

**In committee in continuation:**

### **MINISTER TOYNE'S PORTFOLIOS**

**Mr CHAIRMAN:** I welcome the Minister for Justice and Attorney-General, and invite him to introduce the officials accompanying him and, if he wishes, to make an opening statement on behalf of the Department of Justice.

**Dr TOYNE:** Thank you, Mr Chairman. The officials who will be available as witnesses are: Greg Shanahan, Acting CEO and Executive Director, Court Support Services; Terry Dreier, Strategic and Financial Planning Analyst; David Lisson, Acting Executive Director, Legal Services; Kate Halliday, Senior Policy Officer; Jens Tolstrup, Director, NT Correctional Services; Chris Manners, Assistant Director, Correctional Services; Cheryl McCoy, Executive Director, Office of Crime Prevention; Stephen Jackson, Director, Research and Statistics, Office of Crime Prevention; Richard O'Sullivan, Commissioner of Consumer Affairs; and Gail Fleay, Registrar-General and Acting Public Trustee.

I would like to make an overview statement before we begin the questioning. I make the point that it is the intention of these proceedings to examine the budget from my department and respond to questions that impact on that budget. The 2005-06 Budget papers provide a significant level of detail relevant to 2005-06 Budget, with particular output budget data provided in Budget Paper No 3. Budget Paper No 3 provides information on the budget of my department detailed down to output level, and I welcome questions from the committee in relation to that data.

The committee should be aware that the performance information contained in Budget Paper No 3 is actual data recorded up to and including the third quarter of 2004-05, and extrapolated for the full year. The financial information provided is based on actual data from the government accounting system and, in most cases, it is current as of 30 April 2005.

Last year's Budget Paper No 3 reported an output costs budget of \$118.622m for the Department of Justice for 2004-05. In this year's Budget Paper No 3, the output costs estimate for 2004-05 is reported at \$127.497m, the difference being \$8.875m. This figure is the difference between the budget amount provided at the commencement of 2004-05 and the budget position recorded around the budget preparation time in 2005. In other words, the figure of \$127.497m is Treasury's statement of the Department of Justice's budgetary position at the time of preparation of the 2005-06 Budget.

The major variations that make up this \$8.8m are: additional appropriation of \$3m, which is detailed in the budget papers; prison canteen expenses, which were transferred on to budget from a trust fund arrangement it had previously been on, of \$0.74m; carried forward from 2003-04 of \$0.62m; additional repairs and maintenance allocations of \$0.54m; additional DCIS funding of \$0.55m; extra funding for Consumer and Business Affairs of \$0.515m; and a range of other minor budgetary adjustments totalling \$2.9m. Copies of the statement are being handed around to members so you will not need to memorise all these figures.

Significant budget adjustments have been provided for 2005-06 in relation to the following items: an additional \$720 000 for the Northern Territory Legal Aid Commission; an additional \$200 000 for the Office of Director of Public Prosecutions to increase prosecutorial capacity in relation to sexual assault matters; a \$350 000 increase in grants funding for implementation of Community Safety plans, which are lodged under the Office of Crime Prevention; \$326 000 to continue the work of the Community Justice Centre; an increase in the funding for the Adult Custodial Review budget of \$2.1m to \$5.2m for 2005-06; a base funding increase to Consumer and Business Affairs of \$300 000; an additional \$180 000 to extend the Volatile Substance Abuse program; and announced and funded in 2004-05 was an additional \$100 000 for the Domestic Violence Legal and Advocacy Services in Alice Springs and Darwin. This additional funding is ongoing.

Government has committed \$1m in major capital works in its 2005-06 Budget to provide program and living unit facilities including a classroom and activities room, undercover programs area, storage and offices at the Darwin Correctional Centre, and we will undertake a minor new works project to create a living unit in the Alice Springs Correctional Centre cottages.

This government has also announced a number of new initiatives since the delivery of the 2005-06 Budget speech by the Treasurer on 3 May 2005. The main new initiatives within the Justice portfolio relate to the government's new policies on responding to antisocial behaviour and providing further assistance to victims; additional funding of \$200 000 to set up an alcohol court; \$70 000 recurrent funding for the next

four years for Victims of Crime NT. These will both form part of my department's budget for 2005-06. I am happy to receive any questions on those new items. I can assure you that this government takes its commitment to assisting victims of crime very seriously. Our continuing support of victims is demonstrated by a reduction in the number of victims through the reduction of crime overall, increased financial support for Victims of Crime NT, and increased police numbers.

However, the focus of the Victims of Crime scheme continues and, before the formal part of the Estimates process commences, I would like to clear up any misconceptions about the ongoing budget for the scheme. The Victims of Crime Compensation Scheme is noted in Budget Paper No 3 at page 108 showing a decrease in assistance to the Victims of Crime Compensation Scheme in the 2005-06 Budget of \$2.3m. This figure needs some clarification. The budget in 2004-05 was actually \$3.5m as the initial appropriation against that compensation scheme. However, towards the end of the year, our appropriation was increased to \$5.3m to reflect the actual amount paid out in compensation and legal costs under the scheme at that time. This revised figure is reported in Budget Paper No 3; the actual annual amount of adjustments for the Victims of Crime Compensation Scheme is a Treasury decision. However, it should be noted that regardless of the published budget for this particular item, all costs associated with the scheme have been fully funded by government every year since the Department of Justice commenced operation in 2001, and this practice will continue.

I am now happy, Mr Chairman, to take any questions.

**Mr CHAIRMAN:** Are there any questions in regard to the statement?

#### DEPARTMENT OF JUSTICE

##### OUTPUT GROUP 1.0 – LEGAL SERVICES Output 1.1 – Solicitor for the Northern Territory

**Mr CHAIRMAN:** That being the case, the committee will now consider the estimates of proposed expenditure contained in Appropriation Bill (No 2) 2005-06 as they relate to the Department of Justice. I call for questions on Output Group 1.0, Legal Services, Output 1.1, Solicitor for the Northern Territory. Are there any questions?

**Ms CARNEY:** Mr Chairman, in relation to legal services generally, in last year's budget paper in the summary of Legal Services, there was a reference to total operating expenses less depreciation, and to a DCIS service charge, use of cash balance and other non-cash items. I am curious as to why they are not in this year's budget paper.

**Dr TOYNE:** I will pass that one to Terry, as it is a financial technical issue.

**Dr DREIER:** Sorry, was that in 2003-04?

**Ms CARNEY:** They appeared in 2003-04, but they were not in this year's budget paper, which struck me as being worthy of a question. Surely, the DCIS charge has not mysteriously disappeared?

**Dr DREIER:** No, but I would have to obtain that answer and get back to you.

**Mr CHAIRMAN:** Minister, are you prepared to take the question on notice?

**Dr TOYNE:** Yes.

**Mr CHAIRMAN:** Would you care to repeat that question, please?

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#### Question on Notice

**Ms CARNEY:** In last year's Budget Paper No 3, in the summary for this area, details were provided of total operating expenses less depreciation, a DCIS service charge, use of cash balance and other non-cash items. Why were those items not detailed in this year's summary?

**Mr CHAIRMAN:** Are you prepared to take that question on notice, minister?

**Dr TOYNE:** Yes, I am, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.1.

**Ms CARNEY:** Last year, the Department of Justice had a total of 865 staff. This year it is 921. Could you outline the reasons for the increase, where the staff are located, and break it down in terms of the number of full-time and part-time employees, please? If it is in a table, that would be handy.

**Dr TOYNE:** Yes, Terry will give you that in either verbal or written form.

**Dr DREIER:** The variations recorded between the budget papers show an increase of 56 between 2004 and 2005. These are identified as full-time equivalent staff. The changes have been in relation to Legal Services, Office of the Director of Public Prosecutions, Courts Administration, Office of Crime Prevention, Corporate and Strategic Services, Consumer Affairs, and the largest single item was in relation to Correctional Services, a sum of 53. That netted out to a change of 56 over that period.

**Ms CARNEY:** You have listed a number of areas where there have been staff increases. I am happy for it to be taken on notice, but I would like details of how many staff are in the particular agencies. Do you have that with you?

**Dr DREIER:** Do want the number of staff in each division?

**Ms CARNEY:** Yes, sorry, in each division.

**Dr DREIER:** We can find that out for you.

**Ms CARNEY:** Okay; on notice?

**Dr TOYNE:** I just note that the major component of it is to do with our corrections reforms and the agreement with the prison officers as to staffing levels and positions above roster staffing to allow for the re-training of prison officers as part of the reforms.

**Ms CARNEY:** Yes, I heard the reference. I just want to know exactly how many are in each ...

**Mr CHAIRMAN:** Are you prepared to take the question on notice, minister?

**Dr TOYNE:** Yes.

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#### Question on Notice

**Mr CHAIRMAN:** Could you please restate the question, Leader of the Opposition?

**Ms CARNEY:** In relation to the answer provided by Dr Dreier, could the minister provide details of how many staff are in each of the divisions to which Dr Dreier referred?

**Mr CHAIRMAN:** Do you accept that question, minister?

**Dr TOYNE:** Yes, I do, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.2.

**Dr TOYNE:** Are we talking about the current numbers of staff in each division as it stands right now?

**Ms CARNEY:** Yes.

**Dr TOYNE:** Okay. So it is staff numbers.

**Ms CARNEY:** We have the details from the previous year.

**Dr TOYNE:** Okay.

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**Ms CARNEY:** We are doing a combination of Output Group 1.0 and 1.1, Mr Chairman, is that correct?

**Mr CHAIRMAN:** Well 1.1 drops in under 1.0.

**Ms CARNEY:** All right. In relation to the Solicitor for the Northern Territory, I note that Budget Paper No 3 at page 108 provides a summary of the Solicitor for the NT and it says that it:

*Maintains excellence and integrity in the government's legal dealings by providing quality advice, representation and documentation to government ministers, agencies and employees.*

It is in light of that function that I have several questions in relation to the former member for Arnhem, Jack Ah Kit. Minister, I obviously will not recite the entire history. However, so that you know where I am going - you remember that Warren Anderson commenced legal proceedings after he was defamed. Both News Limited and Fairfax press published Jack Ah Kit's apology to Mr Anderson. The Chief Minister has not apologised. Obviously, Jack Ah Kit is ...

**Mr CHAIRMAN:** Wasn't it the other way around, member for Araluen?

**Dr TOYNE:** No, I think you are incorrect there.

**Mr CHAIRMAN:** I think you will find that ...

**Ms CARNEY:** I am sorry.

**Mr CHAIRMAN:** There was an apology from the Chief Minister.

**Ms CARNEY:** Indeed. She has apologised, sorry. Jack Ah Kit is obviously no longer a member of parliament and legal proceedings continue. I understand that the government will continue to indemnify Jack Ah Kit's legal costs, correct?

**Dr TOYNE:** Yes, because the incident occurred while he was serving as a minister around an issue that he could validly deal with as a minister. The fact that legal proceedings have passed beyond his time in parliament is not going to affect the indemnity arrangement.

**Ms CARNEY:** Okay. How does that differ from the legal fees that Denis Burke was required to pay as a result of legal proceedings issued against him as Chief Minister?

**Dr TOYNE:** We are examining that issue as we speak. The final costs of that incident, I guess, are being taxed so we will know exactly what quantum is involved. Cabinet is still considering that, and I cannot really go beyond that, but we have not ruled out indemnity of Denis Burke's legal costs.

**Ms CARNEY:** It follows, doesn't it, that if you are going to indemnify someone's costs for legal proceedings incurred as a result of their work as a minister of the Crown, you would not exclude someone else?

**Dr TOYNE:** There are the differences between the two cases.

**Ms CARNEY:** They are still ministers of the Crown who are on the receiving end of legal proceedings.

**Dr TOYNE:** One was found in contempt of court and the court made a ruling about both costs and the fine that was imposed. So there are differences, but we are ...

**Ms CARNEY:** But there is an underlying general principle, isn't there?

**Dr TOYNE:** We certainly acknowledge the general principle. That is why we are still looking for a solution.

**Ms CARNEY:** Minister, who took the decision to commence proceedings against Mr Warren Anderson in the application for an injunction in the Supreme Court and the subsequent failed prosecution of Mr Anderson's company in the Darwin Magistrates Court?

**Dr TOYNE:** That was a decision of Cabinet.

**Ms CARNEY:** Can you advise how much has been spent on the legal proceedings relating to the original application for an *ex parte* injunction against Mr Anderson in the Supreme Court?

**Dr TOYNE:** Yes, the information I have here is as of 31 March 2004, \$84 000 had been paid to private legal practitioners. I am sorry; the first figure was for 2004-05, but if you include activity in 2003-04, it is \$127 000.

**Ms CARNEY:** So in 2003-04, it was \$127 000; 2004-05, \$84 000?

**Dr TOYNE:** 2003-04 and 2004-05 in total is \$127 000.

**Ms CARNEY:** I see, okay.

**Dr TOYNE:** 2004-05 is \$84 000.

**Ms CARNEY:** How much was spent on the failed prosecution of Warren Anderson's company in the Magistrates Court?

**Dr TOYNE:** I do not have that figure to hand.

**Ms CARNEY:** Will you take that on notice?

**Dr TOYNE:** Yes, we can take that on notice unless we have it to hand.

**Dr DREIER:** No, we don't.

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#### Question on Notice

**Mr CHAIRMAN:** Can you restate that question, please, Leader of the Opposition?

**Ms CARNEY:** Precisely how much money has been spent on the failed prosecution of Warren Anderson's company in the Magistrates Court?

**Mr CHAIRMAN:** You are prepared to take that question on notice, minister?

**Dr TOYNE:** Yes, I am.

**Mr CHAIRMAN:** For the purpose of Hansard I ...

**Dr TOYNE:** Mr Chairman, we would like clarification: are you talking about outsourced to private sector practitioners or in-house?

**Ms CARNEY:** Both.

**Dr TOYNE:** It is a bit hard to quantify the in-house.

**Ms CARNEY:** You cannot quantify the in-house?

**Dr TOYNE:** We will make a guesstimate for you.

**Ms CARNEY:** Okay. For the purposes of clarity ...

**Mr CHAIRMAN:** If you could restate the question, please.

**Ms CARNEY:** Precisely how much was spent on the failed prosecution of Warren Anderson's company in the Magistrates Court? Detail the costs of outsourcing and in-house legal advice.

**Mr CHAIRMAN:** Do you accept that question, Attorney-General?

**Dr TOYNE:** Yes, I will, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.3.

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**Ms CARNEY:** Minister, going back briefly to the legal costs for the *ex parte* injunction that was, obviously, a Supreme Court matter. However, the costs you have provided, \$127 000 plus \$84 000 - can I confirm that they were solely in relation to *ex parte* injunction proceeding?

**Dr TOYNE:** Those figures apply to the defamation proceedings.

**Ms CARNEY:** Aha! That makes sense, which includes the *ex parte* injunction, obviously?

**Dr TOYNE:** Yes, I am informed that the injunction was sought in the previous financial year so we do not have that breakdown, but the total amount gives you the cost of that action.

**Ms CARNEY:** I thought \$127 000 was a lot for an *ex parte* injunction.

**Dr TOYNE:** It is for defamation proceedings.

**Ms CARNEY:** Nevertheless, minister, precisely how much was spent on Senior Counsel Elizabeth Fullarton from Sydney, as I understand it? What was her daily rate? What costs were incurred in her airfares, accommodation and incidental charges?

**Dr TOYNE:** We do not have that level of detail here. We will have to take that on notice.

**Ms CARNEY:** Take that on notice. I will restate the question.

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#### Question on Notice

**Mr CHAIRMAN:** Restate the question, please.

**Ms CARNEY:** Precisely how much was spent on Senior Counsel Elizabeth Fullarton from Sydney? What was her daily rate? What costs were incurred in her airfares, accommodation and incidental charges?

**Mr CHAIRMAN:** Are you prepared to take that that question on notice, minister?

**Dr TOYNE:** I have to say at this stage that you have a global amount that was allocated to this action. I wonder about probing into an individual legal practitioner's charge rates. What do you have in mind?

**Ms CARNEY:** First, it is taxpayers' money which you spent ...

**Dr Toyne:** Which has been accounted for.

**Ms CARNEY:** ... on a failed prosecution. So the public is more than entitled to know this information. In relation to the figure that you provided of \$127 000 and \$84 000, we want to know whether that is inclusive of senior counsel's fees. You should be able to answer that question. I have another question: I understand that her daily rate was as high as \$7000.

**Dr TOYNE:** Just a minute. My officers say we can get those figures. I want to make the point, though, that if you want to argue, as you did as part of this discussion, that there is a principle involved in this, the principle is that ministers of the Crown need to be able to act without fear and favour and present a view about an issue. If that does result in legal action, the only way you are going to see ministers continue to do that is if there is some form of indemnity. If the line of questioning you are trying to pursue is that this is somehow a waste of taxpayers' money, then perhaps you are denying the principle you were defending only a moment ago in defence of Denis Burke and his costs.

**Ms CARNEY:** Minister, I do not need a lecture from you on the ...

**Dr Toyne:** Well, you got one, didn't you?

**Ms CARNEY:** ... the merits of freedom of speech, and do not try to weasel out of it. I am simply asking ...

**Mr CHAIRMAN:** Can we keep the tone reasonable?

**Ms CARNEY:** ... for details of the taxpayers' money that was spent on senior counsel. Will you provide that?

**Dr TOYNE:** I am agreeing to provide that amount of detail.

**Ms CARNEY:** Thank you.

**Mr CHAIRMAN:** Could you restate that question?

**Ms CARNEY:** The question is: precisely how much was spent on Senior Counsel Elizabeth Fullarton from Sydney? What was her daily rate? What costs were incurred in her air fares, accommodation and incidental charges?

**Mr CHAIRMAN:** Are you prepared to take that question on notice?

**Dr TOYNE:** I will take that on notice, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.4.

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**Ms CARNEY:** Minister, was Senior Counsel Elizabeth Fullarton's daily rate \$7000?

**Dr TOYNE:** We have already said we are going to get that for you. Why are you now asking?

**Ms CARNEY:** Because the preceding question was: what costs were incurred including her daily rate, costs incurred in airfares, accommodation and incidental charges. I thought that, as minister, you might know whether her daily rate was \$7000. Do you want that on notice as well?

**Dr TOYNE:** It might surprise you that out of the thousands of pieces of information that come across my desk, we would have been given an estimate of the cost of the exercise of engaging her, but that was last year. I do not carry those sorts of figures around in my head. We have said we will get that information for you. So, let us leave it at that. We have taken it on notice; we will get you that information.

**Ms CARNEY:** All right. Minister, why was interstate counsel retained at a rate, I understand, of \$7000 a day? There are members of the Darwin Bar, including Queen's Counsel. Were they not good enough to be briefed to appear on behalf of the minister?

**Dr TOYNE:** The choice of counsel engaged was certainly not taken at our level. That decision was made in the context of the case, presumably because the counsel in question had a particular background in these types of matters. I certainly do not accept the \$7000 a day figure simply because you are asserting it. We will get that information for you and that will be on the public record.

**Ms CARNEY:** So are you saying that there was no one in Darwin suitably qualified to appear?

**Dr TOYNE:** I am saying we were not involved in that decision at all. It was a decision taken by Legal Services, and they make those sorts of decisions on a daily basis based on the expertise required, the local capacity to provide that expertise and the availability of counsel. I do not know the circumstances and, in fact, it is improper that we would be directly involved in those sort of decisions.

**Ms CARNEY:** Minister, precisely how much was spent on local solicitors in briefing Ms Fullarton and subsequent counsel once Ms Fullarton abandoned the case?

**Dr TOYNE:** We will have to take that on notice. I have already said we have not brought that level of detail into the committee hearing. If you want that sort of detail, perhaps it might be better to give you a briefing.

**Ms CARNEY:** Sorry?

**Dr TOYNE:** We could give you a briefing on the ...

**Ms CARNEY:** No, I want the detail. This is Estimates, minister. This is all about the money you spend.

**Dr TOYNE:** All right.

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**Question on Notice**

**Mr CHAIRMAN:** Member for Araluen, would you restate the question?

**Ms CARNEY:** Precisely how much was spent on local solicitors in briefing Ms Elizabeth Fullarton and subsequent counsel once Ms Fullarton abandoned the case?

**Mr CHAIRMAN:** Are you prepared to take that question on notice?

**Dr TOYNE:** Yes, I am, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question the No 4.5.

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**Ms CARNEY:** Minister, precisely what were the total legal and other costs to your department - counsel and solicitors instructing and so on - in the matters involving Warren Anderson and the Tipperary Wildlife Reserve? Will you provide a separate accounting of the *ex-parte* application in the Supreme Court as well as the failed prosecution in the Darwin Magistrates Court?

**Dr TOYNE:** I have given you global figures. We will give you the detail that you have requested. That is probably the end of it.

**Ms CARNEY:** So I will restate the question for a question on notice?

**Mr CHAIRMAN:** Are you prepared to take it as a question on notice?

**Dr TOYNE:** The information you are now requesting is embodied in the questions I have already taken on notice. If you want a breakdown of the costs that are involved in this matter in the categories that you are indicating, we have agreed to do that.

**Ms CARNEY:** Well, it is slightly different because I am after separate accounting in respect of the *ex parte* application and the Darwin magistrates one, and it includes total legal and other costs. While some were in the preceding questions, there is also the reference to other costs. I would like those details as well. I would be grateful if you would take it on notice. They answer may still be the same, but the question is not.

**Dr TOYNE:** For the sake of getting along with you this morning, we will give you a breakdown along the lines that you have now proposed.

**Ms CARNEY:** Thank you.

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**Question on Notice**

**Mr CHAIRMAN:** Would you restate that question please, member for Araluen?

**Ms CARNEY:** Precisely what were the total legal and other costs to your department, such as but not limited to counsel and solicitors instructing, in the matters involving Warren Anderson and the Tipperary Wildlife Reserve? Will you provide a separate accounting of the *ex parte* application in the Supreme Court, and the failed prosecution in the Darwin Magistrates Court?

**Mr CHAIRMAN:** Do you accept that question on notice, minister?

**Dr TOYNE:** Yes.

**Mr CHAIRMAN:** I allocate that question the No 4.6.

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**Ms CARNEY:** If the answer is the same to the following question as an earlier one, please let me know, but the question is slightly different. Precisely what costs have been incurred by the Northern Territory on



behalf of Jack Ah Kit in defending the defamation proceedings brought by Mr Anderson to date, including the briefing of all senior counsel?

**Dr TOYNE:** I am informed that the costs that you are talking about were appropriated to CDSCA, not to DOJ. We were simply providing the legal support to the agency that was involved in the matter, and you could direct that question to the Acting Minister for CDSCA, Paul Henderson.

**Ms CARNEY:** Can you explain this to me? Earlier ...

**Dr TOYNE:** The client agency is CDSCA. The matter occurred as part of the work of CDSCA, and the minister became involved as the minister of that agency. DOJ provides core legal support services to the other agencies in the Northern Territory government. When you get into the overall budgetary impact of this matter on government, it is CDSCA that would be able to account for that.

**Ms CARNEY:** But how come you could give me ...

**Dr TOYNE:** We have given you legal costs, but you are now talking about broader costs in terms of the matter. I am informed that to get a full picture of that, you should ask the CDSCA divisions.

**Ms CARNEY:** All right. So DOJ obviously looks after all of the legal costs and other costs are CDSCA.

**Dr TOYNE:** Yes, correct.

**Ms CARNEY:** All right. Will you give an undertaking to make full and complete disclosure of all legal fees paid on behalf of Jack Ah Kit?

**Dr TOYNE:** I have given you that undertaking. I have not said I will tell you half the story. I have agreed to take on notice a level of detail that we clearly would not bring in here on every matter that could potentially be asked about. I believe I am giving you a full picture. You can judge that when you get the answers.

**Ms CARNEY:** I am aware and pleased that you have taken some of my questions on notice, but it is the potential of the costs and who is going to find out about it in which I am interested in terms of your undertaking. For instance, will you undertake to detail all of the costs at the end of the proceedings, or will we have to wait until the next estimates? I assume that you will not have trouble accounting to the media and Territorians about how much is going to be paid any time they ask.

**Dr TOYNE:** If you are alleging that I am going to deliberately withhold information regarding expenditure, then I rebut that totally. I have shown no reluctance whatsoever in giving you an account of the legal costs in the areas for which I have carriage. Broader costs may have been associated with that, such as the investigation of the situation at Tipperary or bringing in witnesses or locating witnesses. I do not know what other costs were involved, but they were a matter for CDSCA. You have asked for information. I have given you an undertaking to provide the information. That is the end of the matter. If you want to allege that I am on some sort of conspiracy path, then go ahead.

**Ms CARNEY:** I beg your pardon. It was not even within the realm of my contemplation.

**Dr TOYNE:** Well, to ask that question in the first place ...

**Ms CARNEY:** Do not put words into my mouth, please. I have asked questions in relation to legal costs to date. I am simply asking whether you will undertake to provide further details in the future of legal costs.

**Dr TOYNE:** I will as a matter of course.

**Ms CARNEY:** I assumed that you would have no difficulty with that.

**Dr TOYNE:** It is something that is reported as part of our budget process and it will be reported.

**Ms CARNEY:** So the next time I write you a letter, which might be in six or 12 months time, and I ask: 'What are the costs?', you will say: 'Jodeen, here they are'.

**Dr TOYNE:** I probably will. We will see where we are in six or 12 months time with this particular matter.

**Ms CARNEY:** Sure, because the costs are likely to increase. Minister, I assume that the Chief Minister was advised by her lawyers, instructed by your department, to apologise to Mr Anderson? A fair assumption?

**Dr TOYNE:** The fact that she apologised on the basis of whatever advice we received is probably self-evident.

**Ms CARNEY:** Well, not necessarily. It was not a case that she woke up one morning and thought: 'I will apologise'. You would accept that she was probably advised to do so.

**Dr TOYNE:** Well, her husband is a lawyer, too. She could have been talking to David.

**Ms CARNEY:** So they probably talked about it at home, you reckon?

**Dr TOYNE:** Who knows? All I know is she apologised, and that is good enough for me.

**Ms CARNEY:** Minister, has the Chief Minister or any of her officers, you as Justice minister or, indeed, the Chief Minister's husband, requested, advised or directed Jack Ah Kit to apologise to Mr Anderson?

**Dr TOYNE:** I can only tell you that the course of action was discussed in Cabinet. I cannot, for obvious reasons, tell you exactly what was discussed, but John Ah Kit did not take these decisions in isolation. It was a Cabinet decision making process.

**Ms CARNEY:** Okay. Minister, has there been an internal inquiry or investigation by the Department of the Chief Minister or officers of the Chief Minister or your department as to how the circumstances arose that the Chief Minister was misled in her understanding of the matters relating to Warren Anderson, which subsequently resulted in her apology to him?

**Dr TOYNE:** Look, you are asking for conjecture or an opinion. I simply do not know. You would have to ask the Chief Minister that and ...

**Ms CARNEY:** But you do not know whether your department looked at it?

**Dr TOYNE:** What, ahead of her making initial statements?

**Ms CARNEY:** In addition to or in conjunction with.

**Dr TOYNE:** No, I do not.

**Ms CARNEY:** You do not know?

**Dr TOYNE:** I do not know what conversations the Chief Minister had with my department or anyone else forming her course of action. That is ...

**Ms CARNEY:** I ask because the Chief Minister was forced to apologise as a result of comments she made in respect of a failed prosecution that falls under the banner of the Department of Justice. I thought, therefore, that your department may have some responsibility or role in the provision of the information upon which the Chief Minister relied that got her into trouble. That is the purpose of the question.

**Dr TOYNE:** I can only ask Legal Services. Yes, I am informed that the best thing to be done here is not to speculate or go into those matters of advice given or advice sought because the matter is still on foot.

