*The establishment of a self-governing Northern Territory as a new political entity within the Commonwealth will have implications for Commonwealth-State consultative machinery. At present executive members of the Legislative Assembly attend most, if not all, of the Commonwealth-State standing ministerial councils and committees with the status of observer. It is appropriate that where executive members presently have observer status at Commonwealth-State ministerial meetings, the Ministers of the Northern Territory government should be accorded full membership of such bodies upon that government assuming responsibility for the relevant function. The Commonwealth Government will sponsor such membership at a relevant time.*

This appears to have been what occurred. The only exception was the Loan Council, where, not being a state, the Northern Territory could not be a full member as membership was by statute reserved to states. While the addition of the Northern Territory would potentially alter the balance where votes were taken in these meetings, this would have limited effect as the meetings generally served only to advise. The only objection on principle came from the Queensland government. The Queensland government had challenged the right of citizens in the two territories to have representatives in the Senate and the Western Australian government had challenged the right of citizens in the territories to full membership of the House of Representatives (see House of Representatives, 27 October 1977, 2482). In the context of these challenges Queensland objected to the presence of Northern Territory government representatives at these meetings. It appears that the Queensland government also felt that the Northern Territory government would not be fully independent and would adhere to the Commonwealth government line when votes were called for.

Admission to full membership status appears to have occurred more or less straightaway, although such decisions were made on an individual basis by the participants in each meeting. One exception seems to have been the Standing Committees of Attorney's-General which took longer than many other forums to grant Northern Territory membership, despite Paul Everingham's urging (see 1979 Commonwealth Directory). In the nature of these things there was no central coordination. For example, in the case of the Advisory Council on Intergovernment Relations, on 24 November 1977, the Northern Territory Legislative Assembly appointed the Majority Leader in the assembly to be its observer. Then on 30 May 1979 Tom Harris MLA, Everingham's alternate on ACIR reported that ACIR had indicated that ACIR had 'agreed in principle to the status of the Northern Territory being elevated to that of a full member of the council' (Legislative Assembly Debates 30 May 1979, 1550).

Following admittance to membership it very quickly followed in many cases that a meeting of the forum in question was held in Darwin: in the case of ACIR on 19 August 1979. A new and exotic location was doubtless welcomed by the participants. In these early days the Northern Territory government was also able to clear up misconceptions about the proper way to conduct dealings with the Northern Territory. The ACIR was

quickly told that it was not good enough to hold hearings about local government prospects for the future in Port Augusta or Port Pirie (South Australia) and expect witnesses from the Northern Territory to travel there. In the case of hearings of the Conciliation and Arbitration Commission, Paul Everingham complained successfully that sittings on Territory matters should not be held in Sydney.

### **Problems of Membership**

The Northern Territory government's warm welcome into the intergovernmental forum fold quickly led to an embarrassment of riches despite the benefits to be gained from membership. Once the government became a member of almost all of the several hundred of forums it had to bear the costs, human and financial, of such attendance. Meetings needed to be prepared for; air travel from Darwin to other centres was far more expensive than for other governments with larger budgets, and those attending had to be away from Darwin for longer periods than were necessary for representatives of other governments (three days in the case of a one day meeting in Canberra, for example). By the mid-1980s the Northern Territory government was a member of about 180 of the 248 forums listed in the register of Commonwealth-State Co-operative arrangements. They are listed in Appendix B.

The size of the task may be illustrated by several examples: Table 2.1 shows a report by the Department of Transport and Works of its first full year of operation, one in which it took up invitations to join 11 'national and international Professional Associations', most of which are intergovernmental forums.

In the mid-1980s the annual report of the Department of Primary Production lists 2 national councils, 12 national committees, 16 national subcommittees, 9 national working parties and 4 national technical committees - 43 in all which the department attended (see Table 2.2). An agency such as the Conservation Commission of the Northern Territory appends a list of meetings and conferences actually attended by its officers during a financial year (Conservation Commission of the Northern Territory 1988, 62-64). It shows numerous meetings associated with the Australian Environment Council, the Council of Nature Conservation Ministers (CONCOM) and the Soil Conservation Council among others.

The problem for ministers is even greater than it is for public servants who can share the task of representing a department. Many may like the opportunity to travel but ministers tire of it. As the ministry is small and some ministers hold multiple portfolios the burden can be immense. In extreme cases a minister may be a member of a dozen ministerial councils. Table 2.3 shows the load borne by the ministers in the Northern Territory government in 1979, and Table 2.4 provides the same information for 1988-89.

Not surprisingly many in the Northern Territory government believe that there are too many such meetings. Yet the government may be put at a disadvantage if officers or ministers don't attend. The government and its departments try to be very choosy about which meetings to attend and which forums to join. One option is to become a corresponding or 'paper' member. This is frequently done, and may even in rare cases, such as in the case of the Australian Forestry Council, which is responsible for an industry in which the Northern Territory has little interest, be the chosen path for a ministerial council. Another option is to rely on allies among other members to take notes and alert the Northern Territory government if developments are occurring in which it ought to take a closer interest.

**Table 2.1**  
**Department of Transport and Works**  
**Membership of Associations 1978-79**

During the year the Minister and the Department were invited to join 11 national and international Professional Associations and were subsequently accepted for full membership.

The associations, being technically and policy oriented, provide ideal forums for the Department's officers to discuss common problems, new techniques, professional standards and proposals with their counterparts throughout Australia and overseas.

Each Association has a number of Standing Committees working to it, on which the Department is represented at various levels. The involvement with these bodies is therefore an ongoing function of the Department.

The Associations are:

- Road Engineers Association of Asia and Australasia;
- Australian and New Zealand Road Transport Conference;
- Australian and New Zealand Reciprocity Association  
(Plumbers, Drainers and Gas Fitters);
- Australasian Government Printers' Association;
- Australian Transport Advisory Council;
- Australian Water Resources Council;
- Marine and Ports Council of Australia;
- National Public Works Conference;
- National Association of Australian State Road Authorities;
- Australian National Committee of the International  
Association for Water Pollution Research;
- Australian National Committee on Large Dams;
- Biennial Conference of Administrative Officers of  
Water Supply and Sewerage Boards of Australia.

Source: Northern Territory Department of Transport and Works First Annual Report  
1978/79, p67

**Table 2.2**  
**Department of Primary Production**  
**Departmental Representation on Committees**  
**1985-86**

**National Councils**

Australian Agricultural Council	Hon T McCarthy MLA
Standing Committee on Agriculture	Mr SP Saville OBE

**National Committees**

SCA Animal Health Committee	Dr GR Fallon
SCA Consultative Committee on Exotic Animal Diseases	Dr GR Fallon
SCA Animal Production Committee	Mr G Kirby
SCA Plant Health Committee	Mr T Usher
SCA Plant Production Committee	Mr JD Sturtz
Advisory Committee on Priorities in Rural Research & Extension	Mr D Petty
Chief Quarantine Officers (Plants) Conference	Mr IF Taylor
Chief Quarantine Officers (Animals)	Dr GR Fallon
State Supervising Officers for Fresh Fruit & Vegetable Exported Overseas	Mr I Kilduff
BTEC Committee	Mr P Plummer
Drought Consultative Committee	Mr J Tobin
Senior Workface Conference (Animal Quarantine)	Mr IF Taylor
	Dr D Thomson
	Mr D Hansen

**National Sub-Committees**

Australian Seeds Committee	Mr D Hansen
Agricultural Remote Sensing Committee	Mr RA Dance
Northern BTEC Committee	Dr G Newmann
	Mr L Dodd
Principal Laboratory Officer	Dr L Melville
Animal Welfare	Dr D Thomson
Hydatids (Correspondence)	Dr GR Fallon
Exotic Diseases	Dr GR Fallon
Biological Control of Anthropod Pests Co-ordination	Mr GR Strickland
Australian Weeds Committee	Mr IL Miller
Advisory Sub-Committee on Animal Importations	
- Beef and Buffalo	Mr B Ford
	Mr G Kirby
Agricultural Chemicals - (Correspondence)	Mr IJ Hamdorf
Interstate Plant Quarantine	Mr T Fenner
Horticulture Post-Harvest Correspondence	Mr TJ Piggott
Export Inspection Review	Dr RJ Thistlethwaite
Revision of Standard Definitions and Rules (BTEC)	Dr G Newmann
Destocking Policy	Mr D Newton-Tabrett

Table 2.2 cont.

**National Working Parties**

Game Meat for Human Consumption (Correspondence)	Dr GR Fallon
Codes of Practice for Welfare of Animals	
- Sea Transport of Livestock (Correspondence)	Dr D Thomson
- Mustering and Marketing of Feral Animals (Correspondence)	Dr D Thomson
Wildlife and Exotic Disease Control	Dr CJ McCool
Economic Potential for Selected Horticultural Crops	Mr M Franettovich
Chemical Emergencies in Plant and Animal Production	Mr IJ Hamdorf
Livestock and Meat	Mr DR Petty
Artificial Breeding Standards	Dr CJ McCool
Australian Seed Industry Advisory Committee	Mr D Hansen

**National Technical Committees**

Agricultural Chemicals (Assessment & Registration) (Correspondence)	Mr IJ Hamdorf
Veterinary Drugs (Assessment & Registration) (Correspondence)	Dr GR Fallon
State Supervising Officers (Export Inspection)	Mr TJ Piggott
Consultative Committee on Exotic Animal Diseases	Dr GR Fallon

Source: Northern Territory Department of Primary Production Annual Report 1985/86  
pp57-58

**Table 2.3**  
**NT Membership of Ministerial Intergovernment Forums**  
**(1979)**

**Everingham PAE** **Chief Minister & Attorney General**

Australian Aboriginal Affairs Council  
 Australian Forestry Council  
 Australian Environmental Council  
 Council of Nature Conservation Ministers

**Steele RM** **Minister for Industrial Development**  
**Minister for Transport & Works**

Tourist Ministers Council  
 Australian Water Resources Council  
 Australian Agricultural Council  
 Australian Fisheries Council  
 Australian Transport Advisory Council  
 Marine and Ports Council of Australia

**Tuxworth IL** **Minister for Mines and Energy**

Australian Minerals and Energy Council

**Robertson JM** **Minister for Community Development**  
**Minister for Education**

Australian Education Council (observer only)  
 Standing Committee of Ministers for Consumer Affairs  
 Recreation Ministers Council  
 Local Government Ministers Council

Source: Commonwealth Government Directory 1979, AGPS, Canberra 1979

**Table 2.4**  
**NT Membership of Ministerial Intergovernment Forums**  
**(1988-89)**

<b>Perron MB</b>	<b>Chief Minister/ Minister for Industries and Development</b>
<ul style="list-style-type: none"> <li>Australian Aboriginal Affairs Council</li> <li>Australian Policy Ministers Council</li> <li>Australian Agricultural Council</li> <li>Australian Fisheries Council</li> </ul>	
<b>Finch FA</b>	<b>Minister for Transport and Works</b>
<ul style="list-style-type: none"> <li>Ministerial Meeting on Construction</li> <li>Australian Transport Advisory Council</li> </ul>	
<b>Manzie DW</b>	<b>Minister for Conservation Attorney-General</b>
<ul style="list-style-type: none"> <li>Australian Soil Conservation Council</li> <li>Australian Environment Council</li> <li>Council of Nature Conservation Ministers</li> <li>Ministerial Council for Companies and Securities</li> <li>Standing Committee of Attorneys-General</li> <li>Australian Forestry Conference</li> </ul>	
<b>Dale DF</b>	<b>Minister for Health &amp; Community Services</b>
<ul style="list-style-type: none"> <li>Australian Health Ministers Conference</li> <li>Cultural Ministers Council</li> <li>Sport and Recreation Ministers Council</li> <li>Standing Committee of Consumer Affairs Ministers</li> <li>Conference of Ministers for Immigration and Ethnic Affairs</li> </ul>	
<b>Poole EH</b>	<b>Minister for Tourism</b>
<ul style="list-style-type: none"> <li>Tourist Ministers Council</li> </ul>	
<b>McCarthy TR</b>	<b>Minister for Labour &amp; Administrative Services</b>
<ul style="list-style-type: none"> <li>Local Government Ministers' Conference</li> </ul>	
<b>Coulter BF</b>	<b>Minister for Mines and Energy</b>
<ul style="list-style-type: none"> <li>Australian Industry and Technology Council</li> <li>Australian Minerals and Energy Council</li> <li>Australian Water Resources Council</li> </ul>	

Source: Commonwealth Government Directory 1988-89, AGPS Canberra 1989.