**Ms CARNEY:** Therefore, it is possible that there was an inquiry or investigation into the circumstances?

**Dr TOYNE:** Look, do not verbal ...

**Ms CARNEY:** No, this is a legitimate question.

**Dr TOYNE:** I am saying, no, we are not going to provide any further ...

**Ms CARNEY:** You are sort of not touching ...

**Mr CHAIRMAN:** Let him finish his answer, member for Araluen.

**Dr TOYNE:** We are not going to provide any further conjecture ...

**Ms CARNEY:** You are not going to provide any further ...

**Dr TOYNE:** ... conjecture about the conversations or otherwise that you are alleging.

**Ms CARNEY:** That is not very open or transparent.

**Dr TOYNE:** It is about being conservative in what you say in respect of a matter that is still being litigated, and you know that principle as well as I do.

**Ms CARNEY:** I know all about *sub judice*. I know all about being conservative.

**Dr TOYNE:** Do not play games with it, then.

**Ms CARNEY:** I will not press it because you are obviously determined not to answer that question. Were you aware, as Minister for Justice and Attorney-General, that Jack Ah Kit and his then ministerial advisor, Jamie Gallacher, travelled to Perth to see Mr Anderson to negotiate directly with him as to the discontinuance of the defamation proceedings?

**Dr TOYNE:** Yes, I was aware of that.

**Ms CARNEY:** Senior Counsel Elizabeth Fullarton was not skilled enough to conduct that negotiation?

**Dr TOYNE:** Can you tell me how this relates to estimates?

**Ms CARNEY:** It relates to estimates for a number of reasons.

**Dr TOYNE:** I can see why it relates to politics, but not estimates.

**Ms CARNEY:** It relates to the conduct of you as Justice minister; what you knew about one of your colleagues ducking off in the middle of defamation proceedings to see someone who was suing him. It relates to a mess that was created as a result of a failed prosecution started within your department. It is pretty obvious and, if estimates is about following government money and issues, and we are in the output area of Solicitor for the Northern Territory whose charter is all about providing quality advice, representation and documentation to government ministers, I would suggest it is very obvious why I am asking these questions.

If the Solicitor for the Northern Territory has the role of providing legal advice to government ministers, why was it - and did you know - that one of your colleagues, Jack Ah Kit, and his then ministerial advisor hopped on a plane, paid for by Territorians, to go and see the bloke who was suing him, with a view to encouraging him to discontinue the legal proceedings?

**Dr TOYNE:** I want to publicly rebut all the spin you are putting on this. The minister did not 'duck off' during the litigation. He was receiving legal advice as part of his indemnity as a minister involved in a public issue that had led to potential litigation. I am not party, and should not be party, to the details of that legal advice or the course of action that was suggested to him. I have answered your question: yes, I was aware of it. I have answered your question that the matter was dealt with in Cabinet by Cabinet. That is as far as I am prepared to go.

I am informed that the advice that Elizabeth Fullarton gave was much earlier in the history of this matter, and that Jack was in Perth for other matters and took the opportunity, on advice, to talk to Warren Anderson in front of a legal witness, and that is as far as I want to disclose the circumstances.

**Ms CARNEY:** When you say in front of a legal witness, do you mean a lawyer, his lawyer?

**Dr TOYNE:** Hmm.

**Ms CARNEY:** When you say that he happened to be in Perth, do you know why he was in Perth?

**Dr TOYNE:** I have said that that is as far as I am prepared to go.

**Ms CARNEY:** You said that you were aware of Jack Ah Kit and his then advisor travelling to Perth and, as I understood it, Cabinet was aware as well. It was discussed in Cabinet?

**Dr TOYNE:** Yes.

**Ms CARNEY:** Does it follow, therefore, that when the minister and his then advisor came back, they reported that they were unsuccessful in their attempts to ...

**Dr TOYNE:** I am sorry; I cannot disclose anything further. That comes back to Cabinet confidentiality.

**Ms CARNEY:** Okay. Do you know whether the Western Australian government solicitors or any counsel in Western Australia sought any information in relation to the matters pertaining to Mr Anderson?

**Dr TOYNE:** I cannot give you any detail of what legal practitioner did what in this matter. It would not have been proper for me to have a direct relationship to the litigation.

**Ms CARNEY:** That concludes my questions in relation to Mr Ah Kit. I have some other questions on this budget output area. I am conscious of time.

Minister, I refer you to Budget Paper No 3 at page 107. I note that you referred to the decrease to the assistance to Victims of Crime, which appears in the budget at \$2.3m. I need clarification on the paragraph in your introductory statement: you are not saying the \$2.3m for Victims of Crime is a misprint in the budget?

**Dr TOYNE:** No, no.

**Ms CARNEY:** But it should actually be \$3.5m?

**Dr TOYNE:** Perhaps if I restate the process. If you ever serve in government, you will realise that Treasury operates in very mysterious ways. In the case of Victims of Crime Compensation Scheme, Treasury has taken the budgetary course of allocating or appropriating in the initial budget an amount of money. Perhaps, in the world as Treasury sees it, they are hoping that the initial appropriated amount will represent what comes out of the real world.

I do not recall any basis for Treasury's initial appropriation. It was \$3.5m in the 2004-05 Budget. It is \$3m in the current budget papers as a starting point on appropriating money to that scheme. It is an open-ended scheme. It depends, as you would be aware, on the number of applications coming in each year, the number that are settled and the level of settlement in total of the various cases that are finalised.

It is a scheme whereby it would be impossible to appropriate up-front the exact amount that will accrue during the coming year. I guess it is all a question of recognising that the scheme is continuing, with an appropriation within the Justice budget, and then dealing with the actual accrued costs of the scheme later in the year through a Treasurer's Advance. That is the mechanism. We have followed that every year since I have been Attorney-General. We will follow it in the coming year again.

The bottom line as far as the victims that we are supporting in the community are concerned is that all legal costs and all compensation costs that are awarded under the scheme will be fully honoured with the budgetary arrangement that we are following. There is no question of cutting back the scheme. What we have done with the scheme is to modify the scale of legal costs to bring the legal costs back to what we believe is a better proportion of the total cost of the scheme.

We were getting to a point to where the legal costs were outstripping the compensation payments. While the lawyers would have been very happy with that, I do not think it is a very well structured scheme if that is what has happened. That is how it operates. I am happy to give any figures or details of the scheme as it has occurred in the last 12 months.

**Ms CARNEY:** Thank you for that. I do have a couple of reasonably specific questions. Based on what happened in last year's estimates, I am sure you will not be surprised. I am after how many applications for compensation were filed in 2004-05.

**Dr TOYNE:** Okay, get your pen out. In 2001-02, new applications filed: 19.

**Ms CARNEY:** Yes, you are going to say 2002-03: 477?

**Dr TOYNE:** Yes. 2003-04: 504.

**Ms CARNEY:** Sorry, 504?

**Dr TOYNE:** Yes, and 2004-05 to the end of April: 434. The projected number of applications for the year would be similar to last year, so there has been no significant drop in application numbers.

**Ms CARNEY:** How much was paid to private law firms in the Territory for CVA matters in 2004-05?

**Dr TOYNE:** The 2004-05 projection, based, as I said, on taking the first three quarters of the year and then extrapolating: for Victims Assistance \$3.269m; applicant costs \$1.015m ...

**Ms CARNEY:** Sorry. Applicant costs?

**Dr TOYNE:** \$1.015m – sorry! The Victims Assistance is the total projected payout of compensation at \$3.269m.

**Ms CARNEY:** Sorry. Is that compensation or monies paid to lawyers?

**Dr TOYNE:** Compensation. The applicant costs - that is, costs for legal assistance - \$1.015m and the Solicitor for the Northern Territory's costs are \$892 000.

**Ms CARNEY:** Has the amount of compensation that has been paid out gone up or down from last year? I actually brought a document that you tabled last year. No, sorry, you did not table it; I received it eventually.

**Dr TOYNE:** Let me make it easier for you. This year, I will table the updated version. We will give you a coloured one.

**Ms CARNEY:** I am touched.

**Dr DREIER:** One is all we could afford.

**Ms CARNEY:** I am so special! Thank you.

**Dr TOYNE:** That will give you the outcomes for the scheme from 1996-97 up to the current projected amount.

**Ms CARNEY:** Thank you. Attorney-General, you know I have more than a passing interest in this area. If that graph and the details therein are as useful as the ones I obtained some months ago, I will be very happy, so thank you for that.

During the 2004-05 financial year, were any consultants, legal practitioners and others, retained by the Solicitor for the Northern Territory? If so, please provide their names and how much individual or company was paid, and detail the purpose for which they retained. If you happen to have that in a table, I would be grateful if you could table it.

**Dr TOYNE:** I will pass that to Greg Shanahan.

**Mr SHANAHAN:** We have a table over the last three years. What we do not have is the purpose for which you have asked.

**Ms CARNEY:** You will appreciate that a follow-up question is the total amount of money paid to those people, which I assume is in that table as well. It is standard stuff

**Mr SHANAHAN:** Yes, whatever we produced before.

**Ms CARNEY:** I have a fair hunch what is in your table if it is based on last year. I would be grateful if you table that because it will short circuit some other questions.

**Mr SHANAHAN:** Did you want the purpose detailed?

**Ms CARNEY:** That would be ideal, but I would not like to forgo receiving the table. We can do the purpose on notice, if you like.

**Dr TOYNE:** I would certainly like to clear up as much as possible today if we can. David has indicated he can at least give you a generic answer to that this morning, so perhaps if I pass to David for that.

**Mr LISSON:** On notice.

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#### Question on Notice

**Mr CHAIRMAN:** Leader of the Opposition, would you repeat the question, please?

**Ms CARNEY:** I will re-word it slightly because of the table. During the 2004-05 financial year, were any consultants, legal practitioners and others, retained by the Solicitor for the Northern Territory? If so, could you detail the purpose for which they were retained? You will table that graph?

**Dr TOYNE:** Mr Chairman, we are having some process difficulties being pointed out here insofar as retention of legal representation could span several matters. As you can see, it is a very extensive list. I am aware of not wanting to take any more than necessary of departmental time. I wonder you would be satisfied with a more generic level of purpose

**Ms CARNEY:** Yes, that would be all right.

**Dr TOYNE:** For example, there are categories of matter so perhaps if we could use some discretion, we could give you the ...

**Ms CARNEY:** I am happy with that.

**Dr TOYNE:** All right.

**Ms CARNEY:** I note that we are asking a number of questions on notice. Mr Chairman, do you have an idea of how long it will be before the answers are provided?

**Dr TOYNE:** We will attempt to get the answers back to you certainly by the end of the day. That is our normal practice.

**Ms CARNEY:** Right.

**Mr CHAIRMAN:** We are now in negotiation, and I am not too sure exactly what the question was or what you have agreed to.

**Dr TOYNE:** We have agreed to provide the purpose of these private sector legal consultancies, at least at a generic level rather than having to detail every single line item on these pages, which would take a considerable amount of staff time. However, we will certainly give an idea of the categories that the consultancies are applied to.

**Mr CHAIRMAN:** Is that the information you are seeking, member for Araluen?

**Ms CARNEY:** Yes, it is, Mr Chairman.

**Mr CHAIRMAN:** Well, good! I would hate to get it wrong.

**Ms CARNEY:** I am sure you would. Minister ...

**Mr CHAIRMAN:** I have not finished yet.

**Dr TOYNE:** Yes, we will table the lists as they stand and we will get you that information.

**Ms CARNEY:** Yes, thanks.

**Dr TOYNE:** If this gets any friendlier, we will lose our way.

**Mr CHAIRMAN:** I am sure it will change. I will allocate that question No 4.7.

**Mr CHAIRMAN:** Please continue.

**Ms CARNEY:** Minister, last year in Budget Paper No 3 in this output area, details were provided of the cost per solicitor hour, which was \$130. Why has that cost not been included in this year's budget paper and ...

**Dr TOYNE:** Yes, go on.

**Ms CARNEY:** Would it not be open and transparent to provide this figure so that Territorians can see how much the cost is? What is the cost per solicitor hour?

**Dr TOYNE:** I will let Greg or Terry expand on this, but we have found that there are practical difficulties with it in it that there is solicitors work and solicitors work. Some are at a higher level of expertise than others, so it was felt to be somewhat artificial as a measure. Terry might be able to add some more detail to that.

**Dr DREIER:** The primary reason that it is not recorded this year is that it is no longer required to be reported by Treasury as a performance measure. However, in keeping with what the minister was saying, there are some difficulties, as you would understand, averaging each figures out. The reason it is not there is because it is no longer required as a performance measure.

**Ms CARNEY:** By Treasury?

**Dr DREIER:** By Treasury.

**Ms CARNEY:** So, given that we are dealing money that belongs to others, I guess the only way we can ever find out what the going rate per solicitor hour is from the Solicitor for the Northern Territory is either for people to write a letter to government or to get someone to ask a question in estimates. Do you know the cost per hour this year?

**Dr TOYNE:** We are giving you a full list of every solicitor that has worked for the Northern Territory; you could probably ring them up in a day and ask them about their rates.

**Ms CARNEY:** No, sorry, you misunderstood. This is the cost per solicitor hour within the Solicitor for the Northern Territory.

**Dr TOYNE:** Oh, right, okay.

**Ms CARNEY:** In 2004-05, it was \$130 dollars. Do you know what the cost is now?

**Dr DREIER:** No, I do not have that figure.

**Ms CARNEY:** Can I ask that you take that question on notice? The reason is this: even though Treasury says that information is not required as a performance indicator, it is nevertheless an indicator, albeit just one, of how things are going in a department. It is useful information for just about anyone to have. If, for instance, the cost has gone up and is sitting at \$200 per hour, that would be reason to be concerned. That is why I am after that information.

**Dr TOYNE:** No, I think Treasury's made a ruling on this. If you want to contest that ruling, write to Treasury. We are simply following the arrangements that Treasury set down. Even if the cost per hour had gone up, it is a matter of productivity and what those solicitors are doing in terms of government processes. It might go up, and might be for good reasons. We can all have an opinion about it, but Treasury sets the framework and the detail of the presentation of budget papers. They have made a ruling on this. If you feel that it is a wrong ruling, talk to Treasury.

**Ms CARNEY:** Your answer is ...

**Dr TOYNE:** I am not taking it on notice because in response to what Treasury told our agency, we ceased to put that information together.

**Ms CARNEY:** Minister, it is consistent with what your colleagues as well as the Clerk of the Assembly has told us: in this year's budget papers, there are number of performance indicators that were in the budget and preceding budgets, last year and before, that are not there now and, basically, everyone has said we have done that because Treasury has said so.

**Dr TOYNE:** Hmm.

**Ms CARNEY:** That is fine.

**Dr TOYNE:** Okay.

**Ms CARNEY:** However, what the others have done when I have asked for information about cost per average education or information program, the other agencies actually had that information.

**Dr TOYNE:** Well, we do not.

**Ms CARNEY:** You are saying you do not?

**Mr CHAIRMAN:** I am not 100% sure that all agencies had all that information.

**Ms CARNEY:** The agencies I asked did.

**Dr TOYNE:** I point out that there are also a lot of new performance measures that were not in last year's budget papers. It is an evolving process and, overall, the budget papers here have vastly more information than prior to our government coming to power. This is a very comprehensive document and lots of variations are explained in the document itself. We have said all the way through that performance measures were meaningless until several years ago, and it was a big issue that was debated in parliament on many occasions. Certainly, it has been promoted very strongly by the previous Auditor-General, Iain Summers.

They are now in the papers. They are evolving into a series of measures that have meaning and that are comprehensive enough to give any reader of that document some sense of how well the government is performing. While you might quibble about one or another case in point, we have great confidence in the evolution of these measures and we will continue to pay close attention to them in the agencies of which I have carriage.

**Ms CARNEY:** Indeed, and we will continue to pay close attention to them as well. I just make the point, before I get onto another area, that when things to missing from budget papers, you can understand why we would ask questions in relation to all of them.

**Dr TOYNE:** They were not there at all under the previous government.

**Ms CARNEY:** We are not talking about the previous government. We are talking, in your budget papers it refers back to ...

**Dr TOYNE:** It is all relative.

**Ms CARNEY:** You have your own history in the budget papers. That is why we are asking the questions.

**Dr TOYNE:** But there was history before that.

**Ms CARNEY:** I do not care about what was before that.

**Dr TOYNE:** You should because that is why the previous government lost government.

**Ms CARNEY:** Sorry, you might be missing something. This is the Labor budget of 2005-06. Throughout this budget there are numerous references not to the CLP, but to your own history. So why do you not start owning some of your own history?

**Dr TOYNE:** I certainly am.



**Ms CARNEY:** I simply make the point that in your own history, the information with which you provide us and, in turn, everyone in the Northern Territory, we get twitchy when the information starts to disappear and when we cannot get that information in the course of questioning.

Minister, again under the Solicitor for the Northern Territory, I wanted to ask some questions, bearing in mind the function of the Solicitor for the NT to provide quality advice, representation and documentation to government ministers. I refer to former magistrate, Anthony Gillies. I assume that you were provided with various advice from the Solicitor of Northern Territory and other departmental staff. I have some questions in relation to Mr Gillies' matter.

**Dr TOYNE:** Can I just say from the outset, I am quite happy to give the broad appropriation that resulted from that matter. I am not prepared to give any breakdown of the elements of that appropriation simply because the settlement was confidential and I do not want to break confidentiality.

**Ms CARNEY:** I accept that if it was confidential you cannot provide details as to how much money a former magistrate received in settlement. Was there a deed of release or a deed of agreement?

**Dr TOYNE:** There was a confidentiality agreement signed. You do not really need to ask me the appropriation. It is in your budget papers if you read the explanation of variations. I will try to find it.

**Ms CARNEY:** I have a number of questions in relation to Mr Gillies.

**Dr TOYNE:** Yes. At page 107, you will see \$1m indicated there. That is the total appropriation regarding all aspects of this matter. That could be court costs, legal costs, or the actual payment. That is as far as I can go. The details of the settlement are confidential, signed and sealed.

**Ms CARNEY:** Yes, and I accept that. If there is a formal agreement as to the settlement that Mr Gillies received, clearly, I cannot go any further with that. However, you have referred to \$1m of appropriation ...

**Dr TOYNE:** A total appropriation to lower courts and tribunals ...

**Ms CARNEY:** Sure. So I can ask, obviously, questions in relation to that without asking directly because you clearly will not answer, which I understand: how much did Mr Gillies get?

**Dr TOYNE:** I am not going to answer that.

**Ms CARNEY:** No, but surely you are not suggesting that I cannot ask questions in relation to the costs that John Nader charged.

**Dr TOYNE:** You will understand that if I answer questions about other cost elements, by default I am breaching the confidentiality agreement because all you need to do then is to take all those costs away from the \$1m and - hey presto! - you have the settlement. I am not prepared to answer any questions on that basis.

**Ms CARNEY:** Well, you may have backed yourself into a corner. Are you seriously suggesting that costs paid to someone brought in from interstate to undertake an inquiry will not be revealed to Territorians?

**Dr TOYNE:** That is correct because of the confidentiality ...

**Ms CARNEY:** But the confidentiality agreement would only refer to the amount of money Anthony Gillies received.

**Dr TOYNE:** Correct, but the \$1m ...

**Ms CARNEY:** Therefore there is no legal impediment in you not providing information as to John Nader's fees.

**Dr TOYNE:** Well, I am afraid that is ...

**Mr CHAIRMAN:** If I may jump in there, Attorney-General. The Attorney-General has answered you that he is not going to ...

**Ms CARNEY:** No.

**Mr CHAIRMAN:** No, member for Araluen, I am the Chair here and I will make the ruling. He has made the call that he is not going to breakdown the \$1m. You can argue until the cows come home. He is not going to break it down. Let us get on with business.

**Ms CARNEY:** Thank you, Mr Chairman.

**Dr TOYNE:** Yes, I think that sums up my position pretty well, Mr Chairman.

**Ms CARNEY:** I just need to be very clear on this. We all understand why we are here. It is about scrutinising the expenditure of money by government. Can you explain to me if the confidentiality agreement only refers to the monies Anthony Gillies was paid, why it is that the people of the Northern Territory are not entitled to know how much was paid for John Nader?

**Dr TOYNE:** They know, if they care to read the budget papers, that the entire matter cost the taxpayer \$1m. I would imagine, as a lawyer, you would appreciate there would be no more serious matter that could arise within the justice system than having a magistrate or judge under the sort of cloud that occurred in this case. As far as the taxpayer is concerned, to deal with a matter at the most serious level in our justice system, and to maintain its integrity, we have spent \$1m. That is all we are prepared to say.

**Ms CARNEY:** It is, therefore, reasonable that because of your refusal to provide details as to costs other than those that were paid to Mr Gillies, the public and, indeed, the opposition can but speculate. It may be that Mr Gillies was paid \$500 in settlement and the rest was legal fees to John Nader. Does that trouble you?

**Dr TOYNE:** I have nothing more to say.

**Mr CHAIRMAN:** Attorney-General, we have gone through this already. Will you move on, please, shadow, or I will deem every time you ask a question about it to be out of order. We are bogged down here.

**Ms CARNEY:** Mr Chairman, I will move on. I am just aghast because I was led to believe that this was all about scrutinising the figures that were in this and, as a lawyer, there is no level of impairment whatsoever in providing the information.

Minister, the inquiry that John Nader undertook in relation to Mr Gillies - details of his retainer we will never know - was made public when it should have remained confidential. Who leaked the story to the media?

**Dr TOYNE:** I really do not see that as an estimates question. If you want to speculate on those sorts of matters, do so somewhere else.

**Ms CARNEY:** I thought, given that you are the Attorney-General, and that this man and those inquiring into his conduct have cost Territorians \$1m, you may have a view as to whether details of the complaint, once made public, may have undermined the public's confidence in the administration of justice.

**Dr TOYNE:** It is not something I want to delve into.

**Ms CARNEY:** Perhaps you can answer this: I know that John Nader was assisted by Lyn McDade in the inquiry in relation to Mr Gillies and his suitability to sit as a magistrate. Were there other staff working with John Nader? If so, could you detail what their roles were?

**Dr TOYNE:** I have no knowledge of that. I certainly know that Nader was involved, McDade was involved, and that is all I was probably able to be told - and Tom Pauling, I am informed.

**Ms CARNEY:** The information that you are unwilling to provide as to \$1m, would it be available under the *Information Act*, do you think, given that that is your legislation?

**Dr TOYNE:** If you want to persist with this to challenge a legally binding confidentiality agreement, which I am bound by ...

**Ms CARNEY:** That is as to the amount of money Gillies received.

**Dr TOYNE:** ... that is your pathway; you tread it. I am honouring an agreement that settled this matter. As far as the Northern Territory people are concerned, we have defended the integrity and trust in our magistracy, and life will now go on in our magistrates courts. End of story.

**Ms CARNEY:** The inquiry or investigation seemed to me, at least, as an observer, to finish fairly suddenly. I understood that you were to receive a report from John Nader with various recommendations as to what you as Attorney-General could do with this problem. Did you end up receiving that report?

**Dr TOYNE:** It was settled. That is why ...

**Ms CARNEY:** Yes, I know, but was the report provided?

**Dr TOYNE:** The report I received is in Budget Paper No 3. \$1m was spent. The matter is settled. We are now moving on, and that is all I know of the matter in detail.

**Ms CARNEY:** So we cannot get any details of how much Gillies got, what the breakdown was of John Nader, and we do not know even know whether you received the report for which he must have been part of?

**Dr TOYNE:** If you have any understanding at all of the separation of powers, I would not ...

**Ms CARNEY:** I have a very thorough understanding of that.

**Dr TOYNE:** Really? You are not showing it. You are basically quite happy to dig around for some sort of perceived gain on this. Do not worry about the fact that we had a very serious issue in the justice system. Do not worry about the fact that it was settled to the degree that the Magistrates Courts are now operating successfully and normally. You want to dig around and by default get what the settlement is ...

**Ms Carney:** Minister, I am asking legitimate questions about the money ...

**Dr TOYNE:** And then what are you going to do? Dive out onto the steps of parliament ...

**Ms Carney:** ... that you spent, that you do not want people to know about under the guise of a confidentiality agreement, so do not you lecture me.

**Dr TOYNE:** ... and make the confidentiality agreement public? Is that what you are after?

**Mr CHAIRMAN:** Member for Araluen! Member for Araluen, allow the minister to finish the answer.

**Dr TOYNE:** I think you are showing an appalling lack of knowledge of the responsibilities I have as Attorney-General to maintain the separation of powers. We have no business being in the detail of an investigation of a magistrate. I have been very careful to maintain that position of ...

**Ms CARNEY:** Minister, I am not for a moment quibbling with the separation of powers.

**Dr TOYNE:** I wish you would do the same.

**Ms CARNEY:** I really do not know why you are going there. I suspect it is because you are so terribly uncomfortable about not being able to provide details that the normal punter would be entitled to receive.

**Dr TOYNE:** If you are presenting yourself as an alternative Attorney-General, you have an appalling lack of understanding of the sensitivity of this matter.

**Ms CARNEY:** I simply asked whether you had received the report.

**Mr CHAIRMAN:** If I could ask all parties to stop for a moment. I am prepared to rule, unless there are any more questions about Output 1.1, that we conclude questioning on this.

**Ms CARNEY:** One more question, thank you, Mr Chairman. Minister, you wrote a letter to Peter Maley on 17 February 2004 and you said, quite rightly: 'I do not intend to become directly involved in the matter except at the request of Mr Nader until I receive his report'. That was 17 February 2004. Did you, at any time after this letter, receive a report from John Nader?

**Dr TOYNE:** No, I did not.

**Ms CARNEY:** No report. Thank you. I do have some other questions. I am happy to leave it at that in the interests of time for this output area, Mr Chairman.

**Mr CHAIRMAN:** Are there any other questions in regard to Output 1.1?

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**Answer to Question**

**Dr TOYNE:** Mr Chairman, just before we close this output, I table the answer to one of the questions taken on notice. It is regarding the FTE staffing levels for each of the divisions of the Department of Justice and Terry would like to clarify ...

**Mr CHAIRMAN:** I believe the member for Nelson has a question ...

**Mr WOOD:** Yes, thank you Mr Chair ...

**Dr TOYNE:** ... Terry is seeking clarification of the first of the questions from the shadow.

**Dr DREIER:** I wanted some clarification in relation to the first question that was taken on notice. My recollection, and I do not have the question, but you were referring to Legal Services and you were talking about depreciation of DCIS charges and the like in agency revenue, and why they did not appear in Budget Paper No 3 for 2005-06. Was that essentially the question?

**Ms CARNEY:** Yes.

**Dr DREIER:** The answer to that question is these tables are prepared by Treasury. My advice is that they do not now report to the detail reported in 2004-05, but those figures are all rolled up into the figure that you see in the current 2005-06 table.

**Ms CARNEY:** So, basically, they are just not separated?

**Dr DREIER:** That is correct.

**Ms CARNEY:** Okay. Thanks for that.

**Dr DREIER:** The total appearing in 2004-05 under output appropriation where it has the detail, the detail does not appear in 2005-06, but the output appropriation does appear as a total line.

**Mr CHAIRMAN:** Thank you, that is No 4.1 answered.

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**Mr CHAIRMAN:** Member for Nelson.

**Mr WOOD:** I must admit I am concerned we have gone 1¼ hours on Output 1.1. I know there are some important issues, but at this rate we will not get to Health. I will try to be succinct. Attorney-General, your department has been involved in some difficult mediation involving native title claims over pastoral land and land in towns. Could you please state what is the state of these negotiations? How many issues are outstanding? When will the issues be resolved? How much has your department spent on mediation in last two financial years? How much has been budgeted in this year's budget?

**Dr TOYNE:** I have to say to the member for Nelson that we have a whole division working on those types of matters - Aboriginal lands - and to my knowledge, on the briefs that I receive as a regular occurrence, there would be anything in the order of 50 to 100 matters. I am not trying to dump any sort of questioning today, but it might be a better approach to give you a briefing on it because, to give you a written synopsis of the entire agenda of Aboriginal lands in terms of native title and Land Right Act matters, would be a report of Biblical proportions. It would be a lot easier to offer you a briefing and I am quite happy to do that.

**Mr WOOD:** I will take up the briefing. I was reading from your performance reporting ...

**Dr TOYNE:** If you have specific matters, we can ...

**Mr WOOD:** I took it from the Performance Reporting of the last annual report. It would be good to know what stage you are at with those and how long these negotiations are going to go on for. I am happy to take a briefing, Mr Chairman.

**Dr TOYNE:** It is really ongoing. There are new matters coming up all the time, and there are old matters being settled. On specific matters, we can certainly give you that level of detail. However, if you are looking for a broad overview, it is probably more appropriate to give you a briefing.

**Mr WOOD:** Yes, I am happy to take a briefing, Mr Chairman.

**Dr TOYNE:** Okay.

**Mr CHAIRMAN:** Oh, that is your question?

**Mr WOOD:** Yes.

**Mr BURKE:** If I might ask one question.

**Mr CHAIRMAN:** Member for Brennan.

**Mr BURKE:** It may be appropriate later, and I am happy to take some direction on that, but the member for Araluen asked some questions regarding Victims for Crime. It might be appropriate to ask this question now as it has already been raised. Victims of Crime obviously perform valuable work providing support and counselling for victims and offering practical assistance in the form of cleanup and securing of premises after break-ins. Minister, could you advise what funding is provided to Victims of Crime NT?

**Dr TOYNE:** Yes, certainly, member for Brennan. It sounds funny calling you 'member for Brennan'. I will get used to it; do not worry. Yes, we have the following ongoing funding grants to Victims of Crime NT and I can say it is good that this stands as a legacy for Sue Lowry who is off to have a child. Sue has built this organisation up by the bootstraps and it is a tribute to the work she has done that so many people have the benefit.

Anyway, to the detail of it in terms of the budget: \$88 000 inclusive of GST is allocated in the Policy Unit budget for base funding for Victims of Crime NT - that provides the core operational money for the organisation; \$55 000 including GST is allocated to the Policy Unit budget for clean-up and securing assistance of premises to victims of home invasions and house break-ins - that is distributed by Victims of Crime NT; and additional funding of \$24 500 was allocated from the Policy Unit budget to fund administrative assistance to VOCNT for the last six months of the 2004-05 financial year.

In other words, we found that money out of existing resources within the Policy Unit budget to ensure that the premises are staffed at all times during business hours. We have also committed to increase annual funding for Victims of Crime NT by \$70 000 per annum from 2005-06 onwards. This represents ongoing funding for an additional staff member at the rate of \$50 000 per annum and an extra \$20 000 per annum for travel, training and support for the organisation.

From 2005-06, total funding for the organisation will be over \$200 000 per annum as well as accommodation, equipment and support. A one-off funding grant of \$8430 was allocated from the Policy Unit budget, again out of existing resources, for furniture and equipment as they had moved into the new premises at the La Grande building on the corner of Knuckey and Mitchell Streets, where they are able to provide additional support programs. We are very happy to support a great organisation such as Victims of Crime NT. Thank you for your question.

**Mr CHAIRMAN:** Are there any further questions in regard to that output? That concludes consideration of Output 1.1.

### **Output 1.2 - Agency Legal Services**

**Mr CHAIRMAN:** The committee will now proceed to Output 1.2, Agency Legal Services. Are there any questions?

**Ms CARNEY:** I remember seeing somewhere in here, minister, that there were 1000 instructions outsourced in 2004-05.

**Dr TOYNE:** Yes, Performance Measures, page 108.

**Ms CARNEY:** Thank you. They are outsourced to private firms in the Territory that have tendered for that work, correct?

**Dr TOYNE:** Sorry?

**Ms CARNEY:** That they are outsourced to the private law firms in the Territory that have been part of the government tender for government work?

**Dr TOYNE:** Yes, that is right. Some are *ad hoc*, some fall under the tendering process. You have a full list of all sectors in the information we provided earlier of the particular law firms and how much money their work has totalled.

**Ms CARNEY:** So this would include all tender work as well as *ad hoc*?

**Dr TOYNE:** Correct.

**Ms CARNEY:** Yes. Okay.

**Dr TOYNE:** Sorry, there is a separate one. There is one table for tendered, one for *ad hoc*, and one for interstate, so interstate, tendered, *ad hoc*, okay?

**Ms CARNEY:** All right, thank you for that. In the interests of time, I forgo other questions so we can move on to other areas.

**Mr CHAIRMAN:** Are there any other questions? That concludes consideration of Output 1.2.

### **Output 1.3 - Legal Policy**

**Mr CHAIRMAN:** The committee will proceed to Output 1.3, Legal Policy. Are there any questions?

**Ms CARNEY:** Can you provide a table, minister, naming the consultants or consultancies that were undertaken for or on behalf of the Legal Policy unit in 2004-05?

**Dr TOYNE:** I am advised that we do not have that to hand. We are quite happy to take it on notice.

**Ms CARNEY:** Thank you.

**Dr TOYNE:** Sorry, to clarify: does that include legal practitioners or all consultants?

**Ms CARNEY:** All consultants, yes.

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### **Question on Notice**

**Mr CHAIRMAN:** Would you mind re-stating that question, please, member for Araluen?

**Ms CARNEY:** Could you please provide a table naming all consultants or consultancies including legal practitioners for or on behalf of the Legal Policy unit in 2004-05?

**Mr CHAIRMAN:** Do you accept that as a question on notice?

**Dr TOYNE:** I do, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.8.

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**Ms CARNEY:** Last year, minister, Legal Aid and other grants were contained in the Solicitor for the Northern Territory output area. Can you explain why they were moved to the output area of Legal Policy this year?

**Dr DREIER:** They were originally in Policy and it was a mistake that they were reported against Solicitor for the Northern Territory, so they have gone back to where they were.

**Ms CARNEY:** Okay. Thank you.

**Dr TOYNE:** They have found their home again.

**Ms CARNEY:** Now they are home again. Thanks for that honest explanation. On the topic of the grants - and I did not ask this last year - what are the 'other grants' and what are your Legal Aid grants used for? There is a total of \$2.34m.

**Dr TOYNE:** To the NT Legal Aid Commission?

**Ms CARNEY:** Yes. We will deal with that one first; Legal Aid grants.

**Dr TOYNE:** Basically, the funding for the NT Legal Aid Commission is sourced from us and the Commonwealth. The Commonwealth funds the NTLAC for matters arising under Commonwealth laws; we fund them for matters arising from NT laws. To give you the full tote on it, in 2005-06, the NT government funding to NTLAC will increase by \$720 000 to meet an increase in demand for legal aid services. The increase in funding provided by the NT maintains the ratio of contributions to NTLAC between the Commonwealth and the NT. It was actually a bilateral agreement between us and the Commonwealth to arrive at a proportion of the funding. We picked up our part; they have picked up theirs.

**Ms CARNEY:** So that figure, \$2.34m in 2004-05 and \$3.06m in 2005-06, is what the Territory pays to Legal Aid?

**Dr TOYNE:** Yes, that is correct.

**Ms CARNEY:** Right. I was going to ask this question last year, so I rang a legal aid lawyer who has been around the traps and I asked that person what was meant by 'legal aid grant' and an experienced legal aid lawyer that person was, and that person said that they did not know.

**Dr TOYNE:** It means you pay your lawyers, you can buy a new photocopier when you need it ...

**Ms CARNEY:** So it is funding. It is ongoing funding, recurrent funding?

**Dr TOYNE:** Yes, that is right. It is operational and staff costs.

**Ms CARNEY:** Okay. I will advise the lawyer. Do the other grants include any matters other than those referred to in the footnote on page 108?

**Dr TOYNE:** Grant payments for domestic violence services, Victims of Crime NT, clean-up assistance. No, that is it.

**Ms CARNEY:** Finally, how many staff work in the Policy Unit and how many were employed in the previous two years?

**Dr TOYNE:** We have given you that, I think. That was tabled just a minute ago. We are so quick that we gave you the only copy.

**Ms CARNEY:** Thank you.

**Dr DREIER:** Was that for Legal Policy or just legal?

**Ms CARNEY:** Legal Policy. What have you given me? I see. This is everything.

**Dr TOYNE:** Yes, that is Legal Services.

**Dr DREIER:** So did you want Legal Policy?

**Ms CARNEY:** There is no reference to Legal Policy.

**Dr DREIER:** That is under the Legal Services Group. Do you want Legal Policy?

**Ms CARNEY:** Yes, I would like to know how much in each division. I am happy to hand this back to you for you to write on, which I expect is going to be the easiest course of action.

**Dr DREIER:** We will get someone to write on it.

**Dr TOYNE:** We reckon it is about 11. I will just ask Kate. Yes, 11 lawyers.

**Ms CARNEY:** That completes that output area, Mr Chairman.

**Mr CHAIRMAN:** Are there any further questions on Legal Policy? That concludes consideration of Output 1.3

#### **Output 1.4 - Office of the Director of Public Prosecutions**

**Mr CHAIRMAN:** The committee will now consider Output 1.4, Office of the Director of Public Prosecutions. Are there any questions?

**Ms CARNEY:** In relation to the DPP - and I am sorry if this sounds repetitive, but I need to ask the question so I have the answer in *Hansard*. In last year's budget paper, more details were provided and, therefore, people had more information from last year's budget paper. In particular, last year's budget paper included details as to the average cost per completed matter and per client. Why has that not been included in the budget papers this year?

**Dr TOYNE:** I will pass that to Terry.

**Dr DREIER:** For the same reason as the other one: the cost is no longer applied as a performance measure.

**Ms CARNEY:** The average cost per completed matter last year was \$6209. Do you know what it is for 2004-05?

**Dr DREIER:** No, I do not know what it is. The year has not finished yet.

**Ms CARNEY:** Up to the end of the third quarter?

**Dr DREIER:** I imagine we would be examining that when we are putting our annual report together.

**Ms CARNEY:** All right. Through you, minister, you are confident that it will be in the annual report?

**Dr DREIER:** I am confident that the budget for the DPP will be in the annual report, yes.

**Ms CARNEY:** The average cost per client last year, as detailed in the budget papers, was \$1192. What is the projected cost per client this year?

**Dr TOYNE:** We have indicated that that information will be in our annual report.

**Ms CARNEY:** No, that was per completed matter; this is per client. The answer may well be the same, but I needed to ask it.

**Dr DREIER:** The same as with the average cost per completed matter; we will be looking at the budgetary implications once the year has finished.

**Ms CARNEY:** Minister, you would remember that the director said, in his most recent annual report, that the caseload for summary prosecutions in Alice Springs 'continues to remain very high', and that there were '500 new files recorded in 2003-04 compared with the previous year'. Do you accept that the caseload has increased by more than 500 files a year? Have you made a budgetary response in relation to that increased workload, and are you concerned about the escalation of that workload?

**Dr TOYNE:** I will table this. Yes, we are in regular dialogue with the Director of Public Prosecutions. He is a very strong advocate, I might say, for prosecutorial resources. The record is as follows, and I will table this table: in 2001-02 when we first came to power, there was no increase in the resources available to the DPP. In response to the clear need for more resources in that area of the Justice Department, we then, as part of the mini-budget, put \$888 000 additional base funding into the DPP. Again, in 2002-03, we



further increased the base funding by \$517 000, and then, after a lull in 2003-04, in 2004-05 we put another \$100 000 into the DPP for exactly the reasons that you were outlining. During the election, we announced the additional amount of \$200 000 for a sexual assault prosecution team within the DPP. In total, the DPP has received something in the order of \$1.7m additional to its base funding, a very significant increase.

**Ms CARNEY:** From 2000 and ...

**Dr TOYNE:** From the mini-budget of 2001-02 though to the present time.

**Ms CARNEY:** Yes, yes. Given that their workload has increased, if you were to graph it based on the public statements and comments contained in annual reports, it would have to be significant. Therefore, I am pleased that you have devoted more resources, although I well understand that Mr Wild would always want a lot more.

**Dr TOYNE:** It has gone from the region of \$6m or a bit under to \$7.6m or \$7.7m in the current budget papers. I mean ...

**Ms Carney:** That is because the office is so busy ...

**Dr TOYNE:** ... it is a very significant ...

**Ms Carney:** ... on the account of the crime that they are dealing with.

**Dr TOYNE:** More police. We have all those extra police out there. They are going to catch people and they are going to need to be prosecuted. It does not take a brain surgeon to work that out.

**Ms CARNEY:** Minister, the director also said in his last annual report, in relation, again, to summary prosecutions in Alice Springs, that it highlighted the urgent need for a permanent staff increase with a 19% increase in new files. Have you created any staff increases in that office in Alice Springs?

**Dr TOYNE:** We provided the resources to the Director of Public Prosecutions, and Rex Wild then allocates the resources as he sees fit. He has statutory independence. We are certainly not going to tell him where to put lawyers or where to put other staff. He does that in an autonomous way and we have always respected that autonomy of decision-making.

**Ms Carney:** Sure, but ...

**Dr TOYNE:** If he needs more staff down in Alice Springs, first of all, he can argue for the quantum, and he has done that very successfully, as I have indicated. He then has to prioritise. He has his resources; if he feels he needs more staff down there, he can put more staff down there.

**Ms CARNEY:** Sure. I asked the question because I would have thought that, as Attorney-General, you would be very worried to read in the director's annual report that the workload has highlighted what the director describes as the 'urgent need for permanent staff' and that you might have taken ...

**Dr TOYNE:** We have added \$100 000 to his base. Maybe he will use it for that.

**Ms CARNEY:** ... more than passing a interest in it.

**Dr TOYNE:** I only get worried when the DPP comes and says: 'I simply cannot stretch to this'. He is not saying that to us. We have given him, as I said, a very significant increase for his resource base. He is not currently telling us that he needs further resources. Presumably, he feels he can deploy his current resources to cover the load.

**Ms CARNEY:** I just wondered whether you knew whether there had been more staff appointed in Alice Springs. You do not have to worry about it too much. You referred to your announcement about \$200 000 for what is, in essence, being described as sexual assault prosecutors. When is that money available and has recruiting started?

**Dr TOYNE:** It was announced during the election so, clearly, it is now in the budget for 2005-06. Recruitment can start as soon as the DPP chooses to do so.

**Ms CARNEY:** Okay, but you do not know whether recruiting has started?

**Dr TOYNE:** I do not follow every gazetted position, but I can certainly say this: the quicker, the better. We want to build up a specialist team that not only understands the sensitivities of handling sexual assault cases, but also develops a strong understanding of the laws that we have changed to make it easier to try to secure a prosecution, to get across the new criminal responsibility reforms as soon as they become law, so that we have improved the outcome or rate of successful prosecutions. We would all agree that it is a very difficult area of prosecution to get a successful outcome - certainly historically. That is why we are moving to very strong law reform. We have already brought in, as you know, arrangements and court processes that, hopefully, will improve the success rate. However, having a dedicated prosecution team specialising in these types of cases is another way of improving the productivity of it.

**Ms CARNEY:** Is it correct that for the \$200 000 allocation, that will get two prosecutors?

**Dr TOYNE:** We would expect so, yes.

**Ms CARNEY:** Will both of those people be based in Darwin, or one in Darwin and one in Alice Springs?

**Dr TOYNE:** It is a matter for the DPP to determine. Yes, I have just had it confirmed that, indeed, it is in the budget and ready to go for this financial year.

**Ms CARNEY:** Given that you have not in previous years announced what can be described as funding for a specialist sexual assault prosecutor - which I think is a good idea, I might say - is it the case that there has been a need to employ these prosecutors because of the jump, the escalation, that we are seeing across the Northern Territory? I think you are on the record as agreeing that it has been increasing. Is it in response to that or is it in response to conviction rates?

**Dr TOYNE:** You are quite welcome to direct questions to Stephen Jackson during the output dealing with the Office of Crime Prevention. There has been, actually, a significant drop in sexual assaults in the recent quarterly releases of our figures, Territory-wide, not necessarily uniformly through the Territory.

It is a crime, in my opinion, when one is too many. It is one of those crimes where it would not matter if there were lower numbers. We still want to put very strong downward pressure on that type of offending because it is such a heinous crime with such bad victim outcomes. Putting this prosecution team together is an acknowledgment of the seriousness of the offence and its effect on victims, not necessarily the trends out in the community. As I said, thankfully, the figures are receding somewhat although, as I said, one is too many.

**Ms CARNEY:** I will move onto the Murdoch case, which is called 'the Falconio case' by the media. The Murdoch trial is listed for October, correct?

**Dr TOYNE:** That is correct.

**Ms CARNEY:** What impact will that have on the resources of the DPP?

**Dr TOYNE:** With the large trials like that, we basically accrue the costs and then deal with them after the fact, if you like, through additional allocations to the agencies. There is an allocation in the budget, which is \$200 000 to cover accrued costs to date. However, it is quite clear that it will be a complex and expensive trial. We will deal with that after the final costs are known, as we have on previous occasions when we have been dealing with large matters.

You will understand there is really not a lot of point in appropriating a large speculative amount of money into the budget and then finding that you are either over or under the real costs. It is better to simply go through the trial, use the resources necessary, and then go back to the Treasurer's Advance to cover that later, after the trial.

**Ms CARNEY:** Okay. So there is no need to ...

**Dr TOYNE:** That will come to Cabinet. That is the process: it comes to Cabinet, we then approve the additional appropriation covering the accrued costs, and it is then drawn into the budget process.

**Ms CARNEY:** Who pays the bills as they are being received? Where does that ...

**Dr TOYNE:** The agency. The agency will bear the costs and be reimbursed to the tune of whatever costs are involved.

**Ms CARNEY:** So when you say 'the agency', DOJ?

**Dr TOYNE:** Justice.

**Ms CARNEY:** So Justice will pay the bills and then where is it reimbursed?

**Dr TOYNE:** Back to Justice through the Treasurer's Advance and a Cabinet process.

**Ms CARNEY:** I see. Okay. Thank you. In 2004-05, what costs were there for the Murdoch committal?

**Dr TOYNE:** We have appropriated \$200 000.

**Ms CARNEY:** Just for the committal?

**Dr DREIER:** The \$200 000 was part-use of an appropriation that DOJ got overall, so the \$200 000 is not the amount that was spent on Falconio in 2004-05; it is part of costs.

**Ms CARNEY:** Once again, time is against me, but if I wanted to obtain details as to the costs of overseas witnesses, for instance. We are dealing with the money of Territorians, we want to see where the money is going to the extent that we are able. Where do we find that information? Would it be in the DPP's budget?

**Dr TOYNE:** We have to let the costs accrue first. Once the trial is over, you would have every right to ...

**Ms CARNEY:** No, I am sorry; I am talking about the committal. That was done. I hear what you are saying about the trial, but where are the costs incurred to date such as getting witnesses from overseas here, presumably family support? Do you have them?

**Dr DREIER:** No, I do not have them down to that amount of detail, but we can get them.

**Ms CARNEY:** Right. Would you accept a question on notice?

**Dr TOYNE:** No, we could get them.

**Ms CARNEY:** Yes. Part of the reason I am interested is that I understand a Media Liaison Officer was appointed. I have no problem with that; in fact, it was a good idea. However, it is appropriate that we just drill down and see those costs.

**Dr TOYNE:** Yes, I am more than happy to, and I agree with you that it was very appropriate to manage the media because it was a total circus.

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#### Question on Notice

**Mr CHAIRMAN:** Do we have a question on notice here?

**Ms CARNEY:** The question on notice is ...

**Dr TOYNE:** The costs of the committal proceedings.

**Ms CARNEY:** Can I be provided with all costs and outgoings of the Murdoch committal including but not limited to overseas witnesses, media liaison officer, and so on? That should probably cover it.

**Dr DREIER:** That is committal only, not the proceedings that have ...

**Ms CARNEY:** Yes, we cannot do the trial ...

**Dr DREIER:** There have already been some proceedings of the trial.

**Ms CARNEY:** Oh, that is right, yes.

**Dr TOYNE:** And there are ongoing costs accruing day by day because they are preparing ...

**Ms CARNEY:** Are you happy with costs to date?

**Dr DREIER:** Do you want to do 2004-05? Would that help?

**Ms CARNEY:** Yes. In the information you provide, you will separate it, I guess. You will have committal ...

**Dr TOYNE:** Yes, if we do 2004-05, it accords with our financial arrangements. So that will give you the committal and most of what has happened since.

**Ms CARNEY:** Okay. Then if I have a problem, I can come back.

**Mr CHAIRMAN:** Member for Araluen, can you restate that for the information that you are after?

**Ms CARNEY:** I think so, Mr Chairman. Can I put it as an addition to the earlier question on notice, which is to provide those details for the 2004-05 financial year? That should cover it.

**Mr CHAIRMAN:** For the committal and trial components of it.

**Dr TOYNE:** The costs associated with the trial. Yes, okay.

**Mr CHAIRMAN:** You will accept that?

**Dr TOYNE:** I do, Mr Chairman.

**Mr CHAIRMAN:** Okay, I allocate No 4.9 to that question.

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**Ms CARNEY:** Mr Chairman, I have a number of other questions, but for the sake of the good running of the committee, might I ask for an indication from Mr Wood as to whether he has questions for the DPP or indeed this area?

**Mr WOOD:** Just one question on the DPP and I have one in the next output.

**Ms CARNEY:** Okay, then I can squeeze in a few others.

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#### **Answer to Question**

**Dr TOYNE:** May we take this opportunity to give you an answer to a question on notice?

**Dr DREIER:** You asked for the number of staff in Legal Policy. There are eight lawyers and three non-lawyers, or three support staff.

**Ms CARNEY:** Thank you. You wrote that on a bit of paper. Are you happy to ...

**Dr DREIER:** There was something else written on it here.

**Mr CHAIRMAN:** This will be a separate tabled document.

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**Ms CARNEY:** Attorney-General, in Budget Paper No 3 on page 109, there is a reference to findings of guilt in the Supreme Court and it is contained in the performance measures. Can you explain the figure of 85% and what is it based on, and does a finding of guilt include pleas as well as trial by jury?

**Dr TOYNE:** I would have thought that the percentages are fairly self-explanatory: in 85% of cases in 2004-05, we would try to achieve a finding of guilt and convictions at trial. I have nothing more to add than what is in front of me.

**Ms CARNEY:** Does the finding of guilt which, obviously, the DPP calculates, include pleas as well as findings of guilt by jury?

**Mr SHANAHAN:** I would not be able to tell you. I would be guessing. Can we take it on notice? It will only take a couple of seconds to find out.

**Ms CARNEY:** Yes, please.

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**Question on Notice**

**Mr CHAIRMAN:** Can you restate the question, please, member for Araluen?

**Ms CARNEY:** In relation to findings of guilt in the Supreme Court contained in the performance measures on page 109 of Budget Paper No 3, what is the figure of 85% based on and does a finding of guilt include pleas as well as trial by jury?

**Dr TOYNE:** So in other words, a guilty plea plus the actual ...

**Ms CARNEY:** It is going to include pleas, is it not, because an 85% conviction rate before a jury is extraordinary?

**Mr SHANAHAN:** I would imagine it would have to, yes, and that is the next one: the figure below that deals with convictions after trial or hearing.

**Mr CHAIRMAN:** Do you accept that question on notice, Attorney-General?

**Dr TOYNE:** Yes, I do, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.10.

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**Ms CARNEY:** The next one, convictions after trial or hearing, you made a reference to that. Could you repeat what you said?

**Mr SHANAHAN:** It is a lower figure, so the top one is going to include pleas, you would think - the figure that you were speaking about before.

**Ms CARNEY:** How many reports were made to police in 2004-05 of unlawful sexual intercourse, that is rape and other sexual assaults, by adult women?

**Dr TOYNE:** That is a police matter. Ask the police minister; he is on next.

**Ms CARNEY:** These reports are included in the Quarterly Crime Statistics, which come under your department in relation to which, every quarter, you issue media releases.

**Dr TOYNE:** Perhaps if you ask in the Office of Crime Prevention output group.

**Ms CARNEY:** I ask it in the context of convictions, the DPP being the prosecuting authority for all crimes including sexual assault, so it is a two-fold question. Do you know many reports were made in 2004-05 for rape and sexual assault? Yes or no?

**Dr TOYNE:** I do not know that figure. All I do know is that the prosecution rate is very low for those types of offences, and that is what I am dealing with in terms of policy and programming.

**Ms CARNEY:** All right. You say that the conviction rates are very low. Can you tell us what percentage of the reported unlawful sexual intercourse cases against adult women resulted in conviction for the years 2001-02, 2002-03, 2003-04 and 2004-05?

**Dr TOYNE:** No, I cannot. I can take it on notice and we will get that information for you.

**Ms CARNEY:** Thank you.

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**Question on Notice**

**Mr CHAIRMAN:** Would you care to restate the question, please?

**Ms CARNEY:** Can you provide details of the percentage of the reported unlawful sexual intercourse cases against adult women which resulted in convictions for the years 2001-02, 2002-03, 2003-04 and 2004-05?

**Dr TOYNE:** Mr Chairman, I have been given some information here. It may not go entirely to what you want, but the Office of Crime Prevention conducted an independent analysis of the reported sexual assault data provided by Northern Territory Police in February 2005. The number of reported sexual assaults is highly volatile and the figures can vary considerably from one period to the next. There were 74 sexual assaults recorded in the Northern Territory in the December quarter 2004. This was a decrease of 21% or 20 in number from the previous quarter, and a decrease of 31% or 34 from the same quarter of the previous year. A statistically significant downward trend was identified over the 12 months to the end of December 2004. A total of 349 sexual assaults were recorded in the Territory in 2004. This was 6% less or 21 fewer than in 2003. That may give you at least half of the story. It does not give you the prosecution outcomes ...

**Mr CHAIRMAN:** Do you require the other half, member for Araluen?

**Ms CARNEY:** Yes, that is the question on notice I have just asked.

**Dr TOYNE:** I take it that you want to see the proportion that was successfully prosecuted. Is that what you are after for those years?

**Ms CARNEY:** I want to know the conviction rates for unlawful sexual intercourse for 2001-02, 2002-03, 2003-04 and 2004-05.

**Mr CHAIRMAN:** Will you take that on notice?

**Dr TOYNE:** Yes, okay. We will take that on notice.

**Mr CHAIRMAN:** I allocate that question No 4.11.

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**Ms CARNEY:** Just bear with me, minister, I am culling some questions. How many convictions were there for home invasion in 2004-05, and how many of those resulted in a term of imprisonment?

**Dr TOYNE:** I do not have those figures with me. Again, I suggest that it may be more appropriate to deal with that through the police minister or in the output relating to the Office of Crime Prevention.

**Ms CARNEY:** All right. Minister, in previous years there has been a very low rate of imprisonment for people convicted of drug offences. Do you know what principal penalty for drug offences was in 2004-05 resulting in a term of imprisonment, and how that compares with the preceding year?

**Dr TOYNE:** No, I do not know off-hand, no. Again, I would direct you to the Office of Crime Prevention with Stephen Jackson who can probably give you some information about that. The other would be the police who charge out those matters.

**Ms CARNEY:** Unfortunately, time is agin us. That is all for that output area, Mr Chairman.

**Mr CHAIRMAN:** The member for Nelson, I believe, has a question.

**Mr WOOD:** A short question, Attorney-General. It might sound a strange question, but we have been talking about performance measures that have been left in and excluded from last year to this year. There is one under Findings of Guilt in the Supreme Court. Whilst I understand that the Director of Public Prosecutions wants to find as many people as possible guilty to show that he has been working hard, if the average Joe Blow had a look at that, they would say: 'What chance have I got? I am supposed to be innocent until proven guilty, and he is estimating that in 90% of cases there will be findings guilt'. Do you

think that having that performance measure there - even though I understand internally why it is good for the DPP – it sends the message: 'We are going to get you, no matter what happens!'

**Dr TOYNE:** Well, politically, I am not unhappy about that. The DPP will assess each case as it comes to hand for the viability of the case that can be taken to court. Therefore, a lot of cases may well not get to court because the evidence is not strong enough, or there are flaws in the body of argument that the DPP has available to take to court. That is not done in an *ad hoc* way; there are very strong protocols set down for each of his staff to apply to a case, and there is a process of quality control over decisions of that sort. You are dealing with people who have gone to court because there is a very strong body of evidence against them.

**Mr WOOD:** I understand that, and I realise why they have it there. However, it just seems, if someone picked that up and had a look at it, would think: 'By gee, they are trying to get 90% of us next time'. It looks like a figure of ...

**Dr TOYNE:** Well, I hope they do and that they say: 'I had better not break into another house or beat up someone ...

**Mr WOOD:** If you were an innocent fellow, you might say: 'What are my chances now? They are going to try to get 90%'. That is all I am saying; if the figure could be ...