## Benefits of Membership

There appear to be very few instances in which the Northern Territory government representatives have not been made to feel full and equal partners in intergovernmental forums once some initial confusion and perhaps patronising behaviour in the very early days had passed. Certainly Northern Territory representatives were seen as inexperienced newcomers, which they were, and needed a little time to find their feet. These attitudes appear not to have taken long to dissipate and over time a few Northern Territory officers have come to achieve 'father figure' status in the committee on which they serve because they are now (or were) the longest serving members. These officers were turned to as the 'memory' of the group as far as certain procedures and policies were concerned.

After ten years, Northern Territory ministers were just as experienced as ministers from other states. The Country Liberal Party has been in office for the whole of that period, while there has been at least one change of party government in every other state during these ten years. There has, of course, been quite a high turnover in Northern Territory ministers but some very experienced individuals, including the present Chief Minister, remain in office.

The important qualification to this general rule needs to be made in the case of the Premiers Conference and the Loan Council. This may be because of the meetings' executive powers or because of the seniority of the participants. In these forums the Northern Territory is aware of its place. As one senior minister put it: '...we remain very mindful that we're not an equal partner ... we only talk when invited to do so'; a senior official explained: '...we are the lowest player on the totem pole'. Even Paul Everingham, who was inclined to an aggressive stance, was mindful, at least when under attack from the Opposition in June 1981 for failing to be aggressive enough following a Premiers Conference, that

*Down south they are much more interested in what Mr Bjelke-Petersen, Sir Charles Court, Mr Wran, Mr Hamer and Mr Tonkin say. Mr Lowe barely rated a mention on the national scene and I can keep my powder dry for the time when it is needed. I will do that. (Legislative Assembly Debates, 3 June 1981, 921).*

On that occasion the then Treasurer, now Chief Minister, Marshall Perron, remarked:

*We do not kid ourselves that the Prime Minister will sit bolt upright at the very sight of a press release from the Northern Territory's Chief Minister, particularly when he has the premiers of the states hounding him (Legislative Assembly Debates, 3 June 1981, 928).*

For this reason, although like other participants the Northern Territory was highly critical of the Commonwealth's lack of preparation and late distribution of documents at Premiers Conferences (see Everingham's passing comment, Legislative Assembly Debates 16 March 1983, 76) it did not feel it was its place ever to raise the matter. The Northern Territory, mindful of its observer status at the Loan Council meeting, which immediately followed the Premiers Conference, said nothing.

During the late 70s and early 80s some Treasury and Chief Minister's Department officials found some of the other states helpful to their cause in the financial matters which dominated the Premiers Conference meetings. It was not so by the late 1980s when the changes to the way of calculating grants to the Northern Territory meant that any Northern Territory gain would be taken out of the general pool of money and other states would

suffer. This was one negative aspect of full partnership and meant that in money matters, at least, Premiers Conferences were different from other meetings.

There is almost unanimous agreement that such forums are beneficial for the Northern Territory. There are a number of possible benefits, bearing in mind the earlier discussion of the general purpose of such meetings. They are almost never policy-making forums but they do offer opportunities for the building of personal contacts and networks, knowledge of the latest programs and techniques being developed in other jurisdictions, the chance to build national policies and to avoid getting out of step with others.

Intergovernmental forums, firstly, offer the chance for the Northern Territory representative to 'catch the ear' of the representative of the Commonwealth, including the Prime Minister, and make the position clear. This can be highly informal. Everingham has related how at a photo session for the Constitutional Convention in Adelaide he took the opportunity of sidling up to Hawke and saying out of the corner of his mouth 'You're not going to take our railway off us, are you mate?' (*Northern Territory News* 1 December 1983). Of course, Hawke did just that later. At the so-called Housing Summit in March 1989 Marshall Perron was able to arrange a meeting with Hawke to discuss his proposal for transfer of powers.

They also offer the opportunity for somewhat isolated Territorians to make friends and contacts among other states and the Commonwealth, in other words to create a network. It is difficult to exaggerate the importance of such networks to the operation of politics in a federal system. Once the network has been created, a telephone call from Darwin to a strategically placed person in another government will help to ascertain what is happening in fields of interest to the Territory.

The forums offer, thirdly, the chance to learn of new techniques and policies. As one senior officer put it:

*We are able to look at ourselves in the light of what others are doing - they've had 80 years start ... we feel isolated but we're not doing too badly ... we appreciate having the technical and political intercourse ... meeting with colleagues and discussing problems ... they've often already addressed similar issues.*

Another senior officer put the same sentiments more bluntly: '...we pick their brains'. Sometimes the Northern Territory is utilising programs and legislation which have been adapted from another state.

They offer, also, the chance to build national policies and to avoid being the odd one out in policy fields where inconsistency between the states would be disastrous. The taxation field is one area where the Northern Territory agrees that it is essential to minimise policy differences. Other examples include the meetings of the Standing Committee of Attorneys-General (Legislative Assembly Debates 16 May 1979, pl228) and the meetings of the Police Ministers' Council (Legislative Assembly Debates 1 September 1982, 2270-2791).

To give one example, the Commissioner of Taxes reported in 1981

*The maintenance of a uniform approach to both stamp duty and payroll tax matters by the Territory and the States is assisted by the Annual Conference of State Taxation Commissioners and Treasury officials. This year's conference was held in Hobart and provided an excellent*

*opportunity over the three days to discuss taxing matters and to debate methods of combating tax avoidance schemes ... (Dept of the Treasury, Northern Territory, 1981, 18).*

Finally there are a number of fields where the Northern Territory has enough to offer that it can function as something of a leader in the appropriate intergovernmental forum. Its preeminence in the field of land information systems is recognised in the Australian Land Information Council. The Northern Territory is sometimes put into this position because of its inherent characteristics. Tropical agriculture is one field in which discussion is quite naturally led by Queensland, Western Australia and the Northern Territory. Perhaps the most major and controversial field in which this is the case is Aboriginal affairs. The Australian Aboriginal Affairs Council (AAAC) is one forum in which the Northern Territory does play a substantial role. It is a field in which its contribution to policy-making and implementation cannot be avoided even by participants opposed to the Northern Territory's policies. It is of such great interest to the Northern Territory that the Chief Minister is the responsible minister (although he is rarely able to attend). Northern Territory views in recent years on matters such as mainstreaming policy, the Aboriginal and Torres Strait Islander Commission (ATSIC) and the Royal Commission into Aboriginal Deaths in Custody make a substantial contribution to the agenda of AAAC meetings. The Northern Territory officers involved claim that their substantial contribution, even 'leadership' is acknowledged, even if their policies are not always respected by some other participants.

Such discussions undoubtedly contribute to the inculcation of ideas about policy, to the acceptance of some issues as important and of some solutions as acceptable; in short agenda-setting, which may lead eventually and indirectly not policy-making. But rarely do intergovernmental meetings make authoritative policy decisions (other than Premiers Conference and Loan Council in which the Northern Territory is not influential). So the Northern Territory cannot effectively achieve its goals on major contested issues by manipulating intergovernmental meetings. Intergovernmental meetings reach decisions but those decisions are not binding on the Commonwealth government in the future, even if the Commonwealth agrees at the time. The same is true for the other participants, too, of course.

One example which illustrates this point involves the Australian Education Council (AEC). Of the AEC Harman has recently written:

*Since a separate secretariat was established in Melbourne in the late 1970s, it has become an increasingly important vehicle for developing national policy. It is used frequently by state ministers as a means of putting pressure on the Commonwealth and by the Commonwealth to bargain collectively with the states (Harman 1988, 25-56).*

The Northern Territory government and the Commonwealth government were in serious dispute over the Northern Territory's development of the University College of the Northern Territory in the face of the opposition of the Commonwealth government. At the 52nd meeting of AEC in 1985, a unanimous resolution was passed declaring among other things that

*the Commonwealth should acknowledge the wishes of each state with respect to the development of its tertiary education system and that they should be treated as the most important source of advice about the needs, at the state level....*

Such resolutions helped the Northern Territory not one bit. As the Minister for Education complained: 'All we have been given is orders' (Legislative Assembly Debates 27 November 1986, 1531). The Commonwealth government proceeded to deal with the Northern Territory government as it wished on this issue (the details are not important here, see in general West *et al* 1988) despite the jointly arrived at position of AEC. This dispute was only resolved by the eventual creation from 1 January 1989 of the Northern Territory University from an amalgamation of Darwin Institute of Technology and the University College of the Northern Territory, a formula which was not on the agenda of either government when the dispute started.

A more important case, crucial to relations between the Northern Territory and the Commonwealth is the place of CONCOM, the Council of Nature Conservation Ministers, in the saga of the Northern Territory's unsuccessful attempts to have the management of the two great national parks - Uluru and Kakadu - returned to its officers from the Australian National Parks and Wildlife Service.

According to the then Northern Territory Minister for Conservation, Steve Hatton, in 1985, the support of CONCOM for the Northern Territory's position has been to no avail. The following resolution was passed by CONCOM at its meeting in Darwin on 10 August 1978, reinforced in 1978, again in 1980, and still stands. (Presumably the resolution was passed by a majority rather than unanimously).

1. The ANPWS will be required to conform to the role defined and agreed by the Council at its November 1976 meeting.
2. The necessary amendment to the National Parks and Wildlife Conservation Act be encouraged.
3. The ANPWS withdraw from all land-holding activities and all parks at present under its control be returned to the appropriate state or territory government.
4. The ANPWS refrain from negotiations with Aboriginal peoples without the full knowledge, consent and involvement of the relevant state or territory government.

(Legislative Assembly Debates 6 June 1985, 989).

Such principles stand to this day, but the Commonwealth government has not returned control over the management of the national parks (Legislative Assembly Debates 221 February 1989, 14-16). This is not to say that the Northern Territory has not found CONCOM useful: on the contrary it participates avidly in the work of CONCOM and its committees. On some matters, such as the management of crocodiles, the Northern Territory is looked to as evidently holding what expertise there is in Australia. On this basis its officers have been sent by CONCOM to international meetings. Nevertheless, when it comes to matters of high policy, CONCOM lacks any leverage on the Commonwealth government.

## CHAPTER THREE

### THE REGIONAL INTERFACE

#### Introduction

Discussion of intergovernmental relations by academics and commentators has traditionally paid very little attention to the role of Commonwealth public servants located in the regions. When they are given some attention the studies have usually been in the tradition of implementation studies which address relations within Commonwealth departments between the central and regional offices (eg Sanders 1987). State and Territory political leaders invariably neglect the Commonwealth's regional offices. The Commonwealth Public Service also has tended not to value the work of its officers in the regions as much as it ought and as a consequence high flying careers are fostered in the national capital. So for all sorts of reasons all heads turn to Canberra.

The first point at issue between the Northern Territory government and the Commonwealth is the number and seniority of the Commonwealth officers based in Darwin. Because the Northern Territory, especially Darwin, depends heavily on the Commonwealth presence as an important component of economic development, the Territory government is extremely sensitive to Commonwealth government decisions to relocate its officers. Commonwealth decisions to increase its commitment are vigorously applauded. For example, the Territory government welcomed the Report of the 'Review of Australia's Defence Capabilities' (the Dibb Report) which recommended increases in Australia's northern defences, including the establishment of a regular army base in the Darwin Tindal area (Ministerial statement: Review of Australia's Defence Capabilities. Legislative Assembly Debates 19 June 1986, 188-192). On the other hand great concern is expressed whenever it is reported that a Commonwealth government department appears to be downgrading its regional offices in Darwin (eg F Finch, Legislative Assembly Debates, 20 October 1987, 1705). It was a common perception among senior Northern Territory officers in 1989 that slowly but surely this was what the Commonwealth was doing. If so, it is argued, this is to the detriment not only of the local economy and the provision of services to the Territory's citizens but also to effective intergovernment relations in Darwin.

The Commonwealth public sector in Darwin and the rest of the Territory is small by Australian standards but relatively large by Northern Territory standards. Standing at about 5,100 officers it is about a third of the size of the Northern Territory public sector (see Table 3.1). There has in fact been very little fluctuation since self-government in its absolute numerical size, and as the table shows the figure was steady in the late 1980s.

The distinguishing feature of all Commonwealth public sector offices in the regions of Australia is the relatively junior level of the officers who staff them in comparison with those in the central offices in Canberra. The following discussion is based upon evidence from the public sector proper. These officers are employed under the Public Service Act, mostly work in government departments, and make up about 40 per cent of the total Commonwealth public sector. In June 1981 there were 31 first division officers in the Commonwealth public service, all of whom were located in Canberra and 1,328 second division officers of whom 1,047 were located in Canberra (Public Service Board 1981).

**Table 3.1**  
**Wage and Salary Earners, Northern Territory (a)**  
**('000)**

Month	Est wage & salary earners out of scope of survey	Survey Estimates				Total
		Private	Government			
			Comm'th	N T	Local	
<b>1987:</b>						
April		33.7	5.1	15.8	0.8	55.4
May	5.7	34.2	5.2	15.8	0.8	56.0
June		34.8	5.3	15.9	0.8	56.8
July		33.5	5.2	15.9	0.8	55.4
August	5.7	33.4	5.1	15.6	0.8	55.0
September		33.0	5.0	15.8	0.8	54.7
October		30.8	4.9	15.8	0.8	52.3
November	5.7	31.0	4.8	15.8	0.8	52.5
December		30.0	4.8	15.7	0.8	51.4
<b>1988:</b>						
January		28.9	4.9	15.6	0.8	50.3
February	5.7	28.8	4.9	15.2	0.8	49.8
March		29.1	5.0	15.7	0.8	50.7
April		30.5	5.1	15.6	0.9	52.0
May	2.7	31.6	5.1	15.5	0.8	53.0
June		32.4	5.1	15.7	0.8	54.1

(a) These figures derive from the quarterly survey of Employment and Earnings and, because of differences in scope and methodology they are not comparable with estimates of employed persons obtained from the Monthly Population Survey.

Source: ABS, Cat. No. 1350.7, Summary of Statistics, Northern Territory

At that time these were the two most senior categories in the service. Of the second division staff located outside of Canberra only five were in the Northern Territory: two in the Department of Aboriginal Affairs, one in the Attorney-General's Department, one in the Australian Legal Aid Office and one in the Department of Home Affairs and the Environment. This was fewer than in any state, except Tasmania which boasted four second division officers. A similar picture is shown by the figures for 1988 when there were a total of 1,517 members of the Senior Executive Service, 1,189 of whom were located in Canberra. Of the remainder there were six in the Northern Territory, compared with five in Tasmania, and, at the other end of the scale, 113 in Victoria. These figures are shown in Table 3.2. Of the six in the Northern Territory five were at most junior salary level within the Senior Executive Service. The six were in the departments of

**Table 3.2**  
**The Commonwealth's Senior Executive Service:**  
**Location and Salary Level, June 1988**

Location	Salary Level						Total
	1	2	3	4	5	6	
ACT	302	510	133	163	39	42	1189
NSW	37	28	15	8	2	1	91
VIC	57	29	19	6	2	0	113
QLD	15	7	6	0	0	0	28
SA	12	5	10	4	0	0	31
WA	9	6	3	0	0	0	18
TAS	5	0	0	0	0	0	5
NT	5	1	0	0	0	0	6
OS	5	25	3	3	0	0	36
Total	447	611	189	184	43	43	1517

Source: Department of Finance (Commonwealth) *Australian Public Service Statistical Yearbook 1987-88*, AGPS, Canberra, 1988, p42.

Aboriginal Affairs (1), Administrative Services (1), Attorney-General's (2), Defence (1) and the Australian National Parks and Wildlife Service (1). Most of the regional directors of the Commonwealth public service in the Northern Territory are at a more junior level than this. This limits the interaction which is possible between them and the most senior Northern Territory government officers. Commonwealth regional directors, consequently, while having some access to the top levels of the Northern Territory public service, tend to deal on a daily basis with Territory officers on about the third rung within their organisations.

Tables 3.3 and 3.4 show the type of Commonwealth departments which are represented in the Northern Territory. In 1981 the largest regional employers were the departments of Transport (442), Housing and Construction (221), Aboriginal Affairs (159), Employment and Youth Affairs (144), Social Security (136), and Administrative Services (110) and the Bureau of Meteorology (105). In 1988, the biggest regional offices were the departments of Administrative Services (439), Social Security (287), Employment, Education and Training (286), Defence (226), and Aboriginal Affairs (114), and the Bureau of Meteorology (105) and the Australian Customs Service (104). By and large, as might be expected, these are Departments devoted to the provision of services. On the other hand, the departments of Prime Minister and Cabinet, Treasury (not including the Australian Bureau of Statistics or the Australian Tax Office), Industry, Technology and Commerce, Primary Industries and Treasury, and Foreign Affairs and Trade have very little representation or, in most cases, none at all. By and large these are the central agencies and the great policy-oriented departments.

**Table 3.3**  
**Commonwealth Government Departments**  
**Full-time staff: department and location. June 1981**

Department, etc	ACT	NSW	Vic	Qld	SA	WA	Tas	NT	OS	Total
Aboriginal Affairs	250	96	18	108	37	89	3	159	0	760
Administrative Services	2162	1194	1217	520	528	315	116	110	30	6192
Aust Electoral Office	91	219	181	102	55	60	23	8	0	739
Aust Govt Publishing Serv.	937	0	60	12	4	5	6	0	1	1025
Attorney-General's	684	492	290	174	121	33	52	22	1	1869
Aust Legal Aid Office	20	114	60	0	0	0	20	18	0	232
Commissioner for County Rel.	20	1	1	0	0	0	0	0	0	22
Office of Parly Counsel	32	0	0	0	0	0	0	0	0	32
Business and Consumer Affairs	1019	1504	1084	484	365	439	110	88	11	5104
Industries Assistance Commission	311	19	24	0	0	0	0	0	0	354
Petroleum Products Pricing Authority	1	0	63	0	0	0	0	0	0	64
Trade Practices Commission	117	15	13	11	10	8	7	0	0	181
Capital Territory	3401	0	0	0	0	0	0	0	0	3401
Communications	171	129	220	82	53	46	29	5	0	735
Aust B'casting Tribunal	0	46	51	4	4	2	3	0	0	110
Special B'casting Service	1	209	20	0	0	0	0	0	0	230
Defence	4374	6995	8063	1605	3672	356	122	98	1404	26689
Education	715	226	164	129	72	93	19	21	0	1439
ACT Schools Authority	840	0	0	0	0	0	0	0	0	840
Curriculum Dev. Centre	36	0	0	0	0	0	0	0	0	36
C'wealth Schools Comm.	76	8	7	6	6	3	3	0	0	109
C'wealth Tertiary Education Comm.	93	0	0	0	0	0	0	0	0	93
Employment and Youth Affairs	423	1667	1894	916	562	576	206	144	0	6388
Finance	694	78	71	35	29	25	14	18	8	972
Aust Govt Ret. Benefits Off.	423	0	0	0	0	0	0	0	0	423
Foreign Affairs	982	92	65	25	18	22	7	0	2842	4053
Aust Dev. Assistance Bureau	339	67	24	11	12	10	3	0	31	497
ADAB Aid Experts	0	0	0	0	0	0	0	0	109	109
Health	1326	1364	839	656	254	248	117	29	2	4835
Capital Territory Health Commission	954	0	0	0	0	0	0	0	0	954
Home Affairs and Environment	363	8	0	0	0	3	0	2	1	377
Aust Archives	125	60	54	23	20	14	7	9	0	312
Aust Film Commission	0	141	0	0	0	0	0	0	2	143
Aust Heritage Commission	18	0	0	0	0	0	0	0	0	18

Continued....

Table 3.3 continued

Department, etc	ACT	NSW	Vic	Qld	SA	WA	Tas	NT	OS	Total
Aust Nat. Parks and Wildlife Service	43	0	0	0	0	0	0	21	3	67
Aust War Memorial	113	0	0	0	0	0	0	0	0	113
Great Barrier Reef MPA	5	0	0	30	0	0	0	0	0	35
National Library	697	0	0	0	0	0	0	0	2	699
Office of the Supervising Scientist	1	25	0	0	0	0	0	15	0	41
Housing and Construction	2404	2531	1927	1072	650	651	118	221	3	9577
Immigration & Ethnic Affairs	697	420	339	101	81	107	26	33	152	1956
Industrial Relations	85	68	283	19	14	17	8	9	2	505
Industrial Relations Bureau	13	40	98	19	18	10	11	11	0	209
Industry and Commerce	701	613	2594	1	14	1	0	0	6	3930
National Development and Energy	665	11	130	0	0	0	0	0	0	806
Bureau of Mineral Resources	533	0	0	0	0	6	0	3	0	542
Primary Industry	711	496	589	508	280	225	93	0	0	2902
Bureau of Agricultural Economics	284	0	0	0	0	0	0	0	0	284
Prime Minister & Cabinet	562	11	2	0	0	1	0	0	0	576
Auditor-General's Office	271	94	103	34	31	35	14	36	6	624
Aust Science and Tech. Council	11	0	0	0	0	0	0	0	0	11
Commonwealth Ombudsman	31	4	5	2	2	2	0	0	0	46
Office of National Assessments	68	0	0	0	0	0	0	0	0	68
Public Service Board	745	74	135	35	34	30	16	17	1	1087
Science and Technology	382	282	349	23	89	43	113	1	82	1364
Bureau of Meteorology	37	165	721	221	131	188	69	105	15	1652
Patents, etc Office	464	5	10	3	3	2	1	0	0	488
Social Security	1049	3757	2781	1913	1202	1097	433	136	2	12370
Trade and Resources	791	118	192	33	23	22	7	0	47	1233
Transport	1278	2213	3556	1711	1046	1232	326	442	130	11934
Bureau of Transport Econ.	113	0	0	0	0	0	0	0	0	113
Treasury	538	17	1	1	1	1	0	0	9	568
Aust Bureau of Statistics	1719	521	474	343	250	252	142	24	0	3725
Aust Taxation Office	874	4435	3555	1614	1115	930	412	44	2	12981
Royal Australian Mint	331	0	0	0	0	0	0	0	0	331
Veterans' Affairs	399	4088	2676	1788	1067	1206	363	0	0	11587
<b>Total</b>	<b>37613</b>	<b>34732</b>	<b>34992</b>	<b>14374</b>	<b>11873</b>	<b>8405</b>	<b>3019</b>	<b>1849</b>	<b>4904</b>	<b>151761</b>

Source: Public Service Board (Commonwealth) Statistical Yearbook 1980-81, AGPS, Canberra, 1981, Table 6.