**Dr TOYNE:** Well, Gerry, you go out there and advocate for a more lenient regime.

**Mr WOOD:** No, no. I just think that figure without some explanation may cause someone reading it to say: 'Gee, what are you doing to me?' I understand where you are coming from. Thank you, minister.

**Mr BURKE:** Just quickly if I can, minister, again following on from some questions that the member for Araluen was asking. You might want this referred elsewhere: what has government been doing to make sure criminals, including drug dealers, are not profiting from their crimes?

**Ms CARNEY:** Let us tell you!

**Dr TOYNE:** You have to grab your dixer quickly in here. Since we have come into power, we have done a lot of reform in the area based on the relationship that we perceived between drug use and property crime. That was well established in national research. There was certainly anecdotal evidence of it here in the Territory when you looked at the range of court cases for property criminals and saw how often drug use was implicated in the lifestyle of the offender.

One of the key factors I want to highlight today is the *Criminal Property Forfeiture Act*, which commenced on 1 June 2003. The act applies to property reasonably suspected, at the standard of civil evidence, of being related to serious offences including drug trafficking. The Public Trustee is generally responsible for the control and management of restrained property as well as the disposal of forfeited property. Costs incurred in the management of property forfeited to the Territory can be deducted from the proceeds of sale of the property.

Since the act commenced on 1 June 2003, the total number of Criminal Property Forfeiture Orders dealt with by the Public Trustee's office was 117 and the total amount forfeited has been \$548 796. The total amount restrained, including forfeited, has been \$2 162 068. Of this amount, the cash component is \$716 636, the vehicle value is \$385 702, and other property, including things like houses and commercial premises, is \$1.059m. The total costs incurred by the Public Trustee for the management of restrained and forfeited properties has been \$63 560.56. The summary of where the amount forfeited since inception has ended up is: \$132 507 was sent to Treasury; \$71 688 remains in the Public Trustee Control Account; \$103 016 remains in individual client accounts awaiting transfer to Treasury; \$21 075 remain in the custody of police; \$137 230 is unsold real property; \$57 230 are costs associated with forfeited property; and \$26 050 is money returned to clients by court order, giving a total, as earlier stated, of \$548 796.

Mr Chairman, this is a good news story for the Territory because this is where you can hit criminals where it really hurts, by taking away their assets, the proceeds that they have gained from illegal activity. There is \$2m that did not stay in criminal hands.

**Mr CHAIRMAN:** Are there any more questions in respect of Output 1.12?

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**Answers to Questions**

**Dr TOYNE:** We have an answer to question No 4.10.

**Mr SHANAHAN:** That was whether pleas were included in the findings of guilty. In that performance measure, they are. I confirm that.

**Mr CHAIRMAN:** So that is No 4.10 answered.

**Dr DREIER:** The report we tabled a moment ago, Ms Carney, that is your copy back.

**Ms CARNEY:** Thank you.

**Dr DREIER:** And that is the information on Legal Policy.

**Ms CARNEY:** Lovely, thank you.

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**Mr CHAIRMAN:** As there are no more further questions on Output 1.4, Office of the Director of Public Prosecutions, that concludes consideration of this Output group.

**OUTPUT GROUP 2.0 - COURT SERVICES**  
**Output 2.1 – Higher Courts**

**Mr CHAIRMAN:** The committee will proceed to Output Group 2.0, Court Services, Output 2.1, Higher Courts. Are there any questions?

**Ms CARNEY:** Mr Chairman, would you indulge me for a minute? I will see if I can purge some questions in the interest of time because we need to get to Health. No, I have no questions.

**Mr WOOD:** Just a quick one. Attorney-General, what has happened to the Palmerston court house that was promised in the previous term of government?

**Dr TOYNE:** I had announced publicly that we are not building a Palmerston court house on the advice of the courts themselves - the magistrates and the Supreme Court - and of my department. There was simply no cost efficiency in doing that. It is one of those things that is easy to promise in opposition and did not stand up to the strong scrutiny of a business case.

What we have now done is to establish a government centre in Palmerston. We will then make as many Justice services available to people in Palmerston through that centre, which we will share the Chief Minister. I also understand there is another agency involved - yes, Territory Business. It is a one-stop shop for any services available through DBIRD, Justice and the Chief Minister as the whole-of-government.

We certainly consulted with Palmerston people on that proposal, and made it clear at the time that we are not proceeding with the court house.

**Mr WOOD:** Thank you, Mr Chairman.

**Mr CHAIRMAN:** Are there any more questions in regard to Output Group 2.1, Higher Courts?

**Ms CARNEY:** No, thank you.

**Mr CHAIRMAN:** That being the situation, that concludes consideration Output 2.1.

**Output 2.2 - Lower Courts and Tribunals**

**Mr CHAIRMAN:** The committee will proceed to Output 2.2, Lower Courts and Tribunals. Are there any questions?

**Ms CARNEY:** Minister, not surprisingly, I have many, but will only give you a couple in the interests of time. Can you provide an outline of what the community court does?



**Dr TOYNE:** Which community court you are talking about?

**Ms CARNEY:** How many are there?

**Dr TOYNE:** Well, there is a Koori court, there are circle sentencing trials going on ...

**Ms CARNEY:** I am sorry; I thought they were all under the banner of community courts.

**Dr TOYNE:** There are different forms of it. Broadly, the idea is to bring stronger participation by authorities available in a community alongside the formal statutory authority of the court itself, whichever form it takes - whether it is getting elders to sit, literally in a circle, with the offender and the victims in a remote community court, or whether it is the urban equivalent that was trialled in the Darwin Magistrates Court. The purpose of it is to achieve not so much a reconciliation, but a reparation with the victim and the victim's community in a broader way than the normal sentencing process. That is the overview of it. I will pass to Greg Shanahan to talk about any detail you may want to know about how they have been conducted.

**Ms CARNEY:** I gather it was fairly recently established, but I would like to know how many offenders. When did it kick off? How many offenders have been there? Are there any performance measures? If so, what are they? Is it operational on a trial basis? Who is going to evaluate the success or otherwise of it? How many offenders do you expect to see before it? It is not an exhaustive list, but these are some of the things that you could touch upon that would be useful – and, of course, the budgetary allocation for it.

**Mr SHANAHAN:** Okay. In this year, there was some money from the former ATSIC to provide funding for a trial of that court. We employed someone in January who acts pretty much as a field officer or a coordinator of that court. To date, there have not been many matters at all that have gone before it. There are performance measures that are included in the funding deal we have with ATSIC, the details of which I cannot give to you at the moment.

**Ms CARNEY:** Through you, minister, when you say to date, not many people have appeared there, how many?

**Mr SHANAHAN:** To my knowledge, I only know of one in Darwin.

**Ms CARNEY:** When did it open its doors for business, so to speak?

**Mr SHANAHAN:** There was a launch towards the end of the financial year.

**Dr TOYNE:** It is one of a whole raft of things that were done with the Yilli Rreung money, the ATSIC money. There was a raft of initiatives that the ATSIC money was put against, some in corrections, some in things like elders visiting programs, and this trial of a community court in Darwin. It stands alongside the circle sentencing trials that some of the magistrates have been doing in the bush courts.

**Ms CARNEY:** Yes. So the circle sentencing stuff will be utilised, if you like, in the community court - is that right?

**Dr TOYNE:** It has been, to date, yes, by a couple of magistrates who have agreed to explore that approach.

**Ms CARNEY:** I understand so far it is just the Chief Magistrate who has been very keen on this, and he appeared in the first matter. Is it anticipated that all magistrates will receive particular training so that they can sit in the community court?

**Dr TOYNE:** As a matter of policy, we want to evaluate the outcomes of both the bush and the Darwin-based trials. We would need to go through that step before we normalise it into the operation of our courts. All we can say at this stage is that the early outcomes of those trials have been encouraging, that the offenders appear to have responded pretty positively to the additional pressure that was put on them. It is really a matter of drawing from both the community and from the normal court processes to put maximum pressure on the offender to change their ways. That has certainly been the experience, both out bush and in the single example, which I understand was a violent offender, and received quite a strong sentencing outcome.

**Ms CARNEY:** So we have a community court. You talked earlier about an alcohol court. Can I talk about the drug court?

**Dr TOYNE:** Yes. We are doing so much; it is really great.

**Ms CARNEY:** We have so many courts. It will not be long and we will have girl courts and boy courts. How much money has been allocated to the drug court?

**Mr SHANAHAN:** The allocation was \$300 000 for a full year, but that has since been subject to whatever increases and parameters ...

**Ms CARNEY:** I am sorry, what does that mean? It has increased?

**Mr SHANAHAN:** You get increases for inflation and wage increases and so on.

**Dr TOYNE:** Treasury stuff.

**Ms CARNEY:** Treasury stuff, all right. Have all magistrates been trained to sit in the drug court?

**Mr SHANAHAN:** No. The Chief Magistrate has identified a number of magistrates who will be conducting the drug court, and those he has identified have received training.

**Dr TOYNE:** Can I say also that the critical element is the clinical assessment of the suitability of a person to go into rehabilitation, and they are positions that are attached to court, both in Alice Springs and in Darwin. That is where the bulk of the money is going, to establish that capacity within the courtroom.

**Ms CARNEY:** How is the performance of the drug court, which is an initiative of your government, measured?

**Dr TOYNE:** By the number of people who cease to re-offend or successfully complete rehabilitation. The last time I received a briefing, the numbers were quite encouraging. Darwin had a much heavier caseload than Alice Springs, so a lot of the activity has been in the Darwin court. I gave numbers to parliament at one stage.

**Ms CARNEY:** How many people have appeared in the drug court so far, both in Alice Springs and Darwin?

**Mr SHANAHAN:** Over 100, I think, just over 100. The success rate is actually hard to determine because the normal recidivism measure is two years after release, so we have not had that experience yet. The other difficulty we have is that we have no base data, so we are not sure whether those types of offenders had a - we cannot prove they have a high propensity to re-offend. At this stage, it looks fairly encouraging.

**Ms CARNEY:** Good. In 2004-05, how many warrants were issued for the non-appearance of people in lower courts and how many warrants were executed? How many warrants were issued and executed in 2003-04? What is the cost to the public of non-execution and non-appearance?

**Dr TOYNE:** We will have to get that for you.

**Ms CARNEY:** Okay, a question on notice. It looks like I will be repeating it.

**Mr CHAIRMAN:** Yes.

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#### Question on Notice

**Ms CARNEY:** In 2004-05, how many warrants were issued for the non-appearance of people in lower courts and how many warrants were executed? How many warrants were issued and executed in 2003-04? What is the cost to the public of non-execution and non-appearance of people in the lower courts?

**Mr CHAIRMAN:** Minister, do you accept that question on notice?

**Dr TOYNE:** I do, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.12.

**Ms CARNEY:** Mr Chairman, I have no more questions for this output area on the basis of time.

**Dr TOYNE:** Sorry, Mr Chairman. I have been advised that a full answer to that would need to be from the police. It would need to involve the police at the very least. I guess you will have to set up a process for the police minister as well.

**Mr SHANAHAN:** For the cost to the public aspect of it.

**Mr CHAIRMAN:** Then you are not accepting that as a question on notice?

**Dr TOYNE:** Unless you want to restrict it to the court-based warrants.

**Ms CARNEY:** How about I take out the reference to cost to the public and, obviously, Justice will be able to provide the rest.

**Dr TOYNE:** Okay.

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#### Question on Notice

**Ms CARNEY:** For the sake of clarity, should I restate the question?

**Mr CHAIRMAN:** Yes, I would appreciate that.

**Ms CARNEY:** In 2004-05, how many warrants were issued for the non-appearance of people in lower courts and how many warrants were executed? How many warrants were issued and executed in 2003-04?

**Mr CHAIRMAN:** Do you accept those questions on notice, minister?

**Dr TOYNE:** I do, Mr Chairman.

**Mr CHAIRMAN:** We will scratch question No 4.12, which was the previous one and has now been amended by the latter questions, which will be allocated No 4.13. Question 4.12 is nullified.

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**Mr CHAIRMAN:** That concludes consideration of Output 2.2.

#### Output 2.3 – Fines Recovery Unit

**Mr CHAIRMAN:** The committee will now proceed to Output 2.3, Fines Recovery Unit. Are there any questions?

**Ms CARNEY:** Yes, I have some, but in the interest of time and courtesy ...

**Mr CHAIRMAN:** Are you willing to forgo?

**Ms CARNEY:** Have to.

**Mr CHAIRMAN:** Member for Nelson.

**Mr WOOD:** Thank you. Attorney-General, I was wondering about when people are notified that their licence has been cancelled owing to non-payment of a fine. I am referring especially to people in the rural area and it might apply to remote areas as well. What guarantee is there that they will be notified that their licence is cancelled before it is actually cancelled?

**Dr TOYNE:** I can only say that the general process of which I am aware is that, for someone to have got to that point in the process that the FRU follows, there would have been an extensive dialogue between the FRU officer and that particular fine defaulter. I would imagine that it would be a part of the ongoing

dialogue. You would not be cancelling a licence without giving very strong warning that the action was approaching and indicating the point of cancellation.

**Mr WOOD:** I understand that, Attorney-General, but the case to which I am referring relates to someone who was about to head off interstate, then received in the mail advice that their licence had been cancelled some days before. In other words, they had probably been driving around with no licence. I was wondering if there is a process to make sure ...

**Dr TOYNE:** Yes, that is regrettable if someone is told after the fact. However, the point I would make is that that person would have been receiving numerous items of correspondence from the FRU before it would reach that stage. It is the very last step in a fairly long process where defaulters are given ample opportunity to discharge the fine in various ways such, like with garnishee arrangements or outright payment.

**Mr WOOD:** Just quickly, the recovery of payments of fines is low at only 60%. What is the total number, value and age of outstanding fines?

**Dr TOYNE:** Ooh.

**Mr WOOD:** What is the chance of recovery of those fines?

**Dr TOYNE:** We will get that for you, but I will put some context to this. The reason that the Fines Recovery Unit was established is that the Public Accounts Committee did an extensive study of the historic unpaid fine levels and, I think from memory, they were around the \$6m mark. I certainly know there have been significant inroads made on that historic level. I do not think you will be seeing that level out. It is a very good process in that – but, anyway, we will get you the figures and see whether I am right or wrong about that. Certainly, one of the main motivations was to cut into that historic level, and to write off fines that are impractical to pursue - but the historic level is down.

Suddenly, as if by magic, we have some information. At the commencement of the FRU there was \$11m – so I was way under - of outstanding fines and penalties. As of 30 April 2005, for monies collected by FRU, there is now \$7.7m outstanding, pre-January 2002, in fines and penalties. None of the debt outstanding has been written off, but investigations are being carried out as to how this historic debt can be managed. So we are down by quite a considerable amount, \$3.3m.

**Mr SHANAHAN:** That is historical debt. What you will find is that part of the new process is to enable the person who has been fined to enter into time-to-pay arrangements. The way that works is that if they have a number of fines over a period of time, the earlier fines are paid off first. So you will see that the historical debt will be eaten away first, so you will actually see the rate of recovery of the new debt and the new fines may not be quite as high because of that factor.

**Mr WOOD:** Will there be a percentage of that debt that is not recoverable?

**Dr TOYNE:** Yes, some people may have died.

**Mr CHAIRMAN:** Member for Nelson, do you still wish for a question on notice?

**Mr WOOD:** No, I think that is sufficient, thank you.

**Mr CHAIRMAN:** There is no question on notice. Are there any more questions in relation to Output 2.3, Fines Recovery Unit? That being the case, we will conclude consideration of this output group.

It is my intention to have a break for five minutes when we go through all the Justice outputs. Is everyone comfortable with that?

**Dr TOYNE:** Yes.

**Mr CHAIRMAN:** Okay.

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The committee suspended.

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**OUTPUT GROUP 3.0 - CORRECTIONAL SERVICES**  
**Output 3.1 - Custodial Services**

**Mr CHAIRMAN:** I now call for questions on Output Group 3.0, Correctional Services, Output 3.1, Custodial Services. Are there any questions?

**Ms CARNEY:** Minister, in last year's budget papers there was provision of details of the cost per prisoner per day, and that was estimated at \$180. Once again, that information has been excluded from the new budget papers. What is the average cost per prisoner per day?

**Dr TOYNE:** If it was left to me I would say take \$52m, divide by the number of prisoners, and then divide by 365.

**Ms CARNEY:** Perhaps you could seek advice. If it was \$180 last year per prisoner per day, what was it in 2004-05?

**Dr TOYNE:** Terry, how do you do it?

**Dr DREIER:** As at the end of April 2005, the daily average prison population was 760.24.

**Ms CARNEY:** Sorry, say again.

**Dr DREIER:** The average daily prison population was 760.24, with a cost per prisoner per day of \$175.70.

**Ms CARNEY:** Minister, you actually have details of some of the performance measures that have been deleted from the new budget papers, but you do not have details in relation to other performance measures that ...

**Dr DREIER:** The information on the cost per prisoner per day is information we provide to the Productivity Commission. That information is prepared anyway.

**Ms CARNEY:** All right. The estimate for the number of prisoners in 2004-05 was 730. It has increased, obviously, to 764. How many prisoners are housed at Berrimah, and how many are housed at Alice Springs?

**Dr DREIER:** As of when?

**Ms CARNEY:** Sorry, on average for 2004-05. What is the breakdown?

**Dr DREIER:** Perhaps we can take that question on notice and get back to you. We do not have the information with us at the moment, but it will not take very long to acquire it.

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**Question on Notice**

**Ms CARNEY:** Yes, okay. I will repeat the question, which is: the estimate in 2004-05 was 730 prisoners, but it has increased to 764. Can you provide a breakdown of how many prisoners, on average in 2004-05, were housed at Berrimah and Alice Springs?

**Mr CHAIRMAN:** Do you accept that question on notice?

**Dr TOYNE:** Yes, I accept that, Mr Chairman.

**Mr CHAIRMAN:** I allocate that question No 4.14.

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**Ms CARNEY:** Minister, does the practice of moving prisoners between facilities in an effort to reduce overcrowding continue?

**Dr TOYNE:** Yes, it does.

**Ms CARNEY:** Minister, the Domestic Violence Strategy identified as a priority action for 2002-03 extending prison and community corrections offender-based initiatives. Can you advise, please, what prison and community offender-based initiatives were established or extended in 2004-05 at both of the correctional facilities? If there were none, why not?

**Dr TOYNE:** I will ask Jens to outline what has been set up in the way of violent offender programs and so on. I have been provided with this response: the Aboriginal Domestic Violence Strategy identified as a priority action from 2003-07 extended correctional community-based offender education diversionary initiatives. The NT Prison referred and community-based Indigenous Family Violence Offender Program (IFVOP) was originally developed in 1998. Program refinements were developed from 1999 to 2001 through the Office of Women's Policy, NT Correctional Services and the Council of Aboriginal Alcohol Program Services.

During 2005, this program is being implemented as a trial project in four Aboriginal communities as a strategy to reduce family violence and re-offending. The community-based IFVOP is one of five programs being implemented under the Department of Justice-ATSIC partnership, which was referred to earlier when we were dealing with community courts. The program has been specifically modified to target indigenous domestic violence perpetrators appearing before the court. The aim is to deliver the program that involves participation of members of the local Aboriginal community as a strategy to reduce the incidence of family violence and re-offending.

We have that pilot program going out in the four communities. If you want what work has been done in the prisons themselves, is that ...?

**Ms CARNEY:** That was my question.

**Dr TOYNE:** All right. The Department of Justice in collaboration with Tangentyere Council will deliver the Indigenous Domestic Violence Programs in Alice Springs Correctional Centre. That is the current situation; we are just introducing that. Can I just get some further – I am aware of other things.

I am informed that anger management courses are being offered in both prisons in an enhanced version. They have certainly been longstanding programs in the prisons. We are modifying them along the lines of indigenous violent offender programs and introducing more resources into that area of prison programs as part of the reforms.

**Ms CARNEY:** People use the expression, as you know, 'sex offender programs', which refers to pretty much anything in the mind of the public. Using that terminology or under that umbrella, can you please advise specifically what sex offender-based programs exist or were introduced in 2004-05 at Alice Springs and Berrimah - not what is going to be done, but what was done?

**Dr TOYNE:** Yes. The budget expenditure for 2004-05 for sex offender treatment was \$96 385.43, which covers salaries, development of program delivery and staff office facilities, consultation with Western Australian and Victorian consultants, and corrections staff visits to interstate jurisdictions to investigate sex offender programs. The budget requirements for 2005-06 will include the maintenance of the current salary costs, recruitment of a co-facilitator for program delivery, establishment of an evaluation capacity, and further program development. The budget allocation for sex offenders in 2005-06 is \$362 000. This comprises two psychologists, an indigenous treatment facilitator and an administrative support position at 0.5 of an FTE.

In addition, \$80 000 has been allocated for operational support. The Alice Springs Correctional Centre has been identified as the first location to offer sex-offender treatment to adult offenders serving a custodial sentence. A full-time forensic psychologist is dedicated to the development and delivery of that program. Program development and establishment commenced last financial year, with clinical assessment of sex offenders to identify suitable treatment participants.

A facility has been identified for treatment delivery within the Alice Springs Correctional Centre, and necessary renovations were commenced in the last financial year. It is anticipated that group treatment delivery will commence in late 2005 when staff, equipment and other relevant components are finalised. As I have already said, we have brought in consultants and undertaken fact finding trips to the existing programs on which we are trying to model our program. It is under way. It is being set up as we speak.

**Ms CARNEY:** All right. There is a lot of information there, but things are being set up as we speak, it is happening. Whereas the DV strategy identified it as a priority action for 2002-03, it is a few years late, obviously.

**Dr TOYNE:** It is fair to say that our prison reforms have taken a bit longer to initiate in some areas. There are some constraints over which we did not have much control, such as the need to make capital works changes in the prisons. We have had high prisoner numbers, and we have had a situation where we had to bring the staffing up to roster plus the reform numbers that were required for the reform. All of that is now in hand, and we would expect that you will see quite a lot of activity in progressing the reforms over the next financial year, including the sex offender program.

**Ms CARNEY:** Thank you, minister. I did have a number of other questions in relation to Correctional Services, however, we are all aware of the time constraints. Mr Chairman, I will forgo all of the questions prepared for each of the remaining output areas.

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**Answer to Question**

**Dr TOYNE:** Okay. We have 4.9 for you.

**Ms CARNEY:** Yes.

**Mr CHAIRMAN:** Question No 4.9, are you going to provide that answer now? It is a tabled document. That is 4.9 answered.

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**Mr CHAIRMAN:** Are there any further questions? Member for Nelson, you have a question on Custodial Services?

**Mr WOOD:** A very important section. Minister, can you give us figures comparing how many indigenous people were in gaol in 2000-01 compared with 2004-05?

**Dr TOYNE:** We can, but I would refer you to the Office of Crime Prevention Division, because we have Stephen Jackson who can deal with that under our statistical series.

**Mr WOOD:** I would have to make the presumption that it is much higher than expected, than it was when you first came into office. The minister at that time, Mr Jack Ah Kit, made a statement saying that one of his key priorities was to reduce the number of indigenous people in gaol. Bearing in mind that you certainly targeted crime in the community - and that is a good thing - what have you done on the other hand to try to reduce the number of indigenous people in our gaols, which is highest in Australia?

**Dr TOYNE:** Obviously, the challenge for us is to look at imprisonment rates and try to reduce the number of indigenous people, in particular, wherever possible. However, we cannot afford to dilute the law or act selectively with one part of the population and not another. There is a challenge there for us.

We are looking at alternatives to imprisonment as sentencing options for the courts. We are certainly looking at community justice programs such as the law and justice work that has been done in Kurduju and Relekha in Central Australia, and pioneering work that was done at Ali Curung where, obviously, the best thing to do about incarceration rates is to lower the offending rates so that people are not ending up in gaol in the first place.

However, there may be some scope for looking at particular offences, not just for indigenous people but across the board - perhaps driving-related offences. We are looking at that as a way of using alternatives to gaol for specific offence categories, particularly categories where there is not a high level of victimisation. That is work not for the future, but for right now because we have very high prisoner numbers. We have to do something about that.

**Mr WOOD:** I understand that, and I am not expecting you to differentiate between indigenous and non-indigenous when it comes to criminal activity. However, is the government looking at major programs that include - I suppose I am taking a holistic approach here - employment, education, health and housing? I presume a lot of what we are seeing here, including substance abuse, is the reason why we have so many people - especially indigenous people - in gaol.

**Dr TOYNE:** We need to have that debate, probably not in this committee but in the House. I would be very happy to bring on a statement and we can debate it in full. I agree with everything you are saying: often, the best thing you can do to stop someone offending is to get them into meaningful employment and deal with their domestic circumstances so that they are not living on the edge of legality all the time. That is not a debate that we should be having in the committee; the budgetary allocations for the types of things you are talking about are embodied in the Employment and Training budgets and, to a large degree, our reforms within Correctional Services. The rest of it is law reform. We have the chance to both propose and debate legislation, and that is best left for the House.

**Mr WOOD:** Quickly, I might put a few questions together then. Has the new 100-bed facility low-security area been completed? How much will that relieve some of the overcrowding situation in the ...

**Dr TOYNE:** Yes, it is close to completion. I think it is August.

**Mr TOLSTRUP:** The building completion will be the end of August, and then we hope for a staged opening because both staff and prisoners have to get used to the new area. There is the possibility ...

**Mr CHAIRMAN:** Mr Tolstrup, would it be possible for you to join us at the table and identify yourself? Thank you.

**Mr TOLSTRUP:** Jens Tolstrup. The new low-security area has the possibility of relieving the overcrowding situation somehow. We do not know how the numbers will go, but there is a possibility for housing between 150 and 180 prisoners out in the low-security area in Darwin Prison.

**Mr WOOD:** Through you, Mr Chairman, minister, will that include remand prisoners?

**Dr TOYNE:** No. Mr Tolstrup.

**Mr TOLSTRUP:** In our thinking at the moment not, but in the review there is a recommendation - and we will be looking into it - that some remandees could actually be housed in medium and low-security areas. However, we have not come to that yet because by the classification rules we have now, we can actually fill up that low-security area.

**Mr WOOD:** Just following on from the review, how many of the recommendations have been either completed or instigated and how many recommendations still have to be carried out?

**Dr TOYNE:** Just by way of context, the review recommendations were spread over a time line which was four years, and there is an ongoing program. Some of them completed, some are ongoing, some are yet to be established, but Jens might give you more. Probably the easiest thing would be to table it.

**Mr TOLSTRUP:** I think we should table this one.

**Dr TOYNE:** Yes, okay.

**Mr TOLSTRUP:** Yes, we can table the 71 recommendations and where we are. I would say roughly, not having counted them exactly, that more than 20 are completed, more than 30 we are going on with - no, most of them we are going on and only a very few we have not started on yet. As the minister earlier said, some of the questions we have to solve are the capital works questions over years, and some parts of the implementation cannot take place until we have the capital works money.

**Dr TOYNE:** That is right.

**Mr WOOD:** I am happy to have those tabled, Mr Chairman.

**Mr CHAIRMAN:** Certainly.

**Mr WOOD:** Just quickly, the government has said it will gaol habitual drunks who refuse to help themselves or go through the revolving door of rehabilitation. What gaol facilities will be available? What type of assistance will be given to them in gaol because drunks are not criminals, and will they be kept separate from criminals? Will they have things like different visiting hours and have you looked at alternative types of facilities for these inmates instead of putting them in formal gaol?



**Dr TOYNE:** Yes, I will give you a sort of a core answer to it. The estimate is there are probably 200 or so such people. We have made it very clear that our policy is that course of action would only be as a last resort and where there are offences accompanying the drunkenness. There is no intention to gaol drunks simply because they are drunk. It is because of associated offences that they may have committed. Now ...

**Mr WOOD:** Can I just ask you a question and interrupt you, if you would not mind? You are not putting habitual drunks in because they will not help themselves, they have gone to a point when they just keep going around the revolving door; they have to commit an offence as well?