**Table 3.4**  
**Commonwealth Government Departments**  
**Full-Time Staff - Department and Location, June 1988**

Department	ACT	NSW	VIC	QLD	SA	WA	TAS	NT	OS	Total
Aboriginal Affairs	226	86	29	97	51	102	6	114	0	711
Administrative Services	4148	3490	2867	1334	1179	924	229	439	28	14638
Aust Archives	159	54	47	27	22	19	13	12	0	353
Aust Electoral Comm.	91	248	188	131	59	61	31	11	0	820
Bureau of Meteorology	21	173	880	214	125	179	64	105	0	1761
Arts, Sport, Envir, Tour & Terr.	657	76	0	0	0	0	221	0	9	963
ACT Health Authority	1189	0	0	0	0	0	0	0	0	1189
ACT Schools Authority	875	0	0	0	0	0	0	0	0	875
Aust Nat Parks & Wildlife	91	0	0	0	1	0	0	66	10	168
Aust Heritage Commission	26	0	0	0	0	0	0	0	0	26
Aust Legal Aid Office	36	0	0	0	0	0	0	0	0	36
Aust Sports Commission	26	0	0	0	0	0	0	0	0	26
Great Barrier Reef MPA	3	0	0	87	0	0	0	0	0	90
National Film & Sound Arch.	52	1	2	0	0	0	0	0	0	55
National Library	576	0	0	0	0	0	0	0	0	576
National Museum of Aust.	38	0	0	0	0	0	0	0	0	38
Office of ACT Admin.	5214	3	1	12	0	0	0	0	0	5230
Office of Superv. Scientist	0	23	0	0	0	0	0	40	0	63
Attorney-Generals	1274	833	568	379	257	131	124	68	0	3634
Aust Federal Police	418	55	45	31	20	17	5	6	0	597
Human Rights & Eq Opp Comm.	0	39	0	8	0	0	2	2	0	51
National Crime Authority	0	133	100	0	0	0	0	0	0	233
Office of Parl Counsel	31	0	0	0	0	0	0	0	0	31
Office of Dir Public Prosec	76	137	127	47	0	35	0	0	0	422
Trade Practices Commission	85	17	16	11	8	11	4	0	0	152
Community Services & Health	2074	1538	1269	946	425	403	167	54	0	6876
Defence	5344	5770	7831	1625	3181	430	140	226	124	24671
Employment Education and Training	1576	2560	2276	1528	752	903	295	286	0	10176
Finance	752	65	64	37	25	26	13	16	0	998
Aust Govt Ret Benefits Off.	415	0	0	0	0	0	0	0	0	415
Aust Audit Office	312	92	99	29	22	23	12	0	3	591
Foreign Affairs & Trade	1459	115	108	45	24	34	9	0	2803	4597
AIDAB	364	46	19	14	10	8	0	0	40	501
Immig, Local Govt and Ethnic Affairs	932	539	439	135	101	151	18	42	116	2473
Industrial Relations	500	72	387	38	28	18	17	17	0	1077
Affirmative Action Agency	0	20	0	0	0	0	0	0	0	20
Nat Occup Health & Safety	19	209	4	1	0	0	0	0	0	233
Industry, Tech & Commerce	950	129	74	9	12	8	8	0	5	1195
Aust Customs Service	907	1519	1139	518	306	496	105	104	0	5094
Automotive Industry Auth.	0	0	13	0	0	0	0	0	0	13
Patents, Tdemarks & Design	585	0	0	0	0	0	0	0	0	585
Primary Industries & Energy	1395	749	767	577	283	232	100	40	11	4154

Continued...

Table 3.4 continued

Department	ACT	NSW	VIC	QLD	SA	WA	TAS	NT	OS	Total
ABARE	294	0	0	0	0	0	0	0	0	294
Bureau of Mineral Resources	583	0	0	0	0	5	0	0	0	588
Prime Minister & Cabinet	479	4	3	4	1	2	3	1	0	497
Aust Science & Tech Council	18	0	0	0	0	0	0	0	0	18
Commonwealth Ombudsman	44	6	7	3	3	4	0	0	0	67
Merit Protection & Review	27	11	10	4	3	3	0	0	0	58
Office of National Assessment	93	0	0	0	0	0	0	0	0	93
Public Service Commission	189	0	0	0	0	0	0	0	0	189
Social Security	1503	5761	3093	2980	1640	1737	619	287	0	17620
Transport & Communication	2596	1663	1609	1563	1064	1059	68	10	0	9632
Aust. Broadcasting Tribunal	0	92	37	1	1	1	0	0	0	132
Bureau of Transport Econ.	87	0	0	0	0	0	0	0	0	87
Interstate Commission	13	0	0	0	0	0	0	0	0	13
Special Broadcasting Service	4	328	45	0	0	0	0	0	0	377
Treasury	591	28	29	1	2	2	0	0	14	667
Aust Bureau of Statistics	1813	482	439	318	209	228	127	43	0	3659
Aust Taxation Office	1587	5368	3572	2390	1403	1359	425	26	0	16130
Industries Assistance Comm	235	0	3	0	0	0	0	0	0	238
Office of Prices Surv Auth	0	25	11	0	0	0	0	0	0	36
Royal Aust Mint	362	0	0	0	0	0	0	0	0	362
Veterans Affairs	877	4033	2999	2130	1229	1290	393	11	0	12962
Aust War Memorial	207	0	0	0	0	0	0	0	0	207
Total	44498	36592	31216	17273	12446	9901	3218	2026	3163	160333

Source: Department of Finance *Australian Public Service Statistical Yearbook 1987-88*, AGPS, Canberra, 1988, Table 12, p14.

The interface between the two governments in the Northern Territory is then sharply defined. Firstly, certain Northern Territory departments have the opportunity for local interaction. Others do not. Secondly, the level at which the Commonwealth government is represented limits the scope of interaction. Most of the senior Northern Territory officers who participate in the intergovernmental forums discussed in the previous chapter do not frequently interact with Commonwealth officers at the local level and vice versa.

Just as is the case with intergovernmental forums there are a variety of types of formal relationships at the regional interface. Supplementing the formal relationships are the host of informal contacts, friendships, working relationships which are common in a city the size of Darwin and virtually inevitable in smaller towns and communities. The types of intergovernmental relationships to be found in the Northern Territory include

- (a) intergovernmental councils and committees (once again)
- (b) program cooperation
- (c) joint secretariats
- (d) outpost arrangements
- (e) agency arrangements.

Before looking in detail at each of these types, some general points can be made about the relationships. Firstly, once again apart from occasional clashes between individuals, personal relations are reportedly good. Secondly, the extent to which the relationships are seen as effective and constructive is quite variable. This variation can occur even within the one Commonwealth department, as is the case of the Department of Employment, Education and Training. Examples are given below of some relationships which are noticeably constructive, while others are demonstrably poorly regarded. Thirdly, the differences which do exist appear to stem either from policy differences between the two levels of government (probably greater since the Hawke Labor government took office in Canberra) or from differences in the way each public service organises itself which makes it very difficult for the other government to relate to it. A good example of the first of these two explanations lies in the field of Aboriginal Affairs where the Northern Territory's approach to mainstreaming Aboriginal services is quite different from the Commonwealth's approach. An illustration of the second point is the difficulty that the rather looser approach to central coordination within the Northern Territory government in some matters, such as staff recruitment, causes those sections of DEET concerned with public sector employment policies.

### **Intergovernmental meetings**

There are two types of intergovernmental meetings at the regional level in Darwin. The first type is the Territory coordinating meetings to which a Commonwealth public servant is invited as a member or as an observer. The second is the mirror-image, Commonwealth regional coordinating committees to which a Territory officer is invited. There are lots of these - for example the Regional Director of the Department of Employment, Education and Training is an official observer on several Northern Territory government committees, including the Northern Territory Industry and Employment Advisory Committee and the TAFE Advisory Committee. He is also a member of the Commonwealth Coordinating Committee for Aboriginal Affairs as is an officer of the Northern Territory Chief Minister's Department. Some other examples of Territory/state coordinating committees are listed in Appendix B. The situation is reversed for a similar Northern Territory committee (see in general, on Aboriginal Affairs, Dept of Aboriginal Affairs 1988, 95-98 and Dept of the Chief Minister 1988, 7-8). The Regional Director of the Australian

Bureau of Statistics who acts as the Northern Territory Statistician (this in itself is a prime example of intergovernment relations) is a member of the Northern Territory Statistical Liaison Committee which is chaired by the Northern Territory Under-Treasurer.

### **Program Cooperation**

It is very common for Commonwealth government funded programs to be administered jointly by the Commonwealth and the Northern Territory governments. One such example is the Aboriginal Employment Development Policy (AEDP) for which \$1.3 million was allocated to the Northern Territory in 1987-88. The annual report of the Commonwealth Department of Aboriginal Affairs for that year (Dept of Aboriginal Affairs 1988, 96) spells out the closeness of the program cooperation

*The AEDP Co-ordination Committee was strengthened this year with the inclusion of a representative of the Northern Territory Department of Labour and Administrative Services.*

*The Northern Territory Government has endorsed an Aboriginal Enterprise Development policy which complements most aspects of the Commonwealth's AEDP.*

*A Joint Agency Training team (JAT) comprising officers of DAA, DEET and the ADC, with input from the Territory Department of Labour and Administrative Services, commenced operation in March 1988, and will continue until September/October 1988. The team is conducting information seminars on AEDP for Aboriginal people and Commonwealth agency staff.*

### **Working Side-by-Side**

Similarly, there are many fields where Commonwealth and Territory officers are working side-by-side though not formally in partnership, sometimes funded by the Commonwealth government, sometimes not. The provision of adult education is one example: both in the training of educators and in the mounting of courses. In both aspects, officers from the two governments are working side by side in relationships which range from 'very good' to 'openly hostile'. In the case of Aboriginal communities, adult education courses are provided by Northern Territory government employed adult educators. Funds may be provided for these courses by the Commonwealth government on the advice of DEET-employed vocational officers who, in visiting such communities, will demand that in the development of courses the agreement of the communities has been achieved after consultation. The adult educators themselves are employed by the Northern Territory Open College (NTOC). The Commonwealth government also funds the training of Aboriginal adult educators at Batchelor College, but complains that the Northern Territory Department of Education does not employ these graduates.

### **Joint Secretariats**

Sometimes the Commonwealth-Territory relationship is so close at the officer level that it will be agreed that the best way for the chances of success of a Commonwealth program to be maximised in the Territory is by the creation of a joint secretariat. An outstanding example of this type of cooperation occurred in the case of two programs administered by

DEET (and its predecessors): the Community Employment Program (CEP) and the Australian Traineeship Scheme (ATS).

These Commonwealth funded programs have been managed by a joint secretariat which reports to the head of DEET's Industry Services branch which is actually located in the Northern Territory Department of Labour and Administrative Services. Commonwealth and Territory officers work side by side within a few feet of each other in an open plan office. On a day to day basis Territory officers report to the DEET officer in charge, while reporting to their own government for administrative purposes. Originally, when the CEP joint secretariat was set up in 1984 a formal heads of agreement was set out to govern procedures. Since then the arrangements have lost a lot of their formality as they have become well established.

The closeness of these working relations supports a more general cooperation in deciding upon particular CEP/ATS developments. A community committee is chaired by a Commonwealth officer to whom the Commonwealth minister has delegated authority. The Northern Territory minister, with veto power over the community council's decisions, has never objected to any decisions taken.

### **Commonwealth Outposts**

The Northern Territory is best able to take advantage of services offered by the Commonwealth government if, in some instances, a Commonwealth officer is actually lodged within a Territory department. This is quite common in other states but relatively new in the Northern Territory. Perhaps the best example is the outpost service which the Australian Bureau of Statistics (ABS) offers to the Northern Territory Treasury. This is a service to assist with the provision of statistical advice to the Territory government. This service began in 1988 and the salaries of the officers involved are paid by the Territory government.

There are other examples of outpost services. A DEET officer was based with the Northern Territory Department of Education to enhance joint work which was being undertaken. The ABS, is about to follow up its Treasury outpost with one in the Northern Territory Tourist Commission.

### **Agency Arrangements**

In some fields, it is efficient for the Commonwealth government to hand over some of its responsibilities under legislation to the Northern Territory government which will act as its agent; one illustration of such an arrangement is in the fisheries field. The Australian Fisheries Service (AFS) has no presence at all in Darwin, so in matters which affect offshore fishing and hence come under Commonwealth jurisdiction, Northern Territory officers act as agents. This applies for example, to the issuing of fishing licenses. It is done on an informal basis as there exist no written agency or contractual arrangements. For this reason, in the absence of policy guidelines, the Territory officers find the arrangement unsatisfactory. In the absence of the AFS from Darwin Northern Territory officers also participate as observers in the operations of the Australian Navy in protecting Australia's northern fishing waters from incursions from foreign fishing vessels. Once they are landed in Darwin the Northern Territory government is responsible for the upkeep of the foreign fishermen before they are repatriated.

## Conclusion

There are extensive formal attempts to coordinate the implementation of Commonwealth government policies in the Northern Territory both between Commonwealth departments themselves and between Commonwealth departments and the relevant Territory department(s). The same is true in some areas of Northern Territory policies. Among Commonwealth departments these efforts are underpinned by regular meetings of regional directors, and, socially, by a Commonwealth Club. This would appear to lead to very close relationships among senior commonwealth public servants.

The interface between the Northern Territory and Commonwealth governments needs to be worked at by the individuals involved if relations are to be cordial and the interaction mutually beneficial. Naturally each government and each individual, whether minister or bureaucrat, have their own interests at stake in each intergovernmental contact. These interests will always threaten consensus in intergovernmental relations. The conflicts may be about the control of service provision, about the apportioning of the electoral credit from successful policies and programs, about differing organisational principles and policies, or about personality differences.

The closest and most consensual relations emerge in situations where the policy or program is in the charge of just one department of each level of government and where the technical or operational concerns of the two governments are not overwhelmed by differences in strategy or political principle. In the relations which have been mentioned previously between the Australian Bureau of Statistics and the Northern Territory Treasury or between the Commonwealth Department of Employment Education and Training's Industry Service branch and the Northern Territory Department of Labour and Administrative Services the approach to the job to be done is the subject of reasonable agreement and the cooperation of other departments is not crucial.

This is not the case in the field of Aboriginal Affairs in which the two governments have different approaches (Sanders 1989). The Northern Territory government has 'mainstreamed' Aboriginal Affairs, so that not only is there no separate department of Aboriginal Affairs, but there are very few separate programs for Aborigines offered by any department. The Commonwealth government has introduced a variation of mainstreaming in which a greater percentage of programs for Aborigines are offered by functional departments. However these are still special programs and the department of Aboriginal Affairs retains a very important role. The Commonwealth Department of Employment, Education and Training has programs which seek to increase Aboriginal employment in the public sector in the Northern Territory and elsewhere. DEET officers in Darwin not only have to overcome the different approaches of the two governments but they must negotiate separate packages with individual Northern Territory departments which do not have any equivalent programs. The DEET officers are also unable to call upon the authoritative support of a Northern Territory central agency.

The approach of each government to central coordination is potentially influential in the conduct of intergovernmental relations between them because it can constrain the actions of individual departments. The next chapter considers the approach of the Northern Territory government's central agencies, Treasury and the Chief Minister's Department, to their own intergovernmental relations and to the coordination of the Territory's intergovernmental relations as a whole.

## CHAPTER FOUR

### CENTRAL AGENCIES

#### Introduction

The growth of intergovernmental relations within Australian federalism has been accompanied by the worry that this development exacerbates the problem of accountability inherent in federal systems (Sharman 1989; Galligan 1989). When policy emerges from intergovernmental relations between very many individuals in many forums and contacts then it is difficult to hold any one person or government responsible. There is likely to be a lack of democratic accountability and a lack of political accountability.

It is the lack of political accountability which has concerned governments in Australia and elsewhere (Warhurst 1983). They have often found their traditional mechanisms of ministerial responsibility and Cabinet control insufficient to protect the interests of those such as Premiers who are at the centre of governments. This has been one of the reasons for the growth of central agencies, such as Premier's departments (Painter 1987). Such central agencies have attempted to exert central control over intergovernmental relations in functional areas by intervening directly with the powerful support of the Premier or Prime Minister and by grafting themselves onto established Cabinet mechanisms.

Central coordination is not easy to achieve successfully. For one thing there is no quick and easy way to find out what is going on. Even a guide-book to intergovernmental relations is unavailable. Basic information, such as a single list of all intergovernmental forums is rarely available, although the register produced by the ACIR in 1986 ought to be a considerable help. For another thing departments and agencies are likely to believe that they are quite able to handle their own intergovernmental relations without intervention (they would call it interference) from the centre.

Australian central agencies, despite their own and others' sometimes contrary claims have not been successful in making more than a light impact on intergovernmental relations. Not only that but many of them have become very unpopular with their colleagues in other departments because of what is seen as a heavy handed approach (see, eg Warhurst 1982). Special intergovernmental affairs officers have been installed in a number of premiers' departments over the past 15-20 years (Chapman 1988; Warhurst 1983). Quite a number remain without yet demonstrating conclusively that such mechanisms achieve the desired effect.

The basic conditions for active intervention by central agencies in intergovernmental relations certainly apply in the Northern Territory. The fiercely antagonistic stance adopted by the Territory government in facing the Commonwealth, especially in the early years after self-government, mirrors the situation of the non-Labor states versus the Whitlam government in 1974-75 which at that time led to their creation of intergovernmental relations units. And there is certainly as little centralised information about intergovernment relations in the Territory as in the various states. There appears to be no central register or list of the Northern Territory's intergovernmental activities.

## **The Chief Minister's Department**

The place of the Chief Minister's Department in intergovernmental relations depends first and foremost on the place of the chief Minister himself in intergovernmental relations and secondly on its servicing of coordinating mechanisms.

Not only have the Northern Territory's Chief Ministers, beginning with Paul Everingham, set the tone of the government's relations with the Commonwealth, but they have often reserved for themselves and their department the fields which are the most contentious and the most important to the Territory's wellbeing. For example, at self-government the responsibilities which Paul Everingham, Chief Minister and Attorney-General, took upon himself meant that as well as becoming a member of the Premiers' Conference he also represented the Northern Territory on the Australian Aboriginal Affairs Council, the Australian Forestry Council, the Australian Environment Council and the Council of Nature Conservation Ministers (Commonwealth Government Directory 1979). Effectively this meant that he took responsibility for those policy fields, including Aboriginal affairs and national parks in which the Northern Territory had 'non-state-like' relations with the Commonwealth. The Chief Minister has also taken responsibility for negotiations with the Commonwealth over matters to do with constitutional development and statehood.

The Chief Minister's department provides support for the Chief Minister in intergovernmental matters where he has a portfolio interest and in other intergovernmental matters, as a senior officer puts it, 'when there is an issue of such significance for the NT that the CM would have an interest'. The department also acts as the secretariat for Cabinet, and the secretary of the department is the secretary to Cabinet. The secretary of the department also chairs the Coordination Committee, which comprises the senior executive officers of principal departments and agencies.

Intergovernmental relations are taken very seriously within the Chief Minister's Department and the secretary and the deputy secretary take much of it upon themselves. The secretary, for example, is responsible for constitutional development matters. Apart from this the major section of the department which handles intergovernmental relations is the Office of Policy and Planning. Prior to January 1987 this unit was known as the Office of Federal Affairs (earlier still it had been the Office of Inter-government Relations and Parliamentary Liaison). It was renamed 'in recognition of the widening focus of the office from issues of a strictly Federal nature to issues relating to the development of broad government policy' (Dept of the Chief Minister 1987, 9; see also Sanders 1985, 220-21). The office's specific responsibilities in 1987-88 included the coordination of Territory development, the Australian Bicentennial Council's Commemorative Program, and the Territory's interests in defence matters, such as 'the joint consultative arrangements established with the Commonwealth for the relocation of the 2nd Cavalry Regiment in Darwin' (Department of the Chief Minister 1988, 4).

The department believed that it was too bureaucratic to have a designated 'IGR' area, and formal coordination mechanisms are generally eschewed in favour of a more informal approach. All the same the Northern Territory follows the general rule agreed to by the Premiers Conference that the first intergovernment contact on potentially important issues should be between the Chief Minister and the Prime Minister. The Chief Minister's department demands to be involved. Other departments which are found to have initiated government to government contacts which are either not acceptable or haven't been cleared will, one senior officer in the department said, 'cause us to be cross'. The department admits that the success of such a system depends upon the relatively small size

of the Territory government. 'We're small and we can do it. We'd need a better system in a bigger state.'

Since 1 July 1987 the Department of the Chief Minister has included an Aboriginal Policy Coordination Unit. This development occurred in ad hoc fashion and followed complete 'mainstreaming' of Aboriginal services within the Northern Territory government. The Department of Community Development, which had delivered services, eg electricity, housing, to Aboriginal communities on an agency basis for other departments, was abolished and a place had to be found for their policy staff. Under Everingham there had been an Aboriginal Liaison Unit in Chief Minister's but Tuxworth had relocated this unit into the Department of Community Development.

The most recent annual report has summarised the work of this small (3 person) unit as follows

*The Aboriginal Policy Co-Ordination Unit is a focal point for Commonwealth/Northern Territory relations on Aboriginal Affairs. It provides a secretariat service to the Chief Minister's membership of the Australian Aboriginal Affairs Council. It also is represented on a number of important inter-governmental and inter-departmental groups in Aboriginal affairs, for example the Commonwealth Aboriginal Affairs Co-ordinating Group and the Northern Territory Advisory Committee on Aboriginal Housing, and provides advice to Government on important and sensitive issues in Aboriginal affairs. Particular areas of activity during the year have included the Commonwealth's proposal for an Aboriginal and Torres Strait Islander Commission; development with the Commonwealth of a joint program to address the housing and infrastructure needs of Aboriginal town campers; and monitoring the effectiveness of the mainstreaming initiatives (Chief Minister's Department 1988, 7-8).*

The task of the unit is to ensure that there are no problems in the delivery of services to communities by the respective Territory departments and agencies and to develop position papers on central policy issues, such as major land rights negotiations, the Commonwealth government's proposal for an Aboriginal and Torres Strait Islander Commission and the Royal Commission into Aboriginal Deaths in Custody. These position papers, and others, are often put to the standing committee of AAAC. The unit is confident of its position among its peers on the committee.

The other mechanisms for intergovernmental coordination serviced by the Department are Cabinet and the Co-ordination Committee. Neither are major mechanisms for coordinating intergovernmental relations but they do provide opportunities for central agencies to comment on major issues, including departmental submissions to the Commonwealth Grants Commission, major intergovernmental forums, Senate enquiries and so on.

The Cabinet handbook, which was originally modelled on the Commonwealth equivalent, sets out the procedures which departments must follow in presenting material to Cabinet. The comprehensive rules include a compulsory provision that each submission must include a comment from the Treasury and the Department of Law.

The Co-ordination Committee, which may have no equivalent elsewhere in Australia, meets monthly. In 1989 it comprised thirteen of the most senior heads of departments and agencies. They are provided with all Cabinet decisions. This enables them to keep

themselves and their departments informed, gives them the opportunity to raise concerns if they haven't had a previous opportunity to do so, and provides a chance to discuss implementation issues. The general purpose of the meetings, which take few decisions as such, is to talk about issues of significance to more than one agency, such as the Northern Territory budget, economic development, public service issues and so on.