**Dr TOYNE:** Yes, I refer you to statements that the Chief Minister has made on this in the last week or so. Yes, that is certainly what has been asserted. We expect that under our policy, the vast majority of those habitual drunks would end up not in prison but in rehabilitation. That is why we have put a significant amount of money for expanding rehabilitation capacity in the Territory. The aim is very much in parallel with the *Inhalant Abuse Act*, which has already gone through parliament; that is, to use compulsory treatment arrangements to get habitual substance abusers into rehabilitation to try to bring them out of the lifestyle that they have based around substance abuse. That is the core of it.

The issues with the use of prison – yes, there is a last resort component to it, but it would be a last resort associated with offending.

**Mr WOOD:** Wouldn't it have been better to act against some of those people who are continually drunk before they commit an offence? Why wait for them to offend?

**Dr TOYNE:** Well, we will not. The trigger for it is to be apprehended by the police. I think it is six times in three months.

**Mr WOOD:** Yes, it is six times in three months.

**Mr CHAIRMAN:** Minister, given the time constraints placed upon us, we are straying outside of this output.

**Dr TOYNE:** Yes, I can only say that ...

**Mr WOOD:** Well, it is custodial treatment for people who are drunk.

**Mr CHAIRMAN:** Yes, but you are not into custodial; you are talking about the whole policy.

**Dr TOYNE:** To answer your question in that regard, we would not expect that there would be large numbers of habitual drunks appearing in our prisons. It would be a 5% or 10% of 200, that sort of figure.

**Mr WOOD:** Just quickly, your department states that under *Building Safer Communities*, one of the critical elements is reducing re-offending to target rehabilitation, re-integration and the right diversion strategies. Can you say whether that is working? We are really getting down to rates of recidivism. If that is one of your key elements for your department, is it actually working or do we have people coming back to gaol time after time after time?

**Dr TOYNE:** I do not know whether we are systematically surveying. Jens can give you a picture of the trends in the prisons.

**Mr TOLSTRUP:** The Office of Crime Prevention is doing statistics on recidivism regularly - the new initiatives in the implementation of the review recommendations. We could not say that now because normally you would have a two-year period from the release date and two years, and then you would measure it. So we could not say if it is going down. Not only the assumption, but learning from all other countries shows us that if you do targeted rehabilitation, vocational training and education programs for certain people, you will have a better outcome. That is what we can say at the moment.

**Mr WOOD:** Is the government considering doing a work camp trial similar to Western Australia in the Northern Territory?

**Dr TOYNE:** Yes. I indicated in the Chamber, I think in answer to your question, that we will certainly be looking at that. It relates back to what I was saying earlier about incarcerations rates; that will certainly be

an option that we will look at as a sentencing option for courts, but probably not in the old style of Wildman River.

**Mr WOOD:** No, no. I am talking about such as in Western Australia.

**Dr TOYNE:** Yes. We are looking at it.

**Mr WOOD:** Thank you.

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**Answer to Question**

**Dr TOYNE:** Mr Chairman, may I table the answer to 4.14?

**Mr CHAIRMAN:** So No 4.14 is tabled and answered.

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**Mr CHAIRMAN:** Are there any more questions in relation to Output Group 3.1, Custodial Services? That being the case, that concludes consideration of Output Group 3.1.

**Output 3.2 – Community Corrections**

**Mr CHAIRMAN:** The committee will proceed to Output 3.2, Community Corrections. Are there any questions?

**Mr WOOD:** Yes, Mr Chairman. Attorney-General, what happens to the 20% of people who do not complete their Community Orders?

**Dr TOYNE:** If the order is breached, they re-appear in court and then they are disposed of according to the court's decision.

**Mr WOOD:** So, you would be pretty sure that that 20% actually do go back to court?

**Dr TOYNE:** That is the idea.

**Mr TOLSTRUP:** Yes, they do.

**Mr WOOD:** This might come under another output, and I will be guided by you, Mr Chairman. What types of diversionary programs do you offer? Who carries out the diversionary programs and what figures can you show that diversionary programs are actually working?

**Mr CHAIRMAN:** Is that juvenile diversionary programs?

**Mr WOOD:** Pardon?

**Mr CHAIRMAN:** Juvenile diversionary programs, or adults?

**Mr WOOD:** Well, all diversionary programs. It includes both.

**Dr TOYNE:** There was an extensive review of the outcomes of the juvenile diversionary programs by the Commonwealth and that is available on the public record. I am more than happy to arrange a briefing. It is a pretty broad question you have asked.

**Mr WOOD:** Yes, I understand that.

**Dr TOYNE:** We can either give you a briefing or we can lead you to that Commonwealth document, which is a very comprehensive assessment.

**Mr WOOD:** Thank you, yes.

**Ms ANDERSON:** Minister, the Community Support Program is very popular in Darwin and Alice Springs. Can you advise how many work parties will be funded next financial year?

**Dr TOYNE:** Yes, I can if I can find the right piece of paper. The 2003-04 Budget allocation for community work parties was: Alice Springs, \$383 000 for three work parties; Darwin, \$440 000 for three work parties. The working party has provided approximately 72 000 hours of work to the community at both locations.

In 2004-05, the same level of activity has continued. The government is committed to expanding the capacity of working parties in both Alice Springs and Darwin Correctional Services with an additional three work parties in Darwin and one additional work party in Alice Springs in 2005-06. The increase in work parties will allow up to 48 000 hours of work to the community in Alice Springs, and up to 72 000 hours of work to the community in Darwin.

In 2005-06, each work party will cost approximately \$120 000 to operate, inclusive of management, work party staff, vehicles, equipment and other prisoner on-costs. The additional work party prisoners will be drawn from the 150 prisoners in the new, upgraded low-security area at Darwin Correctional Centre, and from the 84 prisoners at the cottages in Alice Springs Correctional Centre.

**Mr CHAIRMAN:** Are there any more questions in consideration of Output 3.2? That being the case, I will conclude consideration of Output 3.2. The committee will now move to Output 3.3, Juvenile Detention. Are there any questions?

### **Output 3.3 - Juvenile Detention**

**Mr WOOD:** You undertook a review of human resources in juvenile detention to be implemented in 2004-05. What were the recommendations? Have you implemented those recommendations? What were the costs of those recommendations?

**Dr TOYNE:** I am advised that the recommendations of that review will be implemented out of the current resources available to the Department of Justice. The recommendations relate to the staffing structure and the introduction of the case management methodology in common with what has been in our two Correctional Services facilities – three counting Don Dale Juvenile Detention Centre. We will be implementing those recommendations through this financial year.

**Mr WOOD:** What is the present status of Wildman River work camp? How much is it costing to keep it open, and what are the government's plans for this facility?

**Dr TOYNE:** It is in mothballs. It ceased to operate on 1 July 2004 when the medium security extension of the Don Dale Juvenile Detention Centre was commissioned. It has been kept in caretaker mode, with a budget allocation of \$120 000 for 2004-05. The preferred option is to maintain the facility in its current format until we implement the recommendations of the Adult Custodial Review, where there is some possibility of using it. However, as you would remember from the parliamentary debate, we probably have a preference for basing community work camps around population centres in remote areas rather than having it out in the middle of isolation.

**Mr WOOD:** Sometimes that is good, it is away from the trouble and the temptation.

**Dr TOYNE:** Well, if they cannot deal with the temptations, we are not going to reintegrate them into the community.

**Mr WOOD:** I visited the new Don Dale Juvenile Detention Centre extension recently. I believe that extension is only for prisoners who show some sign that they want to rehabilitate themselves. Do you have the percentages on how many prisoners have actually used that new facility, compared to the number of prisoners who have entered the whole facility?

**Dr TOYNE:** I have some indication here. The Don Dale Juvenile Detention Centre is a holding centre for sentenced and long-term juvenile offenders. The utilisation rate is estimated to reach 50% by 2005-06. In the past 18 months, the daily average has not exceeded 23 detainees, although it can accommodate up to 38. As at 23 June, the Don Dale Juvenile Detention Centre had 16 juveniles being held, which is one-third capacity. Ten were on remand, and there were no female juveniles, and 16 of those were indigenous.

**Mr WOOD:** As a point of clarification, my understanding was that the new facility that was added on to the existing facility was only for juvenile detainees who had shown some signs of rehabilitation, because those facilities are pretty good - they have single rooms with airconditioning, as well as a dormitory. It is

certainly an improvement from the original Don Dale Juvenile Detention Centre facilities. Is that what the new facilities were for - for prisoners who show some kind of remorse who were rewarded.

**Dr TOYNE:** Yes, I am advised that operation, in common with the Darwin Correctional Centre and the Alice Springs Correctional Centre, is moving its operations onto a case management model. You are quite right in the sense that the idea of case management is to develop a sentence program for each of the prisoners - either juvenile or adult - and then to manage that prisoner down to the lowest possible classification. As the classification drops to lower levels, then you can give access to a wider range of activities and facilities. You would not put a high-security adolescent or adult into areas like industrial training or those sorts of activities. Yes, it is all integral to the way it operates; that you need to be driving the classification levels down and only allow the lower levels to get a broader access to activities.

**Mr WOOD:** Thank you.

**Ms ANDERSON:** Minister, it is important that children learn how to prepare food for themselves. Can you outline what arrangements are in place for meals at Don Dale Juvenile Detention Centre?

**Dr TOYNE:** Yes, I have to say that there was a lot of complaints - as teenagers are want to do - about the standard of food. As a result of those complaints - nothing short of McDonalds is any good - the total food budget in Juvenile Detention 2004-05 was \$116 000. The way that the centres responded to the concerns expressed by the detainees was to introduce, two times a week, the direct preparation of food by the detainees. They are actually having cooking classes, the whole standard and acceptability of the food has gone up, and we are getting a really good, positive response about it. It just shows you that if want good food you cook it yourself.

**Mr CHAIRMAN:** Any other questions? That concludes consideration of this output group.

#### **OUTPUT GROUP 4.0 – COMMUNITY SERVICES** **Output 4.1 – Registrar-General**

**Mr CHAIRMAN:** I will now call for questions on Output Group 4, Community Services, Output 4.1, Registrar-General. Are there any questions?

**Mr WOOD:** Just a quick one. Attorney-General, in the annual report it says your department has developed a 'distinctive commemorative birth certificate'. Why has it done such a thing and how much did it cost? It was one of the highlights!

**Dr TOYNE:** I shall summon our Registrar-General forward and she can tell you all about it.

**Mr WOOD:** She did not bring an example with her?

**Mr SHANAHAN:** Greg Shanahan. The commemorative birth certificate is an initiative which other Birth, Deaths and Marriage Registries put in place around Australia; they use it as a revenue-raising measure. Up until very recently, we have adopted some of the certificates which have been used in other jurisdictions and sold them as a part of a package. When you get your real birth certificate, you can get this commemorative one which might have a teddy bear or rabbit on it ...

**Mr WOOD:** As an option?

**Mr SHANAHAN:** As an option, yes. We have none of these numbers on it.

**Dr TOYNE:** Yes, my mum and dad have hidden mine ...

**Mr WOOD:** Has there been a cost benefit analysis done on this?

**Mr SHANAHAN:** We understand that it is making money, but we do not have the right numbers yet.

**Mr WOOD:** All right. Just quickly, Attorney-General, has your government completed the on-line system for licensed motor vehicle dealers, and how much has it cost to establish?

**Dr TOYNE:** I will hand this to Richard O'Sullivan.

**Mr O'SULLIVAN:** The on-line system is well on track. There have been meetings of the working group comprised of a number of government agencies and motor vehicle dealers. Only last week, in the Motor Trades Association *Motor Biz* - their weekly newsletter to members - they reported very good progress. We expect the basic on-line system to be concluded in the coming months. The total cost allocated was \$150 000 - that is from memory.

**Mr WOOD:** Attorney-General, if this new on-line system will help with some of those issues that were debated in parliament regarding the stamp duty or the tracking of vehicles. There were also, I think, some revenue issues as regards the sale of secondhand vehicles. Was that part of that process, having the on-line system?

**Mr O'SULLIVAN:** There is a compliance officer who has been working with the on-line system and who has also been working for Motor Vehicle Registry, Consumer Affairs, and Treasury in combining the functions of tracking vehicles sold to ensure stamp duty collection. That compliance officer has also been checking the books of dealers to make sure their systems are in place as far as Consumer Affairs are concerned, and have also been doing compliance audit work in Motor Vehicle Registry compliance issues.

**Mr WOOD:** And this on-line system will help all that? Is that correct?

**Mr O'SULLIVAN:** This on-line system will enable a dealer to virtually do everything with government from their office, rather than have to have audits from Treasury, Consumer Affairs, and Motor Vehicle Registry. It will simplify that, and it will also enable them to do all their transfers on-line.

**Mr CHAIRMAN:** Are there any more questions with regard to that output? That concludes Output Group 4.1.

#### **Output 4.2 – Office of Public Trustee**

**Mr CHAIRMAN:** The committee will now proceed to Output 4.2, Office of Public Trustee. Are there any questions?

**Mr WOOD:** No, it has been answered.

**Mr CHAIRMAN:** That concludes consideration of Output 4.2.

#### **Output 4.3 – Anti-Discrimination Commission**

**Mr CHAIRMAN:** The committee will now proceed to Output 4.3, Anti-Discrimination Commission. Are there any questions?

**Mr WOOD:** No.

**Mr CHAIRMAN:** That being the case, that concludes consideration of Output 4.3.

#### **Output 4.4 - Information Commissioner**

**Mr CHAIRMAN:** The committee will now proceed to Output 4.4, Information Commissioner. Are there any questions? Great legislation introduced there. That concludes consideration of Output 4.4.

#### **Output 4.5 - Consumer and Business Affairs**

**Mr CHAIRMAN:** The committee will now proceed to Output 4.5, Consumer and Business Affairs. Are there any questions?

**Mr WOOD:** Attorney-General, is the Michael Long education program in relation to indigenous consumer protection continuing? Who funds it? And how much did it cost last year?

**Dr TOYNE:** Yes, the Indigenous Consumer Affairs is a national process which, I am proud to say, that the Territory actually initiated through the Consumer Affairs Ministerial Council. The jurisdictions all contribute to it in proportion. Our proportion in any national funding arrangements is generally quite modest - I could probably pay for it myself - and it certainly should continue because it has been a very effective campaign. You see his face up on every council office and store around the Territory. It has been very effective.

**Mr WOOD:** What is the role of the Indigenous Consumer Protection Liaison Officer? How much did that position cost to fund? Is that position an ongoing one? How will the effectiveness of this program be evaluated?

**Dr TOYNE:** That position is funded through the Office of Consumer and Business Affairs - \$80 000 per annum. He operates in that office. I am advised that there has been a very sharp increase in the number of consumer inquiries from indigenous people as a result of that position being established. It has been quite successful.

**Mr WOOD:** Would we be able to see how many inquiries came, at some stage, as the program continues?

**Dr TOYNE:** Yes, we can certainly do that.

**Mr WOOD:** Thank you, Mr Chairman.

**Mr CHAIRMAN:** Are there any further questions in consideration of that output? That being the case, that concludes the consideration of Output 4.5.

#### **Output 4.6 - Office of Crime Prevention**

**Mr CHAIRMAN:** The committee will now proceed to Output 4.6, Office of Crime Prevention. Are there any questions?

**Mr WOOD:** Yes. Attorney-General, why is activity decreased in Crime Prevention programs? I am looking at the performance measures for that area.

**Dr TOYNE:** Sorry, you are referring to page 115?

**Mr WOOD:** Yes. It does have a note there, but it would be interesting to have an explanation.

**Dr TOYNE:** I will call on Cheryl McCoy. In the broad, the Office of Crime Prevention has been working like the proverbial to get about 11 of these crime prevention regional councils and law and justice groups going. That required a huge effort and we are all trying to normalise it. However, I will get Cheryl to give you a more detailed answer.

**Ms McCOY:** Cheryl McCoy. Towards the end of last year, we had a number of staff leave so we had a considerable amount of downtime while we were recruiting to those positions, so there was a bit of time lag in that process, and we saw the activity diminished during that time.

**Mr WOOD:** Right. You have an additional \$350 000 in the Office of Crime Prevention for community-driven crime prevention activities. Who will be developing those plans? Is the funding just for the plans or for implementation?

**Dr TOYNE:** The purpose of it at the policy level is to recognise not only that we have these regional crime prevention councils and law and justice groups around the Territory, but that they work with our agency to develop community safety plans, which are often very detailed plans of local initiatives that are directed at reducing crime.

The \$350 000 is to provide a dedicated pool of money to those councils to initiate, on an annual basis, elements of these plans. It is, basically, to say you have put all the hard work in with government, in collaboration with us and for your own communities; now we are going to provide a reliable source of funding for some of the initiatives that you would like to implement.

**Mr WOOD:** Thank you, Mr Chairman.

**Mr CHAIRMAN:** All right, are there any more questions to go to the Office of Crime Prevention? That concludes consideration of all output groups.

#### **Non-Output Specific Budget-Related Questions**

**Mr CHAIRMAN:** Are there any non-output specific budget-related questions?

**Mr WOOD:** Attorney-General, could you provide some details on what the \$180 000 for the Volatile Substance Abuse Program is to be used for?

**Dr TOYNE:** That is with Marion Scrymgour.

**Mr SHANAHAN:** The funding for that was to provide two court clinicians to deal with the people who have been identified for those programs as they come through the court system. They will assess them as to suitability for treatment and report back to the court on that.

**Mr WOOD:** Would they also be included in the habitual drunks program, do you think? Would that be part of that? Or is it too early?

**Mr SHANAHAN:** I understand that the commitment was to provide additional funding for that.

**Mr WOOD:** Thank you, Mr Chairman.

**Mr CHAIRMAN:** As there are no further questions, on behalf of the committee I would like to thank officers from the Department of Justice for attending today. We will take a five minute break while the changeover to Health and Community Services is occurring.

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The committee suspended.

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## HEALTH AND COMMUNITY SERVICES

**Mr CHAIRMAN:** I call the meeting to order. We have had a five-minute break, so we will finish now at 1305 hours. I welcome the minister and invite him to introduce the officials accompanying him and if he wishes to make an opening statement on behalf of the Department of Health and Community Services.

**Dr TOYNE:** Yes, thank you, Mr Chairman. I introduce David Ashbridge, Acting Chief Executive Officer of the Department of Health and Community Services. I will table the list of other health officials who are here. If that could be distributed to the committee, that would probably save us a bit time.

Mr Chairman, I will make an opening statement just to clarify some issues that are probably best done up-front. The Department of Health and Community Services' output budget increased during 2004-05 from \$635.4m to \$660.8m, an increase of \$25.4m or 4%. This is made up of \$4.5m additional funding for the new and expanded initiatives approved by Cabinet during the year, which is a normal process under the Treasurer's Advance; \$12.1m received from the Australian government, a mixture of funds received in 2003-04 and carried forward to deliver services in 2004-05 - renegotiation of services and new services; \$3.4m for Cabinet approved additional funding following the outcome of the EBA negotiations and some other minor cost increases; and \$5.4m received for services provided. That is a full accounting of the \$25.4m difference between the appropriated amount 2004-05 and the expected outcome 2004-05.

The department's end of financial year position is that it will exceed its published budget capacity figure by an estimated \$11.4m. Note that this figure is subject to movement until mid-July. The main cause of the deficit is legal costs and workers' compensation payments of \$4.2m and \$3.8m respectively. These costs cannot be anticipated in the budget cycle and, where necessary, supplementation is sought at the end of the financial year. The government runs a self-insurance process through Treasury for such items.

In addition, the negotiations agreed with St John Ambulance occurred after the March budget review and, as a consequence, \$1.3m of the final settlement was not funded. When these amounts, totalling \$9.3m, are taken into account, the balance of the operating deficit is \$2.1m. This represents about one-third of 1% of the 2004-05 output budget, a little over one day's expenditure for the agency.

This government is continuing to dramatically increase funding for health and wellbeing services for Territorians. Output budgets of 2005-06 are expected to increase from \$660.8m to \$686.6m, an increase of \$25.8m or 3.9%. Within this nett increase there is a substantial shift in resource allocations from the Australian government to the Northern Territory government. The Australian government revenue is forecast to reduce by \$8.4m, mainly due to the technical issue of several Commonwealth agreements concluding during this year. These agreements will be renegotiated.

Revenue from external sources is also forecast to decline by \$4.1m. This also flows through to output budgets where there is variation in the level of funds budgeted in 2005-06. As a result, some outputs appear to be experiencing a reduction in funding. However, unless the Commonwealth funding agreements are not favourably renegotiated, there will be no reduction in health or community services delivery in 2005-06.

I would now like to explain some other changes affecting all outputs across the whole Department of Health and Community Services.

The Corporate Services budget for 2005-06 is reduced by \$3m because of the absorption of the department's efficiency dividend and the impact of reducing inflation funding adjustment to 2.25% in 2004-05. This was done in order to maximise resources allocated to the service delivery. Overall, it leads to reduced costs affecting all outputs. There is no reduction in service funding. The method of attributing the reduced pool of Corporate Services costs to outputs has also been updated from 2005-06. For example, as the acute care output group now includes services formerly aligned with Community Health Services, it now attracts an increased proportion of corporate costs compared to previous years. As a consequence, other outputs have a reduced level of corporate costs within their budget allocation, and an apparent reduction in funds.

Note that, within each budget, there is substantial element of increased Northern Territory funding to cover increases due to the flow-on effects of CPI and EBA impacts.

There are also some areas specifically within my own portfolio responsibilities to which I would like to draw the committee's attention. The acute services output includes additional funding of \$1.55m for the operation of Alice Springs Hospital; \$0.97m for the operation of the hospice, which will soon be open at the Royal Darwin Hospital campus; \$0.33m for the operation of the birthing centre to be constructed in the Royal Darwin Hospital in 2005-06; \$1.7m for Patient Assisted Travel and aero-medical evacuations; \$2m for an increasing renal dialysis services, particularly in Alice Springs; \$0.5m for radiation oncology outpatient support; and \$17.2m for factors built into the budget such as CPI adjustments, EBA flow-on adjustments and the matching requirements of the Australian Healthcare Agreements.

Note the variation of negative-\$2.2m for the non-admitted patients services output is largely a result of a one-off administrative variation, plus the Corporate Services remapping, as discussed previously.

Turning to the Community Health Services output, I will explain the variation of negative-\$5.5m in 2005-06 compared with 2004-05. This variation is due to three factors: (1) there has been a reallocation across output groups of corporate overheads as described previously; (2) some services previously apportioned to the Community Health Services, such as the Gove Medical Unit and medical retrievals from Alice Springs Hospital, have been more appropriately allocated to Acute Care Services; (3) those Commonwealth grants to Community Health Services which finished in 2004-05 have not yet been renewed or replaced with other grants. They are highly likely to continue but, as they have not yet been formalised, we are unable to count them in the budget. On the positive side, there is \$0.6m for oral health and \$1.9m for factors built into the budget such as CPI adjustments and EBA flow-on adjustments.

Turning to the Environmental Health Services output, the increase in funding for Environmental Health Services of \$80 000 is made up of increased funding for CPI and wages adjustment being off-set by reductions due to the funding agreements with the Australian government terminating.

The Disease Control Services output is heavily influenced by the level of Australian government funding. While there has been \$1.8m allocated to the output through service reallocations and wage and cost increases, this has been more than offset by reductions due to agreements with the Commonwealth terminating. This has resulted in a modest \$835 000 increase in resources.

Note that the variation of negative-\$0.3m for the Health Research output group is purely an administrative one. This is largely a grant to Menzies School of Health. Formerly, the output was calculated with depreciation costs. However, now, as no assets are attributable to health research, no depreciation charge is made to the Health Research output.

Mr Chairman, I am happy to now take questions by division on the Health budget.

**Mr CHAIRMAN:** Thank you, minister. Are there any questions on the opening statement?

**Ms CARNEY:** No, not on the statement.



**OUTPUT GROUP 1 – ACUTE SERVICES**  
**Output 1.1 – Admitted Patient Services**

**Mr CHAIRMAN:** The committee will now consider the estimates of proposed expenditure contained in Appropriation Bill (No 2) 2005-06, as they relate to the Department of Health and Community Services.

I now call for questions on Output Group 1, Acute Services, Output 1.1, Admitted Patient Services. Are there any questions?

**Ms CARNEY:** Minister, with you, I also welcome your cast of thousands of staff from Health.

**Dr TOYNE:** Excellent people, they are, too.

**Ms CARNEY:** Minister, clearly we have a time difficulty, so I will indicate for the sake of Hansard that I will not ask all of the questions that I intended because it is simply not possible. I will try to get through as many as possible and simply ask, in a spirit of goodwill, that you cooperate to the extent that it is possible to keep your answers as short as possible. I would be grateful.

**Dr TOYNE:** Sure.

**Ms CARNEY:** Minister, last week, the Commonwealth report entitled *The State of Our Public Hospitals* was released, and the report catalogues various failures to improve hospital services, despite a \$240m increase in the Health budget. The report showed many things, but I would like to deal with three in particular. It showed that more elective surgery patients are not being admitted within the appropriate time frame. It showed an escalation of the time people wait for elective surgery, and waiting time in the Territory emergency departments is longer than the national average. Can you explain these falling services in our hospitals despite the increase in the Health budget?

**Dr TOYNE:** Let us give a balanced picture of what the report is saying. First, the report deals with the situation as it existed a year ago. While I do not contest the areas of concern in the elective surgery area - and I will explain what we have done about that in a minute - it is important to also point out that the report says that we lead the nation in recurrent expenditure per person, at \$1223 against the national average of \$552. We lead the nation in the number of beds provided per 1000 people, which is 3.8 as distinct from the national average of 2.47. We have probably the busiest representation of hospital use in the country. In fact, the Territory heads public patient admissions, 456 per 1000 against the national average of 188, and so on. We have busy hospitals. You are quite correct that the Territory-specific figures show that elective surgery waiting times and waiting lists have deteriorated in that period leading up to the finalisation of this report.

I know you want me to keep to short answers, however, I actually do have to give a context to the answer I am trying to give to you. Following the Bansemer Report, there were many serious deficiencies identified in our health system. That report called for quite urgent action to bring the financial affairs of the agency into shape, and to correct quite serious resourcing deficiencies - that were not of our making; that is what was uncovered, without fear or favour, by the Bansemer Report.

One of the areas that we had to attend to, as a matter of urgency, was our critical care areas: the emergency departments and ICU and High Dependency in Darwin, ICU and High Dependency in Alice Springs, emergency department in Alice Springs. Subsequently, we have put significant resources into dealing with our facilities that deal with the most urgently sick and most at-risk patients that we take into our care within the Northern Territory. That had to be the first priority. Any hospital offering elective procedures always has to balance it against the need to give top priority to the acute care, critical areas of the hospital's operation.

Additional to that, we have an increasing sick population, which is also demanding resources, particularly resources in response to the high chronic disease levels in the Northern Territory, mainly cardiac disease, diabetes and kidney disease - a well-known fact. The extent of our effort in responding to those diseases is well known.

That leaves us with elective surgery. Yes, a year ago, there is no doubt there was a clear deterioration in both the waiting times and the waiting lists for elective procedures. Since that time, and now that we believe we have the acute care and chronic disease areas starting to be properly resourced, we are now moving into that area. We have appointed anaesthetists and surgeons into Alice Springs Hospital. We have carried out an audit of the elective surgery patients who are on the waiting lists. We have carried out

other operational arrangements to try to streamline moving through that list of waiting patients. We have also had to deal with the issue of bed lock, particularly in Darwin hospital. Quite clearly, if you are going to do elective surgery, you need beds, in many cases, for the recuperation of those patients. That also was a factor that we have needed to look at.

To sum all this up, I can certainly say that, at this stage, we are seeing the early signs of improvement in those waiting lists. In Darwin, there are 1650 people waiting for elective surgery as it stands at the moment. That number was 2000 in 1999, to give you some benchmark to it. In Alice Springs, from earlier this year, there were 1600 patients waiting; it is now 1450. It is early days and we have a way to go, and we will keep working on it and try to move up the batting order, I guess, compared to other jurisdictions. We are certainly aware of the problem, but there were other more concerning areas that we had to get to before we could get to this one.