### **The Treasury**

The Treasury, like the Chief Minister's department, has both a portfolio role and a coordinating role. The present Chief Minister is also Treasurer which must mean that the two departments are brought even closer together than they would otherwise be. They jointly support the Chief Minister at the Premiers Conference (and Loan Council) and jointly develop briefing papers. This forum has been increasingly devoted to financial matters in the 1980s, particularly relativities between the states for the purpose of tax sharing arrangements. While a senior officer in the Chief Minister's department insists that 'they are Premiers Conferences not Treasurers Conferences even if they are all about money' the financial agenda must shift the weight of advice towards Treasury. The Chief Minister's advisory group for a Premiers Conference in Canberra normally would include both the secretary of the Chief Minister's department and the Under Treasurer, but the supporting officials would tend to come from Treasury.

The portfolio responsibilities of Treasury include interactions with the Commonwealth Treasury (in Premiers Conferences and Loan Council), the Commonwealth Grants Commission, and the Australian Bureau of Statistics. The Treasury also includes the Commissioner of Taxes, who relates to the Australian Taxation Office.

The Treasury is responsible for preparing submissions to and subsequently negotiating with the Commonwealth Treasury and the Grants Commission. This is done both formally and informally prior to the Premiers conference and Loan Council as there is little or no negotiation in the meetings themselves or in the formal Grants Commission hearings. The two forums are perhaps equally important to the Territory. Although the Premiers Conference has the last say and has not always accepted the advice of the Commission in recent years, its technical recommendations are influential and, because they are respected, likely to win out in the longer term.

As the financial screw has tightened on the Territory in the years since self-government the Treasury has fought hard behind-the-scenes in the Territory's interest to preserve the favourable features of the Memorandum of Understanding. On these occasions it seems that it is 'all hands on deck' and the Northern Territory government uses whatever ministers, departments or individuals might have some leverage in Canberra (see Chapter 5 for further discussion). The department's role in all this is to argue the case with the Commonwealth's financial advisers. The role of the Chief Minister and of the Treasurer is to negotiate the issue out of the public intergovernmental forum into private bilateral talks between the Northern Territory and the Commonwealth.

The general picture appears to be one of the Commonwealth effectively dictating the broad outline and direction of financial policy while the Territory has had some successes and many failures in attempting to make changes at the margins. This seems to have been the case both during the Fraser-Everingham years (1978-1983) when Everingham adopted an aggressive stance towards the Commonwealth, and during the Hawke-Everingham/Tuxworth/Hatton/Perron years over which time the Northern Territory's position became more conciliatory. The Territory's strategy at the officer level has been to rely on 'smallness and unobtrusiveness' and in this way to obtain concessions from the Commonwealth at the margin. Until the last few years they have received some assistance

from the other smaller states, South Australia, Western Australia and especially Tasmania. These state Treasuries had experience of being a claimant state before the Grants Commission, most recently Tasmania, and they were willing to be somewhat altruistic and genuinely helpful. That quickly changed when the Northern Territory became a direct competitor for a share of Commonwealth funds.

The Treasury's annual reports give some insight into its record and style. For example, the 1980-81 report describes how the May 1981 Premiers Conference 'effectively amended' the Memorandum of Understanding and brought the Northern Territory within the States (Tax Sharing and Health Grants) Act 1981. Northern Territory-Commonwealth negotiations followed.

*Following strenuous efforts on the part of the Territory the absolute increase in Territory population was preserved as a fundamental part of the tax sharing calculations under the Memorandum.*

*Despite similarly strenuous efforts the Territory could not avoid being singled out in a most arbitrary manner in the distribution of Commonwealth Health funds ... In attributing a revenue potential to the Territory, the special demographic characteristics of the Territory population were ignored (Dept of the Treasury 1981, 3-4).*

On other occasions the Treasury, jointly with other departments, has successfully argued against strict per capita funding and in favour of the special needs of the Territory being taken into account. Examples include funding for general housing under the Commonwealth State Housing Agreement and for Aboriginal housing (Dept of Treasury 1984, 12). When, in 1988, the Premiers Conference included the Northern Territory in the Tax Sharing Pool and the Commonwealth Grants Commission reduced the Territory's relativities factor, the Territory was able to achieve a joint Commonwealth-Northern Territory Fiscal Disabilities working party in which to argue its case for a staging of the Territory's move to its new position (Department of Treasury 1988, 10).

Membership of some of the Hawke government's forums is rotated among the states. The Northern Territory was a member of the Advisory Committee on Prices and Incomes (ACPI) during 1984-85 and of the Economic Planning Advisory Council (EPAC) between July 1985 and June 1987. The Territory has attempted to have its say on occasions in these forums. For example, it pushed for the work program of EPAC to include a study of 'the regional impact of industry assistance arrangements' and EPAC did issue a report on the subject which confirmed the disadvantage suffered by the Northern Territory, Queensland, Western Australia and Tasmania in this regard (Department of the Treasury, Northern Territory, 1986, 19). However these forums, like the Premiers Conference, are not the type in which the Territory shines. Discussion of major national economic issues demands a macroeconomic policy analysis capacity which the Northern Territory (like a number of the states) does not have. In fact even the bigger states are at a major disadvantage in this field in comparison to the resources and expertise available to the Commonwealth.

Interaction between the Treasury and the ABS appears to be an area where definite progress has been made to the benefit of the Northern Territory. The development of a reliable statistical base from which to operate is vital to its economic development. The Australian Statistics Advisory Council gives the Under-Treasurer an opportunity to put a Northern Territory case and to meet the appropriate people, but the 'real action' is at the local level (see Chapter 3). The range of services available to the Northern Territory has built up steadily over the past ten years, as has the size of the ABS office in Darwin. The

Treasury has argued to the ABS for improved statistical services and in some cases this has occurred. For example, the first full Darwin Consumer Price Index was released in July 1982, and a Price Index of Materials Used in Building other than Housing Building commenced in September 1982 (Department of the Treasury 1983, 5). Improvement has also been achieved in labour force, public finance and retail trade statistics. Currently the ABS is cooperating in the joint development by the Northern Territory Treasury and the North Australia Research Unit, Australian National University, in the development of input-output tables for the Territory.

The coordination role of the Treasury involves

*liaison with departments and the Commonwealth in monitoring specific purpose payments to ensure that moneys due to the Northern Territory are received and that approved policy and procedural arrangements are observed and authorised programs implemented (Department of the Treasury 1984, 23).*

In doing this each budget officer concentrates on a couple of departments. The Treasury 'can't demand cooperation' and hence it is a troublesome, messy area riddled with departmental arrangements with the Commonwealth, but it does have the support of the Cabinet regulations. The small size of the Territory government aids the Treasury in its task of monitoring Special Purpose funding to Northern Territory departments and one senior officer is confident that it is 'very hard to hide things from Treasury'.

### **Conclusion**

It is in the activities of the Chief Minister and Treasurer and their departments that the strengths and weaknesses of the Northern Territory's intergovernmental relations are most noticeable. There are costs and benefits in being small and they are shown here in portfolios and departments in which some of the most talented individuals are concentrated. Senior officers in the Treasury and Chief Minister's have had substantial experience in other governments. Some have been head-hunted at considerable cost to the Northern Territory.

The cost of being small is that in the most senior intergovernmental forums it is a handicap. The Northern Territory has to be careful not to overstep closely defined limits and to recognise that it is the smallest player. In negotiating financial arrangements it is folly to do other than attempt to modify the Commonwealth's plans. It cannot oppose them outright.

The benefits of being small are that sums of money which bulk large to the Territory may be very small indeed, almost infinitesimal, in the larger picture. At not much cost to itself a benevolent Commonwealth government is able, if it wishes, to ease the pain of the Territory successfully.

The benefits of being small are also evident in the informal coordination arrangements adopted, seemingly with some success, by the two central departments. The Northern Territory may be able to adopt a more unified approach to intergovernmental relations because of this factor than can the other states. If this is so then it is certainly to the Northern Territory's advantage.

## CHAPTER FIVE

### REPRESENTATIVES IN CANBERRA

The particular disadvantages faced by the Northern Territory government in conducting intergovernmental relations include its general insignificance in the scheme of things, if the measure is population share, its small representation in the federal parliament, and its distance from the Canberra-Sydney-Melbourne triangle. The Northern Territory government recognises these disadvantages and attempts to meet them by maximising the resources it can call upon and by employing additional assistance in Canberra. This chapter looks at three types of assistance in Canberra: federal parliamentarians, official representatives and lobbyists.

#### **Federal Parliamentarians**

Little attention is generally paid to the role of federal MPs in Australian intergovernmental relations. They are not considered to be important actors. In particular, Senators, who were originally conceived to be states' representatives in a 'State House', have not been perceived in this role. There have been some instances in recent memory of Premiers - from Queensland and Tasmania - meeting with their states' federal MPs to discuss an issue, but nothing seems to have come of them. Often federal MPs are divided from their state governments by party affiliation and this makes common action in the interest of the state difficult. If the common action is successful and becomes public then the kudos has to be shared.

The Northern Territory case may be a special one in this instance (see Gerritsen 1988, 47-48). Since about the time of self-government, the Northern Territory has had three federal representatives: one MHR and two Senators. There has always been one ALP Senator and one from the CLP. The MHR has been CLP and ALP alternately: Sam Calder (CLP) until 1980, Grant Tambling (CLP) in 1980-83, John Reeves (ALP) in 1983-84, Paul Everingham (CLP) in 1984-87 and Warren Snowdon (ALP) since 1987. The electorate is therefore a classic 'swinging seat' and has attracted quite a deal of the attention of the major political parties in the 1980s. The other features of the Territory's federal representation which are relevant to intergovernmental relations are that the MHR represents the whole Territory in a way which no other MHR does and, unlike Senators, does so singly; and secondly, that the distinction between Territory politics and federal politics has been blurred by the move into the federal arena of the former premier, Paul Everingham, and of the former leader of the Opposition, Bob Collins, who has been an ALP Senator since 1987.

The periods when the Northern Territory government has had most to gain from enlisting the support of federal representatives have been since the Hawke government took office in March 1983, and particularly in 1983-84 and since July 1987 when the ALP held the federal seat. The two periods offer an interesting contrast.

The first two years of the Hawke government, when John Reeves was the Labor MHR and the veteran Ted Robertson the ALP Senator were not a period of fruitful collaboration between the Territory and federal representatives. There seem to be a number of reasons for this. Firstly, the Northern Territory government may not have felt any need for assistance. The Territory's financial and economic circumstances were quite good in the

early years after self-government. Secondly, the Everingham government was highly and aggressively critical of the Hawke government. It won a landslide election in late 1983 on federal issues, including the Hawke government's unwillingness to fully fund the Alice Springs-Darwin railway line and its hand-back of Uluru (Ayers Rock) to its traditional Aboriginal owners (Loveday and Jaensch 1984). Thirdly, relations between Everingham and Reeves, although they were formerly partners in a legal firm, were poor. For much of 1984 Everingham, while still Chief Minister, was the declared CLP candidate for Reeves' seat (*NT News*, 18 August 1984). The campaign against Reeves by the Northern Territory government was unremitting and the competition for electoral gain between the Northern Territory government and Reeves was intense. Reeves felt that he should be receiving more publicity for joint Commonwealth-Territory programs, such as Community Employment Program. This led to an exchange of correspondence, which became public, between DEIR officers in Canberra and Darwin who were responsible for the program (*NT News*, April 1984; Legislative Assembly Debates, 22 April 1984, pp927-34). As the Regional Director, DEET, reported his meeting with Reeves: 'Basically Mr Reeves' concern is that the Commonwealth, Mr Reeves in particular, is not getting sufficient publicity and mileage out of the program'. He concluded: 'Quite frankly, I see no way of resolving Mr Reeves' difficulties with the announcement process while the program is jointly administered and whilst Mr Reeves and Mr Everingham are both candidates for the Northern Territory seat in the House of Representatives at the next election'. The relationship seemed doomed to be unproductive. Yet the Northern Territory government may still have expected to use it to its advantage. After Reeves' defeat and Everingham's departure to Canberra the new Chief Minister, Tuxworth, criticised Reeves unreasonably for not working more closely with the government and for not seeking briefings from the government (*NT News*, 3 December 1984).