**Ms CARNEY:** Right. No doubt you are aware of it but, of course, when you are in the processes of assuring the Territory population of the miracles you have performed in Health, you omit there are difficulties. In your answer, although you have provided some sort of hope in relation to elective surgery, you did not tell us how improvements could be made in relation to the waiting time at the emergency departments, or whether there is any improvement anticipated in relation to the elective surgery patients being admitted within the appropriate time frame which, of course, is different from the amount of time they wait for the surgery.

**Dr TOYNE:** If you talk about waiting time under the arrangements in the emergency departments, I have met with members of the staff in both Alice Springs and in Darwin. What you very quickly realise is that there is no one easy answer to waiting times. The first thing that has to be understood is that the emergency department deals with whatever comes in through the front door. That can be - as we had recently in Darwin - very high demand which appears around something like an AFL match - or the V8s may have created a period of high demand.

However, the things you can do with an ED to improve waiting times is boost the staffing, which we have done; boost the number of beds; and the alternatives for non-admitted patients that they can be put into a parallel facility that takes some of the weight off the ED itself. To that end, as a result of my discussions with the staff here in Darwin, we have instituted several immediate measures. One is to extend the Hospital in the Home Scheme to seven days a week, so people can be transferred back to their homes with nursing support and under the continuing care of the medical doctor who is caring for them. The transit lounge is where you can clear beds and, basically, have people wait for their pharmacy and discharge procedure in a transit lounge with a nurse in attendance. We have also instituted a review of the Darwin ED with a consultant, to look at other ways to change our operation. Then there is the call centre which, on early indications, is taking a lot of staff time out of the ED. In other words, instead of answering calls - to the effect of, on our estimates, a full 24-hour working day would be concerned with taking calls at ED and giving some immediate advice to callers - they are now going to the call centre, not to the ED. We are actually alleviating the pressure there.

I would like to say that you could come up with a single-shot answer to all this, but we have to look at expanding the ED facilities and staffing. We are doing all that. We have announced a \$5m expansion at Alice Springs, which will introduce more working cubicles and options for the deposition of patients; overflow beds in Darwin; the Intensive Care/High Dependency beds in Alice Springs and, previously, in Darwin. It is a broad front that you have to do to tackle this stuff.

**Ms CARNEY:** Minister, are you confident that in 12 months time, when we are going through the estimates process again, the abysmal figures detailed in *The State of Our Public Hospitals* report will improve? Will they be better in 12 months time than they are now? Yes or no?

**Dr TOYNE:** I have already given indications that there is early improvement being experienced in both Darwin and Alice Springs. In regards to elective surgery, there is no question that the improvements that we have already put into ED Darwin has allowed Darwin to deal with very high demands, and the improvements we will subsequently now put into Alice Springs will see that the critical care areas of both hospitals will have a high capacity to be beyond argument. However, the thing you cannot control is the demand coming in. I believe, at this point, I have been giving you generic answers. I will ask Peter Campos to maybe give you some more detail ...

**Ms CARNEY:** No, in the interest of time ...

**Mr CHAIRMAN:** No, no member for Araluen ...

**Dr TOYNE:** No, no, I am quite happy if you want to move on. I am just saying that if you want to get down to more hard tack, I have been giving generic answers, because these are complex issues and we really need to see the whole picture.

**Mr GRIEW:** We can provide a quick answer of elective surgery. Peter Campos.

**Mr CAMPOS:** Thank you. Just on that same report, it indicates that the Northern Territory leads the nation as far as admission for elective surgery to a hospital per 1000 of population. However, the information that has just come to hand for the end of the financial year that has just passed us, is that in 2004-05 there were 14 155 surgical procedures undertaken in our hospitals, which is 310 above the 2003-04 level. Of that 14 000, 5553 were elective, which is a rise of 8.1% over the previous year of 5136. So, we have already increased our elective surgical throughput.

**Ms CARNEY:** May I ask another question, Mr Chairman?

**Dr TOYNE:** I am dying to hear it.

**Ms CARNEY:** Thank you, on the basis that we have so many in so little time. Minister, in 2003-04, the Northern Territory had the equal lowest number of hospital beds per 1000 people in the country with 3.3, while the Australian average was 4.0. The source of that figure is the Australian Institute of Health and Welfare publication 2005. Has it improved and how many beds are there at each hospital?

**Dr TOYNE:** On our figures and on the report you were quoting only 10 minutes ago, we actually have the highest per capita number of beds in Australia: 3.8 per capita; South Australia, 2.71; New South Wales, 2.56; Western Australia, 2.47; Queensland, 2.43; Victoria 2.3; ACT, 2.2; and Tasmania, 2.11. We are leading the pack by a good margin. Australian average is 2.47 with 3.8 beds per capita.

**Ms CARNEY:** They are your figures?

**Dr TOYNE:** You were very happy to quote ...

**Ms CARNEY:** No, no I am just confirming they are your figures – yes?

**Dr TOYNE:** No, they are out of *The State of Our Public Hospitals* report.

**Ms CARNEY:** You accept those figures?

**Dr TOYNE:** Well, it is saying we are leading the nation in a number of beds per capita. Yes, I am happy to accept that.

**Ms CARNEY:** You have had difficulty with the number of beds in the Northern Territory, and I particularly refer you to the infamous bed count that was undertaken by nursing staff at Royal Darwin Hospital, the details of which were provided to the opposition because they were so frustrated with the information you were peddling to Territorians about how many beds there were.

They came up with 279 beds which was significantly fewer than the number you were touting. Minister, right now, how many beds are there at Royal Darwin Hospital?

**Dr TOYNE:** Royal Darwin Hospital: 345, which is 319 plus 26 mental health and including the new hospice beds. Before we just simply accept that number in total, I would like Peter to explain how a bed is defined, because that is the problem here. It is not a case of how many you have from Captain Snooze. You have to have the staffing facilities around a bed at different levels of care. Peter, if you could quickly inform them on that.

**Mr CAMPOS:** There is a range of different types of beds that are used in hospital. There are those that relate to day surgery where the patients go in for just a day or part of the day for a procedure, and those could actually be occupied twice in a day through the two shifts. There are those that are for critical care which relate to ICU Coronary Care, High Dependency Unit. They are for patients who are critically ill and are not normally available for the general admissions. Then there are the general beds for patients who are different categories.

The cubicles that are in the emergency department are not classed as beds, and the areas in the special care nursery are classed. So, there is a variance between those that are for general admissions of patients

and those that are for very specific purposes for which patients will stay in them for over four hours or over a day.

**Dr TOYNE:** Taking all those categories into account, we count 345 in Darwin and 619 funded and established beds Territory-wide.

**Ms CARNEY:** Does it follow, minister, that the nursing staff at Royal Darwin Hospital does not know what a hospital bed is and cannot count them?

**Dr TOYNE:** Possibly, possibly.

**Ms CARNEY:** Right. I will pass that on to them; they would be very interested to hear that. Getting back to elective surgery, can you advise in relation to Alice Springs, whether elective surgery has been cancelled in 2004-05? If so, on how many occasions and how many patients did it affect?

**Dr TOYNE:** We will take that on notice.

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#### Question on Notice

**Mr CHAIRMAN:** Would you like to repeat that question, please, member for Araluen?

**Ms CARNEY:** In Alice Springs, was elective surgery cancelled in 2004-05? If so, how many times and how many patients were affected?

**Dr TOYNE:** I can give you the answer to the first question. Yes, it was on occasions that I am aware of, but will get you the second part which is on how many occasions.

**Mr CHAIRMAN:** So, will you be taking the whole question on notice or just parts?

**Dr TOYNE:** Yes, well the bit I have not answered, yes. I have answered the first bit.

**Mr CHAIRMAN:** Well, for the bit that you have not answered, minister, I will allocate No 4.15.

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**Ms CARNEY:** Minister, at Royal Darwin Hospital, was elective surgery cancelled at any time in 2004-05? If so, how many times and how many patients did it affect?

**Dr TOYNE:** Yes, but likewise we can provide that information to you.

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#### Question on Notice

**Mr CHAIRMAN:** Could you restate the question please, member for Araluen?

**Ms CARNEY:** At Royal Darwin Hospital, was elective surgery cancelled in 2004-05? If so, how many times and how many patients were affected?

**Mr CHAIRMAN:** Will you take that question on notice, minister?

**Dr TOYNE:** Yes, I will, Mr Chairman.

**Mr CHAIRMAN:** I will allocate No 4.16 to that question.

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**Ms CARNEY:** Minister, can you detail the number of deferred cases in radiology and any other procedure that requires general anaesthetic that could not be provided because of the lack of anaesthetists, and the numbers of evacuation of patients out of Alice Springs or Darwin because of the lack of anaesthetic services in those areas?

**Dr TOYNE:** I will have to take that on notice. We do not bring that sort of detail into an estimates hearing.

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**Question on Notice**

**Mr CHAIRMAN:** Will you kindly state that question again please?

**Ms CARNEY:** Minister, can you detail the number of deferred cases in radiology and any other procedure that required general anaesthetic that could not be provided because of the lack of anaesthetists, and the numbers of evacuation of patients out of Alice Springs or Darwin because of the lack of anaesthetic services in those areas?

**Dr TOYNE:** Would you like also the detail of the patients who have now been catered for now that there are anaesthetists on staff?

**Ms CARNEY:** Sure.

**Dr TOYNE:** Just to get a complete picture?

**Mr CHAIRMAN:** So you accept that question?

**Dr TOYNE:** With that additional information.

**Mr CHAIRMAN:** I allocate No 4.17 to that question.

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**Ms CARNEY:** Minister, do expectant mothers in Tennant Creek still have to fly to Alice Springs to have their babies?

**Dr TOYNE:** Yes, they do.

**Ms CARNEY:** Is there any prospect that will change in the next 12 months?

**Dr TOYNE:** What we have put the emphasis on is to provide outreach midwifery support to expectant mothers not only in Tennant Creek but throughout the Northern Territory. We have already expanded the community midwifery program here in Darwin. We have announced the extension to that to Alice Springs.

We have put in two outreach midwives to support the communities where there is not a resident RN with midwifery capacity. The aim, under our Child and Maternal Health Strategy, is to provide universal support for expectant mothers for antenatal and postnatal care. Where the mother chooses to go to give birth is largely her choice. As you would know, we are also providing the option of home birth to urban-based women. David has some more to add to that.

**Mr ASHBRIDGE:** I will clarify the question. Possibly, that could have been interpreted that all women were being transferred from Tennant Creek to Alice Springs. In fact, that is not the case. There are births occurring within Tennant Creek, and the transfers from Tennant Creek to Alice Springs are made on clinical indications.

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**Answer to Question**

**Mr CAMPOS:** I have the answer for Royal Darwin Hospital cancellations. For transfers or deferrals due to the lack of anaesthetists in Royal Darwin Hospital there were none. As far as cancellations in 2004-05, there were 99 day procedures and 43 overnight procedures, and that occurred on six occasions, for a total of 142 patients.

**Ms CARNEY:** So, it occurred on six occasions, in Alice Springs or Darwin?

**Mr CAMPOS:** These numbers are for Royal Darwin Hospital.

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**Ms CARNEY:** All right.

**Mr CHAIRMAN:** Did your question extend to Alice Springs Hospital as well?

**Ms CARNEY:** Yes.

**Dr TOYNE:** Yes, that is another of our questions on notice.

**Ms CARNEY:** Going back to anaesthetists, could you advise how many anaesthetists are meant to be on the staff for Alice Springs Hospital, and how many are currently in place?

**Dr TOYNE:** Yes, the anaesthetic department is now fully staffed, with four consultants and three registrars. That is the current situation.

**Ms CARNEY:** Similarly, could you advise how many anaesthetists are meant to be on staff at Royal Darwin Hospital and how many are currently in place?

**Dr TOYNE:** Dr Notaras.

**Dr NOTARAS:** Royal Darwin Hospital has a full complement of anaesthetists and a full complement of registrars, including accredited training posts. That has been in place at least for the last two or three years.

**Ms CARNEY:** In relation to the anaesthetists currently in place at Alice Springs Hospital and RDH, are any of those anaesthetists locum positions? If so, how many?

**Dr NOTARAS:** At Royal Darwin Hospital, they are not locum positions, they are all contract positions.

**Dr TOYNE:** The same for Alice Springs Hospital. There are no locum consultants in Alice Springs.

**Ms CARNEY:** Can you clarify that?

**Dr TOYNE:** No locum consultants.

**Dr LIM:** No locum registrar?

**Dr TOYNE:** If there is, there is. I do not know.

**Dr LIM:** What? He left this morning, did he?

**Mr CHAIRMAN:** Member for Greatorex, we will get the answer.

**Dr TOYNE:** I am informed that there is one locum consultant, and no locum registrars.

**Dr LIM:** Even your general manager did not know the answer.

**Ms CARNEY:** Thank you, Dr Lim. In terms of patient care in our emergency departments, could you detail the different categories and the accepted benchmarks for treatments in our hospitals?

**Dr TOYNE:** Category 1, resuscitation attended to immediately; category 2, emergency attended within 10 minutes; category 3, urgent attended within 30 minutes; category 4, semi-urgent, attended within 60 minutes; category 5, non-urgent, attended within 120 minutes. It is all in the budget papers on page 124.

**Ms CARNEY:** That is for the first three quarters of 2004-05?

**Dr TOYNE:** No, you asked me to detail the categories with the acceptable level for treatment.

**Ms CARNEY:** Sorry. Yes, and then you gave the times of ...

**Dr TOYNE:** That is the accepted time for those categories of triage.

**Ms CARNEY:** Those times were for 2004-05? Correct?

**Dr TOYNE:** It is in the current budget paper; I just read it out from page ...

**Ms CARNEY:** Okay. Well, you can just say yes; it is fairly straightforward. Thank you. Minister, how many extra hours of work were purchased in the area of nursing by Territory hospitals from 1 July 2004 to 30 June 2005? This is overtime, agency staff. Provide a breakdown.

**Dr TOYNE:** To be quite honest, I do not understand your question. But my agency officers did, and they say we do not have that information.

**A WITNESS:** We can possibly provide it on notice, in terms of agency and overtime.

**Ms CARNEY:** On notice?

**Mr CHAIRMAN:** Are you prepared to take the question on notice?

**Dr TOYNE:** Yes. We will do that.

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#### Question on Notice

**Ms CARNEY:** How many extra hours of work was purchased in the area of nursing in Territory hospitals from 1 July 2004 to 30 June 2005, that includes overtime for hospital staff and hours worked by agency staff? Please provide a breakdown.

**Mr CHAIRMAN:** Will you accept that question, minister?

**Dr TOYNE:** Yes.

**Mr CHAIRMAN:** I will allocate No 4.18 to that question.

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**Ms CARNEY:** Minister, how many nurses were employed in Territory hospitals at 30 June 2004? Can you provide details, hospital by hospital? If you have them in tabulated form, would you please table them?

**Dr TOYNE:** Just bear with me for a minute, I do have these figures. Here we are. In our hospitals, we have established 106 new nurse positions, of which 86 are filled. They break down as follows, and I will give you a table that gives that in detail: Royal Darwin – 56, 47 currently filled; Alice Springs – 40, 29 filled; Katherine – five, all filled; Tennant Creek – three, all filled; and Gove – two, both filled.

We will very soon be establishing another 18 positions in regard to the hospice, the Hospital in the Home, transit lounge, and trauma nurse, which are going to contribute new staff positions - 11 for the hospice, five for the Hospital in the Home, and one each for the transit lounge and trauma nurse. I will give you that information.

**Ms CARNEY:** That is to 30 June 2005?

**Dr TOYNE:** As of 30 June 2005.

**Ms CARNEY:** Okay. Can you give me the same figures, please, up to 30 June 2004? Obviously, I am after the comparison. I assume you have them.

**Dr TOYNE:** We do not have that.

**Mr CHAIRMAN:** Will you take that as a question on notice?

**Dr TOYNE:** Yes. I can only make a general comment that a lot of those positions have come on in the last 12 months. I will have to go back and get that information.

**Mr CHAIRMAN:** Will you restate the question for the purposes of Hansard, please.

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**Question on Notice**

**Ms CARNEY:** How many nurses were employed at Territory hospitals as of 30 June 2004? Can you provide a breakdown, hospital by hospital, and advise how many of the positions are filled? I say that in light of your preceding answer.

**Mr CHAIRMAN:** Do you take that question on notice?

**Dr TOYNE:** Yes.

**Mr CHAIRMAN:** In that case, I will allocate No 4.19 to that question.

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**Ms CARNEY:** Minister, you have promised to recruit extra nurses. Can you provide details of the timetable of recruitment and - sorry, you have partly answered the question. What is the timetable for recruitment?

**Dr TOYNE:** ASAP. While it is very easy to point out the establishment of a position does not immediately fill it. It is generally accepted that there is a very severe nursing shortage, both nationally and internationally. We are continually recruiting to positions. As the figures I have just given you show, we are having a reasonably high level of success in doing that. There are areas that are very difficult, such as critical care nurses are in very short supply. We have been doing well with renal nurses and nurse educators, and we will continue to recruit.

The other side to this story is that we are certainly making every effort to support nurse education courses in the Northern Territory. It makes a lot of sense to try to get as many home-grown and home-trained nurses as we can to relieve some of the difficulties of recruiting from the open market.

The other aspect of recruitment is retention. Through the EBA, improvements to accommodation and conditions that nurses work under, and removal of single nurse posts - these are areas that will contribute to better retention rates into the future. It has to be stated that it is not a case of just snapping your fingers, we have a position here, and it will mean that we are going to get a nurse. It does not work like that.

**Ms CARNEY:** Minister, you will remember the government report - I think it was from DCIS early this year or late last year - that referred specifically to the Department of Health's recruitment. It describes it amongst other things as I think, *ad hoc*, inconsistent, not strategic, that sort of thing. Are you satisfied that the problems identifying that in the report have now been overcome and, if so, how?

**Dr TOYNE:** Yes, we have developed our nurse recruitment strategy. It has been a whole-of-agency strategy and process which is now in place and working. We are actually enjoying quite some success in recruiting nurses. We are really moving to particular areas that remain difficult, as I said, such as the critical care nurses, in particular, that are difficult to get hold of. We are, again, trying to also promote, wherever possible, locally-based training; for example, 10 postgraduates positions per year that we have announced to allow registered nurses to train on to take on midwifery. We will look at other areas where that could, potentially, be added to our local training effort as distinct from depending entirely on the market.

**Ms CARNEY:** Can you detail please the current bed occupancy rate in Northern Territory hospitals and provide a breakdown on a hospital-by-hospital basis. If you have it in a table can you table it?

**Mr ASHBRIDGE:** The occupancy rates obviously depended on the time of the year, so I will be providing a range around those - the time and the day and the patient mix. The occupancy rates in each of the hospitals fall into the following range: in Alice Springs in 2003-04, range 71% to 97%, in 2004-05, 72% to 100%; in Gove Hospital in 2003-04, 59% to 63%, in 2004-05, 73% to 76%; in Katherine Hospital in 2003-04, 55% to 68%, 2004-05, 55% to 69%; in Royal Darwin Hospital in 2003-04, 82% to 119%, in 2004-05, 82% to 117%; in Tennant Creek in 2003-04, 42% to 63%, in 2004-05, 35% to 65%.

**Ms CARNEY:** Minister, I apologise if I seem to be jumping all over the place from topic to topic, but I need to cull some questions. You said during the last estimates that the government would enter into negotiations as to the disposal of body parts using a new \$2m high temperature incinerator to be established at the Port Corporation. What was the outcome of the negotiations?



**Dr TOYNE:** That question needs to be directed to DIPE which is the agency with carriage of that potential arrangement. We are just one of the clients that might use that facility.

**Ms CARNEY:** Do you know anything about the outcome of the negotiations, or are you choosing to refer me to DIPE, which is fine. Can you just answer whether you know?

**Dr TOYNE:** My job is to monitor the current arrangements while those negotiations are concluded by the agency. The current arrangements stand that we are transporting those body parts for destruction in Adelaide.

**Ms CARNEY:** Minister, concerns were raised 12 months ago that Royal Darwin Hospital no longer had a sealed pathology room able to deal with things like anthrax. The level 3 containment room was found to be leaking from its sealed room into the rest of the lab via the airconditioning duct. As a result, the level 3 containment room had been downgraded to a level 2 containment room, on my understanding. You said that you would upgrade the laboratory to a PC3 level, and that was being considered. Can you please provide details of the status of that upgrade?

**Dr TOYNE:** Yes, I will pass to Len Notaras.

**Dr NOTARAS:** That work was drawn to our attention by the Director of Pathology, Dr Garry Lum, and has subsequently been addressed adequately. That is to say the work has occurred and it has now the full status.

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#### Answer to Question

**Dr TOYNE:** Mr Chairman, I will provide another answer regarding evacuations out of Alice Springs due to the lack of ...

**Mr CHAIRMAN:** Do you happen to know what number it is?

**Dr TOYNE:** It was the first of the two questions about anaesthetists or lack of them, No 4.15. There were no evacuations out of Alice Springs due to lack of anaesthetists.

**Ms CARNEY:** None?

**Dr TOYNE:** That is what I am advised, yes.

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**Ms CARNEY:** Acute services have risen from a base of \$272m to \$371.133m since 2001. Minister, what performance measures are in place to determine the need to increase this funding level and the success of the funding increase?

**Dr TOYNE:** First of all, the increase already achieved and the one to come. We promised the 75 extra nurses the election before last; we have delivered over 100 nurses, which I have quantified today. We have put more hospital beds into Royal Darwin Hospital. We have done major upgrades, particularly to the critical care areas of both of our main hospitals.

Coming into the next term of government, we have announced 48 more beds, 24 into each of the two big hospitals; \$5m into the Alice Springs Emergency Department; \$25m into improving the functionality of the Royal Darwin tower block; and we are expanding our Community Health Services, particularly in the areas of child/maternal health and universal hearing tests.

That is what we are putting out there. If you go to the budget paper itself, which is what we are discussing today, they will be reflected in the performance measures. If necessary, as we have with this budget, new measures are introduced when they are required, but the existing performance measures should encompass that additional capacity and should be reflected in it.

**Ms CARNEY:** Given that we talked about the performance measures in your other portfolio this morning disappearing from budget papers, are you aware whether any - and I have not looked - performance measures in Budget Paper 2005-06 that have been omitted from 2004-05?

**Dr TOYNE:** I am not aware offhand. I can certainly look at it. However, when you look at what is in here, there is the WIES index, which ...

**Ms CARNEY:** I know what is in there. I was just wondering if anything changed.

**Dr TOYNE:** Let me finish. The performance measures in here are fairly comprehensive and qualified by the additional information in the budget paper itself. I have said in earlier discussion we were having in the Justice portfolio that these are evolving. We have never precluded putting new measures in. We have never precluded abandoning measures that are simply not giving a clear picture of those critical areas of performance. This is what we are working to at the moment. New resources will go into acute care, and we will be looking to see that it is reflected in the performance outcomes.

**Mr ASHBRIDGE:** There has been no change in the reporting arrangements. It is probably worth noting that it was part of the Australian Healthcare Agreement for national reporting around hospitals which led to some of the discussions on *The State of The Hospitals* report as well which is, obviously, a performance measure around our hospitals.

**Ms CARNEY:** I want to spend some time on the building defects at the Alice Springs Hospital; however, I will streamline as best I can. In relation to the defects, you said in parliament on 22 March in Alice Springs, that there was no need to relocate the hospital - and I agree with that.

**Dr TOYNE:** Thank God for that.

**Ms CARNEY:** I believe it was the member for Braitling who had that quirky idea. You were equipping another ward to house ICU and HDU.

**Dr TOYNE:** No, to house a number of working areas at the hospital, in turn, in sequence.

**Ms CARNEY:** All right, and ICU and HDU were two of ...

**Dr TOYNE:** ICU/HDU is the highest level of building support you need for patient care so, if you build it to that standard, then you can put any of the other working areas of the hospital into that ward.

**Ms CARNEY:** Yes. But you said that they would be the first of the units to move while their normal home was being reconditioned over two or three years.

**Dr TOYNE:** Correct. That is right.

**Ms CARNEY:** You also said of that ward - that is, the one to be upgraded - 'I was in that ward a week ago, and what I saw was an absolute disgrace'. Can you advise whether there have been any improvements made since you were in that ward in March?

**Dr TOYNE:** Yes. I was in the ward again during the election campaign, so it probably would have been three or four weeks ago, and very much so. They have uncovered the entire innards, if you like. It is like the inside of a submarine when you look around, there are pipes and wires and things going in all directions. They have systematically now assessed, repaired and tested many of those systems. It came down to structural faults, such as previous services that had been removed from the walls and, instead of sealing over that cavity they had simply wallpapered over them. There were windows left where a new partition wall had been located halfway through a window; the window had been just left there with black plastic on the inside of it. There was some pretty horrific and very dodgy work done there. It all looked great. It was all covered over and a very modern looking ward when it was all panelled.

However, a hospital is a working entity; it has vastly complex services built into the building. Almost all of them required an upgrade to comply with the national standards. All of that work has been done. It is very complex work, but it is proceeding, I believe, at an adequate pace. No patients will be moved into that wing until it is fully compliant nationally and up to the standard of an HDU/ICU work space.

**Ms CARNEY:** I do not need, for the purposes of estimates, the detail of all of the work. However, can I ask specifically whether the live wires that I believe you or the Minister for Transport and Infrastructure referred to when you were in Alice Springs for sittings there, that were identified been fixed?

**Dr TOYNE:** Everything has been systematically repaired.

**Ms CARNEY:** So it includes the live wires, so there is no risk ...

**Dr TOYNE:** I would presume so. What I can assure you of, and what my job is, is to make sure that the patient and staff safety and the functionality of the hospital operations - their actual programs of care - are not impaired in anyway. That is what I am doing.

Anything to do with wiring, litigation, contracts - all those sorts of matters - the minister for DIPE has carriage of that aspect of it. My job is to make sure that the hospital programs are not impaired or jeopardised by this process that is going on in the building. We will make sure - and I will certainly be answerable for any detail of, if you like, the flow chart of who is going to move when and under what circumstances.

**Ms CARNEY:** No, with respect, I am surprised that you can only presume that something as serious as live wires has been fixed. You strike me as a fairly caring sort of a bloke ...

**Dr Toyne:** Well, thank you.

**Ms CARNEY:** ... and, as Health Minister who I think regards his obligation to staff, patients and visitors to all of the hospitals very seriously, I was just surprised that you can only presume ...

**Dr TOYNE:** Well, I just repeat the demarcation. It is not my job to go around there to assess those things personally; I am not an expert on such matters anyway. It is the minister for DIPE's job to make sure that the DIPE public servants, or anyone who has been taken on to oversee that job, to make sure it is going to comply fully with the standards that we have asked the contractor to upgrade that building to.

I can only say that my visits there are for my responsibilities, which are to see what stage the repair process has reached, what sort of timing is now indicated for the ICU and HDU to move up to that ward, and what further problems may have come to light. The one of the wiring is one case you have mentioned. However, it is an evolving picture, and we have said previously that we will not know the full extent of the work on the building as whole until areas are stripped down, as the private wing has been, and the contractors can actually see what the situation is. We are rather hoping it is no worse, at least, than what we have seen in the private wing, but we will take what comes.

**Ms CARNEY:** When you ...

**Dr TOYNE:** Yes, there are no patients or staff in the areas, so it is not a question of anyone being in jeopardy.

**Ms CARNEY:** But when you say, publicly as you do in respect of the defects at Alice Springs, that there is no risk to patients, staff or visitors, is that just gut instinct?

**Dr TOYNE:** Sorry - in the building as it now stands ...

**Ms CARNEY:** Yes. If you ...

**Dr TOYNE:** ... or in the repair process?

**Ms CARNEY:** You say publicly there is no risk and, yet, in relation to but one example - ie live wires - you say you presume it has been fixed. How do you reconcile it?

**Mr CHAIRMAN:** The live wires were shut off years ago – ages ago.

**Ms CARNEY:** New evidence from the Chairman!

**Mr CHAIRMAN:** Hang on, I will be happy to answer this because down in Alice Springs, it was mentioned that the wires were ...