Since July 1987 relations between the Northern Territory government and Collins and Snowdon have been quite different. The government has sought the assistance of Collins and Snowdon from time to time and on some issues the ALP pair appear to have delivered benefits to the government and to the Territory generally. Collins is an experienced politician who is a member of the ALP National Executive. Snowdon is a newcomer. Collins is a member of the right-wing faction, Snowdon of the left wing. Snowdon's victory was entirely unwelcome to the CLP government and he was greeted by vitriolic editorials in the *NT News* (eg 16 July 1987, 19 September 1987). Yet in May 1988 representations by Collins and Snowdon to the Federal Treasurer appear to have been very important in the Commonwealth government's decision to replace a cut in the Northern Territory funding of \$M57.5, recommended by the Grants Commission, with a special assistance grant for the same amount (see Joint Press Release from Labor Senator Bob Collins and Federal MHR Warren Snowdon 27 April 1988; *NT News*, 11 and 12 May 1988). A little later the Northern Territory Minister for Transport and Works, Fred Finch, worked jointly with Collins and Snowdon to ensure the redevelopment of the Darwin airport. That, too, seems to have been successful even though Finch and Collins/Snowdon parted company in February/March 1989 when the Northern Territory government publicly criticised the Commonwealth government's supposed lack of progress towards that goal. Such a breakdown in the relationship illustrates the inherent tension in any alliance between the Northern Territory government and Northern Territory representatives of the opposing political party.

### **Lobbyists**

In the very early years after self-government the Northern Territory government put the Canberra lobbyists, Ian McIntosh and Russell Parkes, on a retainer to be on call in their interests. They acted as they would for any client which felt unsure of its standing and sources of information in Canberra. They gathered information on request and often at

very short notice. They advised on questions of strategy and tactics, such as how to approach an issue or how to couch a written request to the Prime Minister. They also provided office space for visiting ministers if it was required.

The service seems to have been successful. In the words of one senior officer, the lobbyists provided 'a window' into Canberra not directly available to a government based in Darwin. The concept was initially so successfully that it was supplemented for a time by an official Northern Territory office in Canberra (see next section). It survived a professional disagreement between the government and MacIntosh/Parkes, who were replaced about 1982 by the firm of Russell Drysdale and Martin Rawlinson. Working with Drysdale and Rawlinson during 1983 were Malcolm Fraser's former press secretary, David Barnett, and, indirectly, David Combe, former ALP national secretary.

The contract was terminated at the end of 1984 when the new Chief Minister, Ian Tuxworth, decided it was unnecessary. However several years later, after a period without representation, it was agreed once again that such a service would be useful. The Northern Territory government once again chose McIntosh, Parkes Pty Ltd, Government and Public Relations Consultants. The arrangement is working well. The Northern Territory government values the capacity to act quickly in Canberra that a lobbyist gives it, and the capacity to have work done at one remove: 'someone ferreting around for you when you don't want to be doing it yourself'.

#### **A Canberra Representative**

It is not unusual for regional governments in federations to maintain official offices in the national capital. It happens in Canada, and, on a large scale, in the USA (Warhurst 1981). It doesn't happen in Australia. No state government has ever taken the step, although several deliberated over such a move in the 1970s during general reconsiderations of federal-state relations. Sir Henry Bland's Board of Inquiry into the Victorian Public Service saw some benefits in locating in Canberra one or more members of a Commonwealth/State Relations Unit in the State public service, but it chose finally not to recommend it (Victoria 1973: Appendix A, p63).

The Northern Territory's experiment with an office in Canberra was a fairly shortlived failure (Sanders 1985, 221). Its demise illustrates the preference for lobbyists over official representatives.

The Northern Territory government opened an office for its 'Canberra Representative' on 14 July 1980. It was headed by Alan Ashley, a former senior officer in the Commonwealth departments of Finance and Treasury, who became the Northern Territory's first Under Treasurer after self-government. The decision appears to have been taken because the experience with lobbyists had been favourable and because Ashley, contracted to the Northern Territory government, wished to return to Canberra and convinced the government that he should do so in this new capacity. The office had a staff of two, with a third staff member shared with McIntosh Parkes, which operated from adjacent offices in the National Press Club building.

The formal duties of the representative were as follows:

- a) represent the Government of the Northern Territory in the national capital;
- b) carry out special projects in the national capital as required for the Government, departments and authorities;

- c) maintain liaison with Commonwealth departments on behalf of all Northern Territory departments;
- d) attend meetings and conferences at Canberra and elsewhere, on behalf of Northern Territory departments and authorities, thus reducing the cost taken by officials in the Northern Territory in attending such meetings;
- e) and provide an information service on matters relating to the Commonwealth Government to all Northern Territory departments and authorities.

(MR Finger, Secretary, Chief Minister's Department, Northern Territory Government to Secretary, Department of Home Affairs, Secretary, Department of the Prime Minister and Heads of all State Premiers Departments, 9 July 1980)

The Canberra Representative, which 'seemed like a good idea at the time', was probably doomed to failure, and did in fact fade away fairly quickly. The office could do useful things but at a prohibitive cost (especially if a senior person was maintained). The Representative's tasks, as spelled out by the Secretary of the Chief Minister's department, were extremely varied. The representative would be a 'jack of all trades but master of none', a second-best solution in most cases. As a 'collecting and listening post' (Victoria 1975) he performed a function which could probably be performed more cheaply and efficiently by a private lobbyist. Additionally, the private lobbyist has the advantage of not being so obviously and publicly connected with the Northern Territory government. As a non-specialist, the Representative's attendance at intergovernmental forums and other meetings would have been of limited use.

Furthermore, the task, if done well, of maintaining contacts with Commonwealth departments on behalf of the Northern Territory government and then, presumably, reporting back to all Northern Territory departments, is so massive as to be probably unworkable.

Nevertheless it is, in theory, a potential solution to the problem of the excessive financial and human resource demands on the Northern Territory government in attempting to keep up with the myriad of intergovernmental meetings. At least one department, Primary Industry and Fisheries, has employed a retired Commonwealth public servant to attend conferences in Canberra on its behalf and to alert it to matters of interest. So the need for representation in Canberra is recognised in various ways.

## CONCLUSION

This paper has described the great range of the intergovernmental relations which exist between the Northern Territory government and the Commonwealth government, and to a lesser extent between the Northern Territory government and the six state governments in the Australian federation. These relations are undertaken by ministers, by public servants, and in special cases by intermediaries such as parliamentarians and lobbyists. Some circumstances are formal, almost ritual, others are very informal. They take place in Canberra, in Darwin, and in many smaller communities.

This account has been of the cooperative behind-the-scenes face of Australian federalism which often contrasts with its competitive, conflictual public face. This is not to say that cooperation is superior to competition. It is not. Each is a part of politics and administration within the system. Nor is it to say that cooperative federalism is invariably about benevolent relations, goodwill and agreement. It is rather about negotiation, compromise and working relations in which each player has self-interest in mind as much as the general interest.

There is a connection between the public politicking and the private negotiation. They are in a sense complementary. The public politicking, such as one sees before and after Premiers Conferences contributes towards setting the political agenda within which negotiations take place and enables the ministerial participants to jockey for position. It also serves to gain for participants the backing of their constituencies, especially in their states and territories.

The adversarial stance of Paul Everingham may have served the additional purpose of knitting together, by accident or design, the new Northern Territory administration over its first six years. A new public service made up almost entirely of former Commonwealth public servants may have been given an identity of its own through the anti-Canberra tactics of its first Chief Minister. However, it may also have given the Northern Territory an 'image problem' in Canberra which took its intergovernmental representatives some time to live down.

There is now general agreement at all levels that whatever their differences the days of contrived antagonism have passed. There are many benefits for the Northern Territory in the various aspects of intergovernmental relations described in this paper. The Northern Territory government, the new player, is accepted in intergovernmental forums and, in the Territory itself, has a working relationship with very many Commonwealth departments and agencies which ranges from (just) satisfactory to very profitable.

Nonetheless the Northern Territory is clearly the smallest unit in the Australian federation, other than in terms of its land mass. This means that, by and large, it is forced to take what is given to it by the Commonwealth in the major forums and in major financial and economic matters. So, too, of course, are the states in many matters. Its own efforts may moderate the implications for the Northern Territory of Commonwealth government decisions by delaying or staging their implementation or by changes at the margin but they rarely if ever resist the central thrust of a Commonwealth decision. Here, good relations at the officer level, or successful marshalling of the numbers in an intergovernmental forum, cannot stand up against the financial and constitutional power of the Commonwealth.

This raises the question of whether the private face of federalism is by its very nature less important in determining policy outcomes than the well-publicised public conflicts between central and regional governments. This question has special force in the Northern Territory as it moves toward full statehood. Are the powers still denied the Northern Territory but given to the states in the constitution, about which there has been great, and well-reported, conflict, more important to the life of citizens in the Territory than all the other matters discussed in this paper? The answer must be that, because the outstanding state powers concern the very jurisdictional identity of the Northern Territory, they are of great substantial and symbolic significance, but that the subject matter of the not-so-public intergovernmental relations covers a wider span of issues which are of equal importance. The question of statehood itself is likely to be determined by a combination of the two types of federal-Territory relations.

## REFERENCES

- Advisory Council on Intergovernment Relations, 1986. *Register of Commonwealth-State Cooperative Arrangements*, ACIR, Hobart.
- Australian Bureau of Statistics, and North Australia Research Unit, ANU, 1989. *A Social Atlas of Darwin*, ABS, NT and NARU, Government Printer, Darwin.
- Chapman R, 1988. 'Inter-governmental Forums and the Policy Process' in B Galligan (ed) *Comparative State Policies*, Longman Cheshire, Melbourne, 99-121.
- Conservation Commission of the Northern Territory, 1987. *Annual Report 30 June 1987*.
- Department of Aboriginal Affairs, 1988. *Annual Report 1987-88*. AGPS, Canberra.
- Department of the Chief Minister, NT, 1987. *Annual Report 1986-87*.
- Department of the Chief Minister, NT, 1988. *Annual Report 1987-88*.
- Department of the Treasury, NT, 1981. *Annual Report 1980-81*.
- Department of the Treasury, NT, 1983. *Annual Report 1982-83*.
- Department of the Treasury, NT, 1984. *Annual Report 1983-84*.
- Department of the Treasury, NT, 1986. *annual Report 1985-86*.
- Department of the Treasury, NT, 1988. *Annual Report 1987-88*.
- Galligan B, 1986. *Australian State Politics*, Longman Cheshire, Melbourne.
- Galligan B, 1989. *Australian Federalism*, Longman Cheshire, Melbourne.
- Galligan B, 1989. 'Introduction' in Galligan, 1989, 2-14.
- Gerritsen R, 1988. 'Financing the New State. Who will pay?' in Loveday and McNab, 1988, 44-61.
- Gerritsen R and Jaensch D, 1986. 'The Northern Territory' in Galligan, 1986, 139-156.
- Harman G, 1988. 'Tertiary education and public policy. Australia's response to a changing environment'. *Higher Education*, Vol.17, 251-266.
- Heatley A, 1979. *The Government of the Northern Territory*. University of Queensland Press, St Lucia.
- Loveday P and Jaensch D (eds), 1984. *A Landslide Election, the NT 1983*, NARU, Darwin.
- Loveday P and McNab P (eds), 1986. *Australia's Seventh State*, The Law Society of the Northern Territory and the NARU, Darwin.