**Dr LIM:** Are you the minister now?

**Mr CHAIRMAN:** No. You are sitting here talking about live wires, when it was reported at the Alice Springs sittings that ...

**Dr LIM:** The question was to the minister, not to you.

**Ms CARNEY:** Perhaps you are the next Minister for Health, member for Sanderson.

**Mr CHAIRMAN:** Perhaps you should get a few stories right, member for Araluen.

**Ms CARNEY:** I did not think you were in the act of giving evidence to the committee.

**Dr TOYNE:** Let us draw the distinction ...

**Mr Chairman:** Yes, well, get your facts right.

**Dr TOYNE:** ... between an assessment that was done by our fire officers and our agency as to the two issues here. There is the compliance issue, which is to say any hospital in Australia - particularly a public hospital that is under the responsibility of the relevant government - should comply with the national standards that are set up to make a building safe in all respects, to offer or house the services that are going to be offered. There is no doubt the Alice Springs Hospital building does not comply; that is the whole reason that we have funded a process of repair to bring it into compliance.

The other issue, though, is the day-to-day safety of patients, which is about whether patients' support systems are going to be jeopardised in any way by a mishap in the building; and whether patients and staff can be safely evacuated from areas if a fire did break out. The answer to that is that, because of a combination of the sprinkler systems, the protocols for evacuation within the hospital, when the fire officers went in there they are able to give us some comfort as to the day-to-day safety of the patients prior to the time when the building is brought up to full compliance. We are going on that advice, but do not confuse the two things – one is compliance, one is about safety.

**Ms CARNEY:** Given the illuminating contribution that the Chairman made to your evidence in relation to the live wires that were ...

**Mr CHAIRMAN:** Just trying to keep you accurate, member for Araluen.

**Ms CARNEY:** ... that were ...

**Mr CHAIRMAN:** Trying to keep you accurate.

**Ms CARNEY:** Mind yourself, Mr Chairman.

**Dr TOYNE:** Oh, come on, make up, you two.

**Ms CARNEY:** Sorry, I understood that we were here to ask questions not to be irritated by someone snapping at the heels. In any case ...

**Mr CHAIRMAN:** Member for Araluen, I would remind you that you are talking about the Chair, and you should show due respect.

**Ms CARNEY:** I remind the Chairman to look after his position. However, in light of his contribution to your evidence about the live wires being shut off years ago, did the Minister for Infrastructure, Planning and Environment mislead the parliament when he said in March in Alice Springs that there were live wires when he visited there?

**Dr TOYNE:** I have no idea. You probably need to ask the minister when his turn comes.

**Ms CARNEY:** There is a lesson in everything. Minister, in relation to your announcements of funding allocations for repairs - there were a couple of announcements - one was \$2m, one was \$8m. Can you show me where in the budget papers that allocation is? I refer you to page 121 of Budget Paper No 3 where it outlines 2005-06 major capital works. It is not there. Is that because it is in the DIPE budget?

**Dr TOYNE:** Yes, that is correct.

**Ms CARNEY:** All right, thank you.

**Dr TOYNE:** It is very much on the budget so do not be concerned. If it is above \$10m we will deal with it. We have said that ...

**Ms CARNEY:** We as in Health or we as in government?

**Dr TOYNE:** The government. That assessment is really literally by looking at the apparent cost of the repairs to the private wing multiplied by the number of areas that are going to need to be looked at equals around about \$10m. However, there may well be other areas that will come to light and it may be more money. If it is, we will spend it.

**Ms CARNEY:** In relation to the building defects, you had a bit to say on radio on 15 February about legal proceedings that were anticipated in relation to those who performed the building works. You referred to a number of former CLP government ministers, and you said and I quote 'that they were in the frame' in relation to legal proceedings. As you know, I had a briefing ...

**Dr TOYNE:** No, no, no - in relation to the issue of the hospital, not in relation to ...

**Ms CARNEY:** Ah, in relation to the issue of the hospital.

**Dr TOYNE:** Well, I do not know if they will be drawn into giving evidence to legal proceedings, but the ...

**Ms CARNEY:** You indicated that they would be parties to the proceedings.

**Dr TOYNE:** No, let us put the context around this.

**Ms CARNEY:** I have the interview.

**Dr TOYNE:** What I was talking about is that someone has to own up to putting out a contract to a major construction firm to allow them to self-accredit a job that they are doing. Quite clearly, that mechanism failed Territory taxpayers and, at the level of proper responsibility for decisions by government and by ministers, there are questions still to be answered. I suggest that you direct the details of what legal action is being pursued to the minister for DIPE, which is the agency which is taking that action. We are the client of the DIPE agency for the purposes of the Alice Springs Hospital building work.

**Ms CARNEY:** But in the context of a discussion that requires budgetary allocation across some sectors, you were very vocal in seeking to either ascribe blame or suggest that former CLP ministers were - to use your words - 'in the frame'. At the briefing I received, I specifically asked at any stage when counsel was briefed as to the liability about the building defects, whether it was contemplated that any of the people you named would be parties and I was advised no. Therefore, why did you go around trying to suggest that those people would be parties to the legal proceedings when you must have known that that was just nonsense?

**Dr TOYNE:** I point out in return that you were spending an awful lot of oxygen at the same time, trying to ascribe all the blame to the last eight months of the history of that hospital.

**Ms CARNEY:** But you were the ones who signed off on it. You wrote the cheques.

**Dr TOYNE:** Now, come on. What is good for the goose is good for the gander. So let us get it straight.

**Ms CARNEY:** So you think I am making things up, therefore you do. How interesting.

**Dr TOYNE:** No, if you are going to deal with an issue, let us deal with it in the fullness of the history of the issue ...

**Ms CARNEY:** You lied in the radio interview ...

**Dr TOYNE:** Excuse me!

**Mr CHAIRMAN:** Member for Araluen, withdraw that!

**Ms CARNEY:** I withdraw it, Mr Chairman.

**Dr TOYNE:** Thank you, and I will not think any the better of you for saying that.

**Mr CHAIRMAN:** I remind the committee that there is 11 minutes to go. We are on output 1.1.

**Ms CARNEY:** Given time, I know one of my colleagues would like to ask some Health questions. I understand we are finishing at 1.05 pm. There are a number of questions that I simply am unable to get to.

**Dr LIM:** Mr Chairman, if I may just take the minister back to the issue of waiting lists, is the minister able to table the number of patients on the waiting list for elective surgery for each of the regional hospitals, including Royal Darwin Hospital, for the years 2001-02, 2002-03, 2003-04 and 2004-05?

**Dr TOYNE:** No.

**Dr LIM:** You cannot? Are you able to provide that on notice?

**Dr TOYNE:** I am advised that it is not possible.

**Dr LIM:** What? You do not know what the waiting list is?

**Dr TOYNE:** You are talking about waiting lists over five years.

**Dr LIM:** That is right.

**A WITNESS:** We can do it.

**Dr LIM:** You can do it, thank you.

**Mr CHAIRMAN:** Hang on, member for Greateorex, you have to see whether or not he will take the question on notice.

**Dr TOYNE:** I am really loath to – I am wondering how much staff time is going to be poured into that sort of an exercise.

**Ms CARNEY:** It is your process.

**Dr LIM:** It is important, knowing that ...

**Dr TOYNE:** Well, we have a few things to do in our agency, you know ...

**Dr LIM:** I understand, but I am also saying to you, minister, that at the handover of government in 2001, the waiting list was around 450. We are now up to 1600 in Alice Springs. I would be interested to know what it is like across the Territory.

**Dr NOTARAS:** We can give you June 2004 and June 2005, the latest figures as of last night.

**Dr TOYNE:** Okay. We can give you June 2004 and June 2005 for each hospital.

**Dr LIM:** Thank you, minister. That will go part way to answering the question. Obviously, if that is the case, 12 months ago you would have produced another list similar to that which you could have put out for 2003 and 2004.

**Dr TOYNE:** Look, we will provide that to you.

**Dr LIM:** Will you take the rest of the question on notice?

**Dr TOYNE:** No. We will provide that, and that is what you are getting.

**Dr LIM:** Out of the list that you have just tabled, have any patients been put off more than once for elective surgery?

**Dr TOYNE:** We can get that information if you want it.

**Mr CHAIRMAN:** Are you willing to take that question on notice?

**Dr TOYNE:** Yes.

**Question on Notice**

**Mr CHAIRMAN:** Member for Greatorex, your question?

**Dr LIM:** How many cases on the waiting list, as it exists currently, have been put off more than once by the hospitals in the Northern Territory for elective surgery?

**Dr TOYNE:** In the last 12 months?

**Dr LIM:** More than the last 12 months if you like.

**Dr TOYNE:** No, the last 12 months will do.

**Mr CHAIRMAN:** Is it for the last 12 months?

**Dr LIM:** I will accept the last 12 months, and let me give you the case of one man in Alice Springs ...

**Mr CHAIRMAN:** Member for Greatorex! Can I have the question?

**Dr LIM:** The question is I want the minister to attend to this patient. This patient ...

**Mr CHAIRMAN:** Do you have a question on notice?

**Dr LIM:** No, it is important. Let me just ask the question and stop interrupting me and then we can get on with it.

**Mr CHAIRMAN:** I do not know whether you have a question on notice or not. I am trying to help you, member for Greatorex.

**Dr TOYNE:** What is your question on notice?

**Dr LIM:** My question is that this person ...

**Dr TOYNE:** No, no. The question was how many patients were what?

**Dr LIM:** Put off elective surgery more than one time.

**Dr TOYNE:** For the last 12 months. Okay. We will accept that.

**Dr LIM:** I would prefer from 2001 onwards, actually, every 12 months.

**Dr TOYNE:** No, we will do it for the last 12 months.

**Dr LIM:** So you are not going to give me all the information that is required.

**Mr CHAIRMAN:** Until we get some consensus about what question is being asked here ...

**Dr LIM:** I am asking for information relating to the Department of Health for the last four years: what has been the waiting list for each year?

**Dr TOYNE:** No. You are asking, on the one hand, for us to have a big troll through four years, which will cost us days of staff time and, on the other hand, you are worrying about this bloke or whoever it is that you have in mind. Now, which is it? Are you trying to get us to give you four years of data so you can deal with one issue?

**Dr LIM:** Both. I want that information.

**Dr TOYNE:** No, we will give you a year's data.

**Mr CHAIRMAN:** There is no question on notice.

**Dr LIM:** The question on notice was, Mr Chairman, can the minister provide to me the number of patients that had their elective surgery deferred more than once and I asked for the last four years, but he wants to give me 12 months.

**Dr TOYNE:** I will accept that on notice for the last 12 months. We will give you that.

**Dr LIM:** It is better than nothing, I suppose.

**Mr CHAIRMAN:** All right, so the question stands for the last 12 months, and I allocate No 12.20. Please continue.

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**Dr LIM:** Minister, will you look at that particular patient in Alice Springs whose surgery has been put off six times, by the hospital since June of last year. The person, who requires a total hip replacement, was advised by the orthopaedic surgeon. No medical advice will tell you how painful these conditions are. In this case, that man has had his surgery put off six times. Will you rectify the situation? I am sure you could find out about this man quite easily through the hospital records.

**Dr TOYNE:** You were not a minister for very long, so you may not understand the fact that I cannot reach into my agency's day-to-day operational decisions. You can give me a letter to the agency and they can have a look at it, but I am certainly not going to be going around promoting the interests of a particular patient. I do not know the circumstances. I do not know that what you are claiming is even accurate, because you are not always accurate, I can tell you, and you are on record on many occasions for only giving half a picture.

**Dr LIM:** He is prepared to talk to the media about it, minister, and you will find out.

**Dr TOYNE:** That is fine.

**Dr LIM:** The Labor Party advertisement in the election campaign just recently, claimed that Denis Burke cut 200 nurses from the system. Are you going to give the details of the cut of 200 nurses during the period when Denis Burke was the Chief Minister; that is, between 1998 to year 2001?

**Mr CHAIRMAN:** Can I ask you how that relates to Output Group 1.1, Admitted Patient Services?

**Dr LIM:** Acute care is about nursing numbers.

**Dr TOYNE:** Nursing numbers were ...

**Dr LIM:** Your nursing numbers.

**Dr TOYNE:** I am advised that that information is directly out of the annual reports of the agency, so I will suggest you go and have a look at them.

**Dr LIM:** I am asking you to provide me with the details.

**Dr TOYNE:** No, you do your own research. I am not going to have public servants running around finding information that is freely available in an annual report – go and read them.

**Dr LIM:** This is how the minister handles his portfolio, I just cannot understand that. How many babies were born in Darwin and Palmerston in the 12 months? You must have hospital records showing how many deliveries you have had.

**Dr TOYNE:** Public or private?

**Dr LIM:** If you have both, I will have both.

**Dr TOYNE:** I am advised it is approximately 1700.

**Dr LIM:** At what periods are the mothers discharged from hospital after the delivery?



**Mr ASHBRIDGE:** I will defer to Dr Notaras. The clinical indication for discharge is one factor, the other is that the client's wishes in accordance with the support services that are available. There is no program; it is a combination of clinical need plus client desire.

**Dr LIM:** On average.

**Dr NOTARAS:** On average, when it is clinically appropriate, Dr Lim, through the Chair. As you would know, we have an excellent team at Royal Darwin Hospital of both midwives and, indeed, senior clinicians. The average length of stay of a person following the delivery of a child is appropriate to the particular circumstances. As you would realise, in some circumstances there are clinical complications that require an extended stay, but the plan usually is to have people, as quickly as possible for their own convenience and comfort ...

**Dr LIM:** Three days on average?

**Dr NOTARAS:** I would not hazard at that. I would come back to the suggestion, Dr Lim, that it is within the spectre of the clinical management.

**Mr CHAIRMAN:** Member for Greatorex, if we can hold your questions there, the member for Nelson has not had the opportunity to ask any in health.

**Dr LIM:** I have some serious questions to ask as well.

**Mr CHAIRMAN:** I know. So does the member for Nelson.

**Dr LIM:** You are gagging me.

**Mr CHAIRMAN:** I am not gagging you; it is fairness. The member for Nelson has not had the opportunity to ask one question, so he could quite easily say that he has been gagged. Do you care for a question or not?

**Mr WOOD:** I have one big question. It is a question I believe a lot of people really want to know.

**Dr LIM:** So are my questions.

**Mr CHAIRMAN:** It is his time. We have two minutes.

**Mr WOOD:** Two areas that people come to see me about are shortage of beds. I recently made a statement in the media about a patient who had to be put into the Emergency Department because there was not enough room. For whatever reason, they were put into the emergency reception area. You would have received a letter just the other day, I believe, from a constituent of mine, whose mother-in-law went into hospital the other day. After a period of time, she was basically asked to leave; they needed the bed. She went back home and she was violently sick. She could not get a bed in Darwin hospital. She says that, for a person who was born in the Territory, in Darwin Hospital, she believes that that there is something really wrong, and this shortage of beds needs to be addressed urgently.

You mentioned, minister that the beds you referred to for more than four hours are a different category of beds. Are there enough beds in Darwin hospital to stop these problems occurring?

**Dr TOYNE:** We have announced we are putting 24 more beds into the Royal Darwin Hospital so, clearly, we have formed the opinion that we need a greater number of beds in that hospital.

**Mr WOOD:** And enough ward space for those beds?

**Dr TOYNE:** Oh, there is ward space; there are places in the hospital that can accommodate those beds as soon as the staff – it is mainly about staffing; not about the actual bed. It is about the support staff that you need for additional beds - 24 beds equals about 20 additional nurses, to give you some idea of the staffing we need to put in.

However, dealing with bed block is not just a case about dealing with bed numbers; it is also about the management of the beds in the hospital – in other words, the patient flow-through to the working sections. Obviously, the reason people bank up in ED on trolleys is because it has been not been cleared through the hospital to place the admitted patients into following their treatment in ED.

**Mr WOOD:** Can that be fixed?

**Dr TOYNE:** I mentioned earlier, in the discussion of health issues, that we are looking at expanding Hospital in the Home, we are putting in a transit lounge, and we have a direct referral mechanism now to the private hospital. We are doing what we can, operationally, to increase the through-put of patients through to the appropriate area of the hospital, or through the hospital out into other care arrangements. That will help. However, the presentations to the hospital on the weight of scale - that it takes into account the level of care as well as the number of patients - is increasing every year. Therefore, clearly, we have to put more beds into both that hospital and Alice Springs Hospital. We have announced that we are going to do that. It is up to my agency now to get the timing of that sorted out with the two hospitals.

The short answer to your question is yes, we need more beds; yes, we have promised we are putting more beds in. That will be done in conjunction with the hospital management.

**Mr CHAIRMAN:** Thank you, member for Nelson. On behalf of the committee, I would like to thank the minister for attending, as well as officers, to provide advice to members today.

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The committee suspended.

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## MINISTER HENDERSON'S PORTFOLIOS

### BUSINESS, INDUSTRY AND RESOURCE DEVELOPMENT

**Madam DEPUTY CHAIR:** I welcome the Minister for Business, Industry and Resource Development and invite him to introduce the officials accompanying him and, if he wishes to, make an opening statement on behalf of the Department of Business, Industry and Resource Development.

**Mr HENDERSON:** Thank you, Madam Deputy Chair. I would like to introduce Mike Burgess, Chief Executive Officer of DBIRD and also Bernard Ho, Chief Financial Adviser. Bernard has been in the job for 11 weeks, so he is right across it and I have every confidence that we will get all of the details right. Bernard, welcome to the department. Also, there is a team of departmental officers behind me. I will answer all questions in relation to policy but, in the operations of the department, I am keen to facilitate information back to the committee, so I will be calling on departmental officers to speak to the committee. I will make a short opening statement.

The Territory economy is one of the strongest performing economies amongst the Australian states and territories and, as business confidence continues to grow, supported by tourism, construction and the retail sectors, as Minister for Industry and Business, I am proud to say that the Department of Business, Industry and Resource Development is very much in tune with the needs of the business community. This ensures that all services delivered by the department meet the needs of industry, assisting growing the economy and attracting investment.

This government has worked hard on many fronts to improve the operating environment for business and industry. We have done this through our emphasis on lowering taxation, providing jobs and improving work force skills. We have delivered record tax cuts, including payroll tax cuts. The payroll tax free threshold has been lifted to \$1m from July 2005, and lifted again to \$1.25m from 1 July 2006. These changes make the Territory the lowest taxing jurisdiction in Australia for businesses with up to 100 staff from 1 July - something I, as business minister, am very proud of.

In order to best assist NT business to enjoy the fruits of such strong economic growth over the past year, the department has refocused its directions to five strategic areas around which it is aligning its programs for business and industry. Those five areas are: improving the operating environment for business and industry; developing business and industry capacity, capability and trade; stimulating indigenous economic development; promoting innovation, technological development and commercialisation; and supporting regional economic development.

In relation to, specifically, the outputs being addressed today, the Business and Trade Development Output provides a range of programs to develop business, industry capacity, capability and trade. This output includes our excellent Territory Business Centres. The business development programs include business growth, the trade support scheme, up-skills, and October Business Month which provides a

month-long program of workshops and seminars dedicated to help business grow their operations. This output also includes the Defence Support Unit.

The Policy Development and Coordination Output provides strategic information and advice relating to business and industry development and the Territory's Asian and international relations. This output delivers the business and skilled migration program, which provides assistance to employers and potential business and skilled migrants to strengthen, broaden and diversify the Territory's business and employment skills base. It also provides an economics program which, in the past year, has improved the amount of sectoral and other information available to assist Northern Territory business.

The Indigenous Business and Industry Services Output promotes the establishment and growth of indigenous business. Indigenous economic development is a key commitment of this government and this agency.

This ongoing and significant work undertaken by this department has confidently and consistently kept pace with a growing economy, the imperatives of sustainable economic development and the need to provide responsible and responsive programs to assist Territory business to grow and prosper.

I would like to make some opening remarks about how I will deal with questions relating to the portfolios covered by DBIRD and, more generally, about the department and its work to stimulate sustainable economic development.

Today, I will deal with all questions relating to whole of agency matters and address questions relating to Output Group 1.0, Development. The outputs covered are Output 1.3, Business and Trade Development; Output 1.4, Policy Development and Coordination; and Output 1.5, Indigenous Business and Industry Services.

Tomorrow, Minister Vatskalis will address Output Group 1.0, Development: Output 1.1, Minerals and Energy; Output 1.2, Primary Industry; Output 1.6, Fisheries; and Output Group 2.0, Management: Output 2.1, Minerals and Energy; and Output 2.2, Fisheries. I look forward to the committees' questions.

**Madam DEPUTY CHAIR:** Thank you minister. Are there any questions in regard to the minister's statement?

**Mr MILLS:** Yes, certainly. Before going ahead, the catch-all question: is that going to be the non-output specific ...

**Madam DEPUTY CHAIR:** We have Output Group 1.0, Development ...

**Mr MILLS:** Yes, that is where I intend to look at the over-arching ...

**Madam DEPUTY CHAIR:** You are looking at the broader ...

**Mr MILLS:** Yes, the broader brush and then chop through the Outputs 1.3, 1.4, 1.5 ...

**Madam DEPUTY CHAIR:** After that; that is right.

**Mr MILLS:** Fairly quickly. However, down the bottom there, is that ...

**Madam DEPUTY CHAIR:** The non-output specific budget questions ...

**Mr MILLS:** We will be coming to that ...

**Madam DEPUTY CHAIR:** We will get to that.

**Mr MILLS:** At the end of this section?

**Madam DEPUTY CHAIR:** At the end of this business section, yes.

**Mr MILLS:** Okay, thank you.

**Madam DEPUTY CHAIR:** So do you have any questions on the statement?

**Mr MILLS:** Yes I do, thank you, Madam Deputy Chair, and through you to the minister. Minister, what would you identify as the main issue that impedes economic development in the Territory?

**Mr HENDERSON:** Thank you, Mr Mills, that is an interesting question. Certainly, the major issue that is facing the economy at the moment is the skills base of the work force and finding enough people with appropriate skills in all sectors of the economy and all regions of the Northern Territory. It certainly is the No 1 issue that is affecting business in the current environment.

Individual sectors of the economy have had different issues and constraints in attracting investment. However, the challenges that I have laid to my chief executive and the department is for everybody in this department - and it is a very big and divergent department - to challenge themselves in the work that they do internally, and also the services that we offer the business community, to look to how we can attract additional private and sector investment in this economy. That is the key challenge facing the department because the economy is really going to grow substantially, by private sector investment, the climate around that to ensure that those investors get an appropriate return. That is the key to the private sector investment. Of course, various agencies in the department work on different sectoral problems.

**Mr MILLS:** Thank you, minister. Through the Chair, I accept that skills shortage is a significant issue in impeding development and appropriate advice and investment. However, I would assert beneath that is energy - energy to power industry. Would you agree that it is the cost of business, largely borne by the cost of electricity?

**Mr HENDERSON:** That is an interesting area that you want me to go down, Mr Mills. Certainly, business cost structures and the input cost to business is something that challenges every government. Energy costs *per se* is one of the elements impacting on economic growth in the Northern Territory. It is not the only element and, as a government, one of the reasons we have had such a significant tax reform agenda is to get the tax monkey as much as possible off businesses' backs. The fact that we do have the lowest taxing environment in Australia for business with 100 or fewer employees and those businesses make up about 92%, I think, of the Territory business portfolio in the Territory, is something we have worked very hard on. Certainly, we recognised bringing the cost of energy down is one component of growing this economy. However, it is not the only one and it would not have been served by extending a powerline to Queensland as was proposed by the opposition in the lead-up to the election. Unbelievable, Mr Mills!

**Mr MILLS:** I am not going there. What I want to ask you, though, in a priority and hierarchy of issues affecting and impeding economic growth in the Territory, how would you rank the cost of energy?

**Mr HENDERSON:** In terms of the different sectors of the economy -if you are talking about a manufacturing industry, the cost of getting mines up in remote parts of the Northern Territory - that would be right up there as one of the major issues. In regards to smaller businesses, there are other imperatives. It is, though, one of the major issues facing government. That is why we are working as hard as we can to get additional gas onshore from the Timor Sea to fuel Channel Island. That is one of the key priorities of the government.

**Mr MILLS:** Okay, so it is right up there in a group of about three or four?

**Mr HENDERSON:** It would be right up there, yes.

**Mr MILLS:** Three or four. That is skills shortage ...

**Madam DEPUTY CHAIR:** Mr Mills, I am going give fair bit of latitude on the statement.

**Mr MILLS:** You are. You have been very kind, thank you.

**Madam DEPUTY CHAIR:** If we could focus on the way we proceed in terms of outputs that would be good.

**Mr MILLS:** No, we are dealing with development. What drives development is energy.

**Madam DEPUTY CHAIR:** No, no. We are on the statement at the moment. If you want to go on to development, we will move off the statement.

**Mr MILLS:** Oh, okay.

**Madam DEPUTY CHAIR:** Do you want to move off the minister's opening statement on to development?

**Mr MILLS:** Yes, my apologies. I thought that we were beginning business.

**Madam DEPUTY CHAIR:** No, no I have not actually even officially started the output groups.

**Mr MILLS:** Good statement, thank you.

**Madam DEPUTY CHAIR:** Okay. Lovely.

**Mr HENDERSON:** We will talk about that powerline in a minute.

**Madam DEPUTY CHAIR:** We will go back to the powerline.

#### DEPARTMENT OF BUSINESS, INDUSTRY AND RESOURCE DEVELOPMENT

**Madam DEPUTY CHAIR:** The committee will now consider the estimates of proposed expenditure contained in the Appropriation Bill (No 2) 2005-06 as they relate to the Department of Business, Industry and Resource Development.

#### OUTPUT GROUP 1.0 - DEVELOPMENT

**Madam DEPUTY CHAIR:** I will now call for questions on Output 1.0 Development. Shadow Minister.

**Mr MILLS:** Thank you. What I should have said earlier, as I charged off, was thank you for your attendance. It is good to have support staff in attending to what really is the engine that drives all good things that we want in the Territory, which is small business, industry and development.

All of those questions I asked before about what is the highest priority in releasing the potential of economic growth in the Territory, I would say - and I do get out there and talk to people, as you often urge us to, minister - they often identify as their core energy, the cost of doing business and the cost of electricity. I will come to where I was going next. Will gas come onshore, minister?

**Mr HENDERSON:** I can speculate and hypothesise, but we are dealing with the DBIRD budget in this process and this agency is not the lead agency. It does not have any role at the negotiating table between Power and Water, Office of Territory Development and the potential gas suppliers out there. Therefore, I am reluctant to speculate. I am not trying to be evasive here, Mr Mills, but it really does not have anything to do with the allocations and programs that are being provided by this agency, or this agency having any input into those negotiations that are taking place between other government agencies and those gas providers.

Certainly, as business minister, I am well aware that energy costs are a key issue for business and industry in the Territory.

**Mr MILLS:** Right, and gas is coming onshore?

**Mr HENDERSON:** Again, I am not here to speculate. Power and Water is the appropriate agency to be asking those questions of. The government is in negotiations with a number of providers of gas from the Timor Sea. However, the detail of what and when and how should really be directed to another minister who has carriage of those.

**Mr MILLS:** Right. Your Chief Minister, I thought, would have given you some confidence ...

**Mr Henderson:** I have every confidence.

**Mr MILLS:** ... in asserting that, 'Read my lips: gas will come onshore'.

**Mr HENDERSON:** Well, it already is. There is a very big LNG plant being constructed at Wickham Point right outside of my window that everyone can see from Stokes Hill Wharf and other vantage points around Darwin. That is being fuelled by a significant gas pipeline from Bayu-Undan, so the gas is coming onshore.

**Mr MILLS:** Correct. How much of that gas is being used to reduce the cost of electricity in the Northern Territory?

**Mr HENDERSON:** Again, you can ask those sorts of questions, but it really has nothing to do with this particular agency and the budget allocations that we are talking about here.

**Mr MILLS:** I will not be putt off so easily. I do get out there and I talk to people about the cost of electricity.

**Mr HENDERSON:** Can I say, Terry, Mr Mills, that is one of the reasons why you are still with us, because you do get out there and talk to people. Congratulations on holding your seat.