- Loveday P and Wade-Marshall D (eds), 1985. *Economy and People in the North*, NARU, Darwin.
- Mathews R, 1985. 'Commonwealth Northern Territory financial relations' in Loveday and Wade-Marshall, 1985, 1-24.
- Painter M, 1987. *Steering the Modern State*, Sydney University Press, Sydney.
- Perron M, 1989. *Statement of the Chief Minister on Further Transfer of Powers*, 14 February.
- Public Service Board (Commonwealth), 1981. *Statistical Yearbook 1980-81*, AGPS, Canberra.
- Sanders W, 1985. 'The Role of the NT Department of the Chief Minister since Self-Government' in Loveday and Wade-Marshall, 1985, 213-224.
- Sanders W, 1987. 'The Department of Social Security's Treatment of Aboriginal Polygyny and Tribal Marriage: A Saga of Administrative Debate' *Australian Journal of Public Administration*, Vol.46, 402-420.
- Sanders W, 1989. 'Intergovernmental Relations in Aboriginal Affairs: From Cooperative Parallelism to Potentially Confrontationist Responsibility Sharing', mimeo, Urban Research Unit, Research School of Social Sciences, Australian National University, Canberra.
- Sharman GC, 1989. 'A Political Science Perspective' in Galligan, 1989, 98-115.
- Victoria 1975. *Final Report of the Board of Inquiry into the Victorian Public Service*, Government Printer, Melbourne.
- Warhurst J, 1981. 'The Northern Territory Government's Canberra Representative' *Australian Journal of Public Administration*, Vol.40, No.4, 363-365.
- Warhurst J, 1982. 'The South Australian Premier's Department: Walsh to Tonkin'. *Politics*. Vol.17, May, 22-28.
- Warhurst J, 1983. *Central Agencies, Intergovernmental Managers and Australian Federal-State Relations*, Centre for Research on Federal Financial Relations, ANU, Canberra.
- Weller P and Sanders W, 1982. *The Team at the Top*, NARU, Darwin.
- West P, Mahon T and Zoellner D, 1988. 'Creating new institutions in Australia'. *Higher Education* Vol.17, 281-294.

**APPENDIX A**  
**THE PERRON MINISTRY (SEPT 1989)**

**Hon Marshall Perron**

Chief Minister  
Treasurer  
Minister responsible for Constitutional Development  
Minister for Police, Fire and Emergency Services

**Hon Barry Coulter**

Deputy Chief Minister  
Minister for Mines and Energy  
Minister for Industries and Development

**Hon Daryl Manzie**

Attorney-General  
Minister for Lands and Housing

**Hon Steve Hatton**

Minister for Health and Community Services  
Minister for Conservation

**Hon Fred Finch**

Minister for Transport and Works  
Minister for Racing and Gaming

**Hon Terry McCarthy**

Minister for Labour and Administrative Services  
Minister for Local Government  
Minister assisting the Chief Minister on Constitutional Development

**Hon Roger Vale**

Minister for Tourism, Youth, Sport, Recreation, and Ethnic Affairs  
Minister assisting the Chief Minister on Central Australian Affairs

**Hon Michael Reed**

Minister for Primary Industry and Fisheries  
Minister for Correctional Services

## **APPENDIX B**

### **NORTHERN TERRITORY PARTICIPATION IN COMMONWEALTH-STATE COOPERATIVE ARRANGEMENTS 1986**

#### **Communications**

Central and State Committees for the Co-ordination of  
Power and Telecommunications Systems  
National Parks and Wildlife Service - Communications Planning Council  
State Radio Communications Committee

#### **Community and Regional Development**

Planning Ministers Conference  
Chief Planning Officers Conference

#### **Conservation and Environment Protection**

National Petroleum Advisory Committee  
Australian Environment Council  
Australian Environment Council Standing Committee  
Co-Ordinating Committee for the Alligator Rivers Region  
Commonwealth-State Consultative Committee on Nuclear Codes of Practice  
State Committees for Combatting Marine Oil Pollution -  
Northern Territory State Committee  
Commonwealth/State Consultative Committee -  
Management of Waste from Medicine, Research and Industry  
Council of Australian Museum Directors  
Officials' Meetings on the National Estate Grants Program  
Officials' Meetings on the Historic Shipwrecks Act  
Council of Nature Conservation Ministers  
Council of Nature Conservation Ministers Standing Committee  
Australian Biological Resources Study Committee  
National Tree Program - National Co-ordination Committee

#### **Government and Legal**

Premiers Conference  
Local Government Ministers Conference  
Advisory Council for Intergovernment Relations  
Economic Planning Advisory Council - rotating  
Advisory Committee on Prices and Incomes - also rotating  
The Commonwealth/State Senior Officials Meeting on Japan  
Standing Committee of Attorneys-General

## **Appendix B continued**

Meeting of Commonwealth and State Ministers Responsible for Censorship  
Australian Constitutional Convention  
Standing IDC on NT Constitutional Development  
Meeting of Ministers on Human Rights  
National Mapping Council  
Conference of Statisticians of Australia  
Conference of Geological Cartography  
Australian Statistics Advisory Council  
Australian Liaison Committee on Remote Sensing by Satellite  
States' Computer Conference  
Australian Advisory Council on Bibliographical Services  
Australian Libraries and Information Council  
Senior Officers' Conference  
Public Service Commissioners Conference  
Australian Public Services Industrial Conference  
Annual Conference of Equal Employment Opportunity Officers

## **Industry and Commerce**

National Public Works Conference  
Conference of Builders' Licensing and Registration Authorities  
Australian Uniform Building Regulations Coordinating Council  
National Committee on Rationalised Building  
Meeting of Chief Inspectors of the Statutory Authorities  
for Builders and Pressure Vessels  
Biennial Conference of Australian and New Zealand Milk Authorities  
Standing Committee on Packaging  
Conference of Australasian Liquor Licensing Authorities  
Small Business Working Party  
Working Party on Uniform Trade Measurement Legislation  
and Administration  
Australian Industry and Technology Council Standing Committee  
National Advisory Committee (NAC)  
Standing Committee on Agriculture  
Australian Agricultural Council  
Chief Dairy Officers Committee  
Standing Committee on Soil Conservation  
Australian Forestry Council  
Standing Committee of the Australian Forestry Council  
Australian Fisheries Council  
Standing Committee on Fisheries  
National Potato Panel  
National Vegetable Panel  
Ministers' Review of Rural Adjustment Scheme  
Australian Fishing Zone Committee  
Animal Production Committee  
Australian Soil Conservation Committee  
Brucellosis and Tuberculosis Consultative Planning Committee  
Agricultural Quarantine Service - Northern Territory  
Tourist Ministers Council

## **Appendix B continued**

### **National Resources**

National Co-Ordination Committee on Land Information Exchange  
Australasian Land Administration Conference  
Conference of Chief Inspectors of Mines of Australia  
Government Geologists' Conference  
Australian Minerals and Energy Council  
Advisory Committee of the Australian Minerals and Energy Council  
National Oil Supplies Advisory Committee  
National Fuels Emergency Consultative Committee  
Australian Water Resources Council  
Standing Committee of Australian Water Resources Council  
Groundwater Committee  
Surface Water and Catchment Committee  
Water Technology Committee  
Planning Committee

### **Public Order and Emergency Services**

Annual Conference of Prison and Probation and Parole Administrators  
National Search and Rescue Committee  
Conference of Chief Inspectors of Explosives  
Conference of Police Commissioners of Australasia  
and the South-West Pacific Region  
Crime Conference  
Board of Control of the Australian Police College  
Standing Advisory Committee on Commonwealth-State  
Co-Operation for Protection Against Violence (SAC-PAV)  
Australian Police Ministers' Council  
Australian Police Ministers' Council Senior Officers Group  
Board of Control of the National Police Research Unit  
National Crime Authority Intergovernmental Committee

### **Social Matters and Welfare**

Australian Aboriginal Affairs Council  
Standing Committee of the Australian Aboriginal Affairs Council  
Aboriginal Education State Superintendents' Conference  
Meetings of Consumer Affairs Officers  
Standing Committee of Ministers for Consumer Affairs  
Commonwealth/State Consumer Products Advisory Committee  
Cultural Ministers' Council  
Standing Committee of the Cultural Ministers Council  
Conference of Directors-General of Education  
Australian Education Council  
CTEC/State Consultative Group  
Standing Committee of the Australian Education Council

## Appendix B continued

Australian Council on Tertiary Awards  
Conference of Commonwealth and State Labour Ministers  
Department of Labour Advisory Committee  
Joint Commonwealth/State Consultative Machinery on  
ILO Conventions-Technical Officer Level  
National Training Council  
National, State and Northern Territory Committees on  
Discrimination in Employment and Occupation  
Commonwealth/State Training Advisory Committee  
Regional Advisory Committees on the Commonwealth Employment Service  
Commonwealth/State Liaison Panel on Employee Participation  
Committee Looking at Uniformity in Matters of Common Interest  
(Including Legislation) between States and Territories  
National Occupational Health and Safety Commission  
State and Territory Consultative Committees for Community Employment Program  
National Health and Medical Research Council  
National Tuberculosis Advisory Council  
Australian Health Ministers' Conference  
National Therapeutic Goods Committee  
National Health and Medical Research Council Water Quality Committee  
Commonwealth/State Coordinating Committees for Nursing Home Accommodation  
National Disaster Relief (Health) Committee  
National Pathology Accreditation Advisory Council  
Australian Health Ministers Advisory Council  
Ministerial Council on Drug Strategy  
Standing Committee of Officials of Ministerial Council on Drug Strategy  
Interstate Industrial Relations Public Hospitals Conference  
Commonwealth/State Standing Committee on Health Services  
Australian Nursing Assessment Council  
National Health Technology Advisory Panel  
Housing Ministers' Conference  
Australian Housing Research Council  
Research Advisory Committee to the Australian Housing Research Council  
Australian Housing Council  
Meeting of Commonwealth/State Immigration and Ethnic Affairs Officers  
Conference of Ministers for Immigration and Ethnic Affairs  
Joint Commonwealth/State Committee on the Adult Migrant Education Program  
Australian Population and Immigration Research Program  
(Joint Commonwealth/State/Northern Territory Research Program)  
Bilateral Discussions (Migration and Population)  
Population Workshop  
National Accreditation Authority for Translators  
and Interpreters (NAATI) Ltd  
Commonwealth-State Adult Migration Program Consultative Committees  
Sport and Recreation Ministers' Council  
Standing Committee on Recreation and Sport  
Australian Coaching Council  
Standing Committee of Social Welfare Administrators  
Council of Social Welfare Ministers

## **Appendix B continued**

Meeting of Commonwealth and State Government  
Advisers on the Status of Women  
Youth Ministers Council  
National International Youth Year Coordinating Committee  
Youth Affairs Conference

### **Technology and Science**

State Committees (CSIRO State Advisory Committees in each State  
and the Northern Territory)  
Conference of Heads of Government Chemical Laboratories  
Formal Conference on Weights and Measures  
National Association of Testing Authorities

### **Transport**

Australian Transport Advisory Council  
Standing Committee on Transport  
Advisory Committee on the Transport of Dangerous Goods  
National Association of Australian State Road Authorities  
Road Group  
Road Safety Group  
Australian Road Research Board  
Australian Motor Vehicle Certification Board  
Advisory Committee on Promotion and Education for Road Safety  
Advisory Committee on Vehicle Emissions and Noise  
Vehicle Standards Advisory Committee  
Data Working Group  
Road User and Trauma Advisory Committee  
Advisory Panel on Recall and Unsafe Parts  
Marine and Ports Group  
Association of Australian Port and Marine Authorities -  
Technical and Operations Committee  
Association of Australian Port and Marine Authorities -  
Commercial and Administration Committee  
Association of Australian Port and Marine Authorities -  
Policy and Strategy Committee  
Ship Standards Advisory Committee  
Marine Pollution Advisory Committee

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