**Mr MILLS:** Oh, shucks! I do not know what to say now.

**Members** interjecting.

**Mr HENDERSON:** We came into the parliament together, and I know that you do get out there, Terry.

**Madam DEPUTY CHAIR:** I am very pleased with all this camaraderie. I would like to point out, at this stage, that questions on Territory development come under the Chief Minister's portfolio. Power and Water GOC is on Thursday, so if those questions are appropriate, direct them there. If we could pursue with Development, that would be good.

**Mr MILLS:** Okay. I have to ask, did you know, before 18 June, that the trans-Territory pipeline and Blacktip was at great risk?

**Mr HENDERSON:** I can put my hand on my heart, Mr Mills, and say the first that we heard that the negotiations had broken down was when the announcement was made to the Stock Exchange. That was the first time that I heard it.

**Mr MILLS:** You need to come out with me. I walked up and down Mitchell Street the week before and everyone was talking about it.

**Mr HENDERSON:** Well, there you go.

**Mr MILLS:** In light of the effect of that decision, or that result, on the confidence of Territory business, and how you are going to construct and rearrange your policy initiative, what forward projections need to be adjusted in the light of this project's failure in policy adjustment and the way you were going to conduct your business in the light of that significant change - a reduction of hope and expectation with regards to the flow-on economic benefits to the development of the Territory through gas coming onshore from Blacktip?

**Mr HENDERSON:** If you are talking about this agency, and the areas that I have carriage of, we will continue with our existing policies and programs. Regarding confidence amongst the business community, I can say that the latest Sensis Business Index showed that Territory businesses were the most confident in the country. Even outside of a final sign-off on that and other developments, people are investing here, so I do not believe that there is going to be a significant impact on investor confidence in the Territory economy as a result of that particular isolated decision. Other opportunities are going to arise. Territory business is investing, is getting good returns, is employing people, without that project being essentially committed to. In terms of this particular agency and outside of the Resource Development side, which minister Vatskalis has carriage of, I do not believe that we will be adjusting our programs and strategies significantly at all.

**Mr MILLS:** I think you are understating the significance that that project, and what it meant to the development of the Territory, principally in providing us with an alternate energy source.

**Mr HENDERSON:** It really is not my task today to speculate on that. As I said, there are discussions taking place as we speak in regards to a number of potential energy providers. There is 22 trillion cubic feet of gas in the Timor Sea that is proven, and commercial discussions are taking place between the appropriate agencies and those producers.

**Mr MILLS:** You used the reference to Sensis to demonstrate that Territory businesses are confident in the future. I believe that is a great testament to the quality of the people who operate small businesses in the Territory; in spite of difficult times, they continue to stand and have a buoyant attitude towards the

future. However, you omitted to say that, in that same Sensis Business Index, their support for the Labor government's policies is running at a record low of minus-18%. You need to square it up a bit.

**Mr HENDERSON:** I do not think it is a record low; I can remember it when it was a bit lower than that. That is why I have a few grey hairs, more than I had when I took the job on. John Howard's approval rating in the same survey is only 2% or 3% higher than this government's. We are not at the bottom of the pack. I think we are travelling around the middle of the pack on that particular indicator. Territorians, including many Territory business operators, have just voted in an election, and the results were in the ballot box. Regarding whether the Territory community has confidence in this government's carriage of the economy and all levels of service delivery over the next four years, it has been a resounding yes.

**Mr MILLS:** I accept the electoral return. However, just as we, as a party, have faced a result that we are required to look at very humbly and respond to appropriately, I would expect also that we would have a response to a figure such as that ...

**Mr Henderson:** Can I say ...

**Mr MILLS:** ... and respond to that genuinely and in a manner that indicates that you understand what it is that business is saying to you. They are having an incredibly difficult time and have little or diminished confidence in this government's policies.

**Mr HENDERSON:** I say with all respect, Mr Mills, that I do pore over those reports every quarter when they come out. We certainly do adjust government's policy, in a large part, to feedback the government gets - not only through the Sensis business confidence survey, but also the Chief Minister's Business Round Table, the work that I and other ministers do in dealing with the Territory business community, and the advice that I get from the departments. Areas such as taxation, procurement reform and the service delivery programs being provided by this agency are, to the nth degree, determined by information that we get back from the business community. I do not have the numbers with me. If you actually look at that indicator we are travelling better than quite a number of the states. I would still like that to be higher. I do respond to it and, if you look at the Prime Minister's rating, I think he is only 2% or 3% ahead of where the Territory government is. We do take those indicators very seriously, and we do adjust policy and programs as a result of that and other sources of feedback.

**Mr MILLS:** I look forward to the day, quite genuinely, for the sake of the development of the Territory, that that indicator is positive ...

**Mr HENDERSON:** So do I.

**Mr MILLS:** ... because then, it is not so much a supporter of the government, it is a supporter of the policies which will release their potential, which flows on to employment. I would like to depart a little from this line and go to some issues that, basically, provide some information.

Minister, through the Chair, could you please provide a list of all the consultants the department has used during the last financial year?

**Mr HENDERSON:** Yes, we can do that, and we can table that. We will table that, Terry.

**Mr MILLS:** What is the procedure for tabling?

**Madam DEPUTY CHAIR:** Literally, the minister passes it to one of the officers of the Assembly.

**Mr MILLS:** Well, in the seven hours yesterday with Mr Stirling, I was unsure whether they were actually tabled.

**Madam DEPUTY CHAIR:** They were being tabled.

**Mr MILLS:** You kept an eye on it, did you?

**Madam DEPUTY CHAIR:** Absolutely.

**Mr MILLS:** Because I will be trawling through *Hansard* to make sure.

**Mr HENDERSON:** Oh, look, we even have numbers of copies we have printed. See? I have a very efficient department, very officious department - it is a very good department; very responsive.

**Mr MILLS:** In there also, minister, I presume it would outline the cost to taxpayers of those consultants?

**Mr HENDERSON:** Yes.

**Mr MILLS:** Yes, good. Could you please provide details of the costs of all publications produced by this department in the last financial year?

**Mr HENDERSON:** I think we have that as well. Mr Burgess.

**Mr BURGESS:** Mike Burgess, Chief Executive Officer. Just give me a second and I will get to it. We have the costs in three areas which are promotion, advertising and publications. The total cost for the agency of those three items in 2004-05 was \$954 384.

**Mr MILLS:** How does that compare with the year before?

**Mr BURGESS:** It is about \$100 000 less.

**Mr MILLS:** So this year was less than last year?

**Mr BURGESS:** Yes.

**Mr MILLS:** That is to date?

**Mr BURGESS:** That was to end of May, so it would be about *pro rata*.

**Mr MILLS:** All right.

**Mr BURGESS:** *Pro rata* around about the same.

**Mr MILLS:** Was there more spent on promotion in that allocation?

**Mr BURGESS:** The figures for promotion in 2003-04 - do you want the two year comparison?

**Mr MILLS:** Yes, please.

**Mr BURGESS:** In 2003-04, \$544 000 and in 2004-05 \$552 000. So there is ...

**Mr MILLS:** I am still puzzled. How is it that our letterboxes were filled with so much material and I cannot work out where it has come from? We have been to the Treasurer, the Chief Minister; I thought we would find it here.

**Mr HENDERSON:** All our stuff was authorised during the election campaign. So if you are trying to run a line that ...

**Mr MILLS:** You have done a remarkable job.

**Mr HENDERSON:** If you a trying to run a line that somehow the department was involved in the election campaign - I hope you are not running that line because it is not true.

**Mr MILLS:** No, I am not running that line. I am just trying to work out where all these promotional materials came from ...

**Mr HENDERSON:** Such as?

**Mr MILLS:** Sorry?

**Mr HENDERSON:** Such as? Like on the economy?

**Mr MILLS:** Yes, like on the economy; how wonderful the budget is; smiling faces of ministers; glossy brochures ...



**Mr HENDERSON:** We do not do a very strong line in glossy brochures. We will have to do a bit more in that regard.

**Mr MILLS:** Some one was doing it, but anyway.

**Madam DEPUTY CHAIR:** Can we ...

**Mr MILLS:** Yes, we will move on. Could you provide details of any information on costs associated with faxing out publicity to businesses in the last financial year?

**Mr BURGESS:** I do not think I have that detail for that. However, the amount of faxing that the agency does as a means of communication is very small. It would be limited to notification of meetings and things like that. As a general mechanism it is not used widely.

**Mr MILLS:** Okay, I will move on. Could you please provide costs and details of all events sponsored by this department in the last financial year?

**Mr HENDERSON:** Do we have that one? What sort of thing are you looking for in terms of events? Like the show circuit or ...

**Mr MILLS:** All events that were sponsored by this department?

**Mr HENDERSON:** Sponsored. We sponsor a lot ...

**Mr MILLS:** Even events here in Parliament House

**Madam DEPUTY CHAIR:** A point of clarification on that. Ministers come under the Chief Minister's portfolio, the department was ...

**Mr HENDERSON:** Protocol.

**Madam DEPUTY CHAIR:** The Speaker tabled a list of the ...

**Mr MILLS:** All right, that is a good call ...

**Madam DEPUTY CHAIR:** ... of departmental breakdown for functions at Parliament House.

**Mr MILLS:** Okay. The department, not the minister.

**Mr BURGESS:** We have a listing of hospitality expenditure. In terms of events, we do sponsor conferences, and all those sorts of ...

**Mr HENDERSON:** October Business Month.

**Mr BURGESS:** October Business Month, all those sorts of things. It is possible for us to accumulate that in the way that you like, but we do not ...

**Mr MILLS:** You do not ...

**Mr BURGESS:** I do not think we have that in one lump. However, we would be happy to provide information in the way that you want it if you can be clear about that.

**Mr MILLS:** Yes, I would like to have a report on that level of activity. I am happy to take that on notice and have it provided later.

**Mr BURGESS:** There are some things that we can read out now if that would be of assistance. If I just go to hospitality expenditure first to give you an indication of the hospitality that we provide for visiting delegations and those types of things. There was a total of \$71 000 spent on official entertainment in the 11 months to 31 May 2005 ...

**Mr MILLS:** Do you have a comparative figure there?

**Mr BURGESS:** No, we do not. It was not captured in that way last year, but it will be from now on. In sponsorships for things like NT Show Council, Engineers Australia, Chamber of Commerce, for regional expos, the total figure in the current year is \$258 831.

**Mr MILLS:** All right. Will I be getting that list later on?

**Mr BURGESS:** Yes, sure, certainly. We can provide you with a list of both.

**Mr MILLS:** Thank you.

**Madam DEPUTY CHAIR:** I just wanted to interrupt for a second, in the sense of chairing. Do you want that as a question on notice or will you be able to get that information back within this session ...

**Mr HENDERSON:** It is just a matter of photocopying that particular page - today.

**Madam DEPUTY CHAIR:** Okay. So that information will be brought back through the session so we do not need have to take it on notice.

Just a further clarification. Mike, you have been fantastic at normally saying your name but Hansard just put through another request that people actually announce who they are when they are speaking. If you can do that regularly, that would be great.

**Mr MILLS:** It may have been contained on that sheet, minister, but the cost of holding each Business Round Table?

**Mr BURGESS:** We do have a cost on the total for the year, and I believe that was approximately \$90 000 for the year.

**Mr MILLS:** How many of them were held?

**Mr HENDERSON:** Ten, wasn't it?

**Mr Burgess:** I have a separate briefing on it.

**Mr HENDERSON:** Yes, 10.

**Mr MILLS:** Ten of them?

**Mr HENDERSON:** Yes. December and January, we don't do them, but every other month.

**Mr MILLS:** One per month.

**Mr HENDERSON:** Yes.

**Mr MILLS:** Are these the only Business Round Tables that are conducted?

**Mr HENDERSON:** Well, it is the Chief Minister's Business Round Table, which was a commitment of the Chief Minister that my department manages. However, there are many other formal and informal gatherings. Mike.

**Mr BURGESS:** As well as the Chief Minister's Business Round Table, of course, there are any number of meetings that we organise on behalf of the minister with the Chamber of Commerce and other business associations. I have a meeting about every five to six weeks with industry association heads where we discuss current issues. We also regularly invite the Chamber and others along to our business planning sessions so there is activity continuously in engagement.

**Mr MILLS:** That would be reported in the annual report?

**Mr BURGESS:** In the 2003-04 annual report, we had a specific section dealing with our external relationships, and we will be doing the same again.

**Mr MILLS:** Do I presume by that that it is not in the current annual report?

**Mr BURGESS:** No. We have not drafted the annual report yet.

**Mr HENDERSON:** Further explanation there, Mr Mills. Depending on the various things that you are working on - for example, the trade strategy. There is a Trade Implementation Group that the department chairs in monitoring progress towards that. The same with manufacturing and services, depending on what we are working on at the time. However, this is an agency that does very formally and informally communicate with business associations and individual businesses all the time. It is their core business.

**Mr MILLS:** I may come back to some of those detailed questions later, but now I will turn back to economic development ...

**Madam DEPUTY CHAIR:** Can we go on to Business and Trade Development, which is output 1.3?

**Mr MILLS:** No, no. We are still at Output 1. Out of development, of course, will flow trade. What, minister, in your view, drives trade?

**Mr HENDERSON:** Where do you start? I suppose if you are really looking at the trade environment globally, obviously, free trade agreements and those types of vehicles where the Commonwealth government, at a national level, seeks to either broker bilateral free trade agreements or through the United Nations and various round multilateral trade negotiations, they play an important part in the free flow of investment and goods across international borders. That is at one level. The department, through the Policy Unit, and the government, is involved in those discussions at senior level. At that level, those relationships are very important.

In being able to access particular markets, if you are looking at trade in goods as opposed to trade in services, transport links are very important. In shipping and air links, it is pretty hard to penetrate international markets if you do not have ready access to reliable and cost-effective transportation. Getting those transport links is vitally important to opening up markets.

The reality is there has to be a hunger from businesses in the private sector to actually want to go and explore international markets. As a government, through the Trade Support Scheme and other mechanisms, we continuously work with individual companies and industry associations and peak bodies to work with their members to understand where those particular targets might be. The government also works closely with Austrade and other Commonwealth bodies to look at intelligence coming from those markets as to where there might be potential opportunities. Through the free trade agreement, we are certainly exploring opportunities. Intelligence that we gather through individual businesses, the department, and Austrade is assessed, and the capacity of the Territory business community to actually provide goods for export into that marketplace, or services, is certainly something that we work with individual businesses and also with the business community.

**Mr MILLS:** Well, thank you for that. Just at the end you referred to the need to have something to trade, therefore, that implies that we must have a strong industry and manufacturing base, which is contingent upon cheaper energy, for example, so that we actually can drive and grow our local industry so, therefore, trade results from that - rather than to focus on shipping routes and rail, which are simply there to serve industry. If we do have strong development, the trade routes will be there.

You referred to free trade agreements. Looking back at the transcript from last estimates, you said that investment in the NT from the US resulting from the free trade agreement was something worth going after. Minister, did you visit the US?

**Mr HENDERSON:** No, not in the last 12 months, but it is something that we have been doing work with, with the US Consul in Victoria, in looking at those opportunities. There is work being done but, no, I have not visited the US in the last 12 months.

**Mr MILLS:** In going after this target, this opportunity that resulted from the free trade agreement, did you set any investment targets?

**Mr HENDERSON:** It has not been a priority in the last 12 months. The priority has been establishing further intense relations with the BIMP-EAGA region. That has been the real target of the last 12 months. I am very pleased to see that, as a result of those efforts, our status within the BIMP-EAGA region has been significantly enhanced and improved. There have been a number of business delegations between the Territory and the region in the last 12 months, and very significant opportunities opened up as a result of

that for individual businesses. That is where the priority has been. In terms of the US free trade agreement, there is work being done in that area, but it has not been a priority in the last 12 months.

**Mr MILLS:** I will get to BIMP-EAGA shortly. There were no targets set, and you are not able to report on any investment from the US into the NT, based on your comments at estimates 2004?

**Mr HENDERSON:** We set targets in the trade strategy for significant increase in the volume and value of international investments and exports. We are tracking against those targets and we are doing pretty well in that regard. However, in terms of the US, as I said before, it has not been a priority in the last 12 months.

**Mr MILLS:** What investment has the Territory received as a result of the free trade agreement with the US?

**Mr HENDERSON:** It is very early days in that free trade agreement. These things do not happen overnight. We have ConocoPhillips, which is making a major investment in the Wickham Point gas plant. That is a major, multinational corporation that is now doing significant business in the Northern Territory. As I have said, part of the strategy of this government is to work with our business community.

In US trade, off the top of my head, we are exporting barramundi to Miami through a couple of very good business operators in Humpty Doo, and other potential markets are being looked at. The reality is, in exporting goods to the US, we are constrained by transport links. However, there are individual Territory businesses that are doing good business in the US. We are also looking at a couple of other areas. If Territory businesses come to us to seek assistance in developing those markets, we will certainly help them, as we do with the Humpty Doo barra operation.

**Mr MILLS:** I will move on, because we could spend a fair amount of time there.

Last estimates, minister, you identified three initiatives designed to build business. I will not test you and ask what those three were that you identified last time. It was the trade support scheme, the trade strategy and the manufacturing industry strategy. I will start with the trade support scheme. What specific, measurable objectives were set for the trade support scheme?

**Mr HENDERSON:** Okay. If you go to trade strategy, objective No 1 was to lift the overall value and volume of Territory non-oil exports by 40%. I can say today that the value of those exports has increased almost 12% since the commencement of the International Trade Strategy in January 2002.

We are also seeking to increase the number of Territory enterprises participating in, or contributing to, international trade by 25%. The proportion of Northern Territory small and medium enterprises exporting rose 18% in the May 2005 Sensis Business Index. The number of businesses that export goods of NT origin have grown from 129 in 2002-03 to 226 in 2003-04. The department does track outcomes against those targets, and we are certainly well on the way to achieving those targets that we set for 2007.

**Mr MILLS:** The exports - what did you say, 40%? Increased by 40% for non-oil?

**Mr HENDERSON:** The overall value and volume of non-oil exports. A lot of the trade figures are skewed by Laminaria oil and gas. We are really looking at the commodity and the services sector, and that has increased 12% since the commencement of the strategy in January 2003.

**Mr MILLS:** Can you break that down for me and provide me with some detail of exactly what is being referred to in that 12% increase?

**Mr BURGESS:** We can get you that detail. We do not have it with us at the moment. In effect, that might be the sort of thing that would be useful in a briefing.

**Madam DEPUTY CHAIR:** So, just to clarify that, is that a question on notice, or can you get it back to the shadow during the session?

**Mr HENDERSON:** I am happy to take it as a question on notice.

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**Question on Notice**

**Madam DEPUTY CHAIR:** For the purposes of the question on notice process, shadow minister, can you restate the question?

**Mr MILLS:** I request a specific and detailed breakdown of the 12% increase in non-oil exports.

**Madam DEPUTY CHAIR:** Minister, you accept that?

**Mr HENDERSON:** Yes.

**Madam DEPUTY CHAIR:** I allocate question No 5.1 to that question.

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**Mr MILLS:** Trade strategy. You set a target of 50 000 containers per year by 2007. What has been achieved in the last four years?

**Mr HENDERSON:** Certainly, that is one the key objectives. A fair amount of work - in fact, a significant amount of work in terms of the Darwin Port Corporation, Office of Territory Development, and my department - is going into developing that shipping strategy. One of the key targets that we are pursuing at the moment is the Balikpapan region in East Kalimantan, a region I have visited twice in the last eight months, I think. Recently, a delegation of 13 businesses have been to Balikpapan for the trade expo and, I think, representatives from Balikpapan are coming to the Territory Expo this year.

The significance of that region is that it is one of the major mining and resource regions in Indonesia, experiencing a significant boom as a result of the growth of China ...

**Mr MILLS:** A point of order, Madam Deputy Chair! In the interests of time. We get berated as an opposition for not managing our time, and I really want to know whether where you are going, minister, is taking us to an answer to the 50 000 containers across our port per year in 2007.

**Madam DEPUTY CHAIR:** Shadow minister, there is no point of order, as you well know. The ministers are able to answer the question in the way they see fit within the parameters, obviously, of the question. The minister is doing that. There is no point of order.

**Mr HENDERSON:** The detail of the trade strategy is a government objective, but the carriage of the AustralAsia Trade Route, and working towards that target, is really the Chief Minister through the Office of Territory Development, Darwin Port Corporation at the table. In a detailed briefing of specifically how many containers over the port as of the last 12 months, I do not have that information in front of me here, but we could get it for you.

**Mr MILLS:** You really do not? This is something that is contained in your documents and most people out there know this is your goal, this is where you are headed, but you do not know your score?

**Mr HENDERSON:** As I have said, in the way responsibility for this strategy is apportioned across government, that is with the Chief Minister. My department is certainly playing a very strong role in trying to achieve imports to and exports from the Northern Territory. However, specifically, how many containers, is an easy answer to get; I just do not have it with me at the moment.

**Mr MILLS:** I will take that on notice.

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**Question on Notice**

**Madam DEPUTY CHAIR:** Okay. Restate the question, please, shadow minister.

**Mr MILLS:** Government has set a target of 50 000 containers per year by 2007. What is the score in 2005?

**Mr HENDERSON:** I am happy to take that on notice, even though it is not my agency.

**Madam DEPUTY CHAIR:** I am allocating No 5.2 to that question on notice.

**Mr MILLS:** Trade support scheme launched in 2003; please detail the actual exports that have resulted from the scheme.

**Mr HENDERSON:** It has been a very popular scheme that is fully subscribed. As I have said before - and I am sure we can get the details - there was a 75% increase in the number of businesses which export goods of NT origin, from 129 in 2002-03 to 226 in 2003-04. Whether it is appropriate - and I will check with my chief executive to actually detail the names of individual businesses and what they are doing, as there would be some privacy and commercial-in-confidence issues ...

**Mr MILLS:** I do not need to know the names of businesses, but perhaps could get a confidential briefing later on. I am obligated to know whether you are actually achieving your objectives.

**Mr HENDERSON:** I am happy to prepare that detailed confidential briefing. This is not misleading. We do track the number of businesses. There is a strong reporting and feedback requirement as a result of getting access to government support; businesses to have to report back six monthly, 12 monthly on what they are doing. Like I say, a 75% increase, but happy to prepare a confidential briefing for you to that regard.

**Mr MILLS:** A 75% increase on what?

**Mr HENDERSON:** When we started the scheme back in 2002-03 there were 129 business exporting goods of NT origin. That has grown to 226 in 2003-04.

**Mr MILLS:** That is the number of businesses involved in exporting?

**Mr HENDERSON:** Yes.

**Mr MILLS:** So, in that briefing ...

**Mr HENDERSON:** ABS figures.

**Mr MILLS:** Okay. Well, Treasury does not like them.

**Mr HENDERSON:** As I say, in terms of confidentiality - and I certainly respect that you would keep information confidential - we can give you those details.

**Mr MILLS:** It is not so much the names and addresses of which businesses are involved, although I certainly would be interested in that, but when you tell me that there are many more businesses, the actual volume of trade has also increased?

**Mr HENDERSON:** Yes, the volume and value are almost 12%. We have more Territory companies exporting, and the volume and the value of the goods they are exporting has also increased by 12%. We can provide you with the details of those in a briefing.

**Mr MILLS:** All right. You may remember, I think it was about 2003, there was some activity from opposition directed to you and your government for non-attendance at a significant ASEAN meeting in Bali. At that time, you deflected it by saying: 'Our primary focus is with BIMP-EAGA, and that is where we will be putting our efforts'. You also referred to that just a little while ago. Please detail the specific outcomes of that strategy in terms of trade into and out of the Territory.

**Mr HENDERSON:** In terms of reference of the ASEAN meeting in Bali, as it was, we took very strong advice from Austrade and also from Dr Franz Seda, who is our representative in Jakarta, in whether there would be any benefit to us attending that particular affair. The advice that we got back was that, no, there would not be, and that is why we did not go.

However, in regards to BIMP-EAGA, it has been very successful. There are a number of Territory businesses that are exporting to the region that were not exporting in 2002-03 as a result of a number of trade delegations into the region. There was one just a few weeks ago to Balikpapan. The strategy is to further increase the Indonesian Customs pre-inspection service that we have in Darwin, currently focused on Eastern Indonesia, to accommodate all of Indonesia. If we can do that, we have a very strong

competitive advantage in promoting the Port of Darwin and freight that currently goes to Indonesia via the ports in the eastern states to come up the railway, through the Port of Darwin, pre-inspected through the Indonesian Customs pre-inspection service. I am in dialogue and discussion. I have met with the Indonesian Finance Minister on a couple of occasions, and I am waiting for his response.

Regarding Balikpapan, as I said, one of the reasons this is particularly exciting is there are a number of major Australian companies that are involved in East Kalimantan and finding it very difficult to supply those operations in a remote part of Indonesia out of Perth and Melbourne. A couple of exciting opportunities are emerging as a result of four visits made by government departmental officers, myself and individual businesses in the last 12 months. There is growth of individual businesses exporting.

Another opportunity we are chasing down very hard at the moment is the Tengguh LNG plant that is being built in West Papua. Again, agents of my department have been talking to key players over the last 18 months regarding securing some supply and servicing of the Tengguh LNG plant from Darwin.

**Mr MILLS:** Thank you, minister. You would probably understand and appreciate from opposition that all of that is good; I would expect that sort of activity, level of visitation, meetings and so on. The reference to an increase – I was after a specific figure demonstrating that we have achieved real objective outcomes that benefit the Territory community. What has resulted from your engagement with the BIMP-EAGA region, which was a key focus within the region? Give me something I can measure.

**Mr HENDERSON:** I am giving you numbers of businesses that are exporting and the value and volume of trade. I do not know whether we can break that down to particular regions. However, another opportunity that we are progressing, and I am very pleased that we will be able to launch this, is the concept of a virtual one-stop shop for ...

**Mr MILLS:** Can I halt you there? I do appreciate that you have the privilege of wandering, but ...

**Mr HENDERSON:** I was very specific.

**Mr MILLS:** I know it is linked, but the opposition has limited time.

**Mr HENDERSON:** Okay. We will give you a detailed briefing.

**Mr MILLS:** I am seeking the use of estimates to do my job. You have identified BIMP-EAGA as a key focus. You have just indicated that you do not have the measuring capacity within your department to determine whether you are actually achieving anything within that key identified region.

**Mr HENDERSON:** No, I did not say that. I said there are individual companies that are (a) currently exporting, and (b) seeking to export. I am not going to name those companies ...

**Mr MILLS:** No, I am not asking them for their names. I want to know how you are going with ...

**Mr HENDERSON:** ... but we do have that information.

**Madam DEPUTY CHAIR:** Just one moment, shadow minister.

**Mr MILLS:** Yes.

**Madam DEPUTY CHAIR:** When the minister is answering, let him answer. You are continually interjecting. I have given you a lot of latitude because I want this session to flow, but I will point out that your interjections to the minister have not been helpful and I will start to pull you up on it.

**Mr MILLS:** Fine, but ...

**Madam DEPUTY CHAIR:** Right.

**Mr MILLS:** ... from the point of view of opposition, for the last two estimates, we get canned at the end for not managing our time well. I have a job to do.

**Madam DEPUTY CHAIR:** Interjecting is not good time management, and that is my role as Chair, to point that out.

**Mr MILLS:** Okay, that issue does not cut both ways?

**Madam DEPUTY CHAIR:** What I am saying is ...

**Mr MILLS:** All right. Pull me up, and I will do the best I can.

**Madam DEPUTY CHAIR:** Okay. For time management purposes to allow the flow, the minister will answer. When he has finished answering, you ask a question. That is how it proceeds.

**Mr MILLS:** One day, may you be in opposition.

**Madam DEPUTY CHAIR:** And one day, may you understand that good process brings good results.

**Mr HENDERSON:** To be helpful, we can provide that, but we also keep figures - and they are up on the Internet - of those particular countries of Brunei, Indonesia, Malaysia and the Philippines, and goods by various categories, year on year, that are being exported to those countries. We do keep track of those things. However, in specific targets for BIMP-EAGA, as per specific targets in the trade strategy, we have not set that. Those targets are accommodated in the strategy. BIMP-EAGA is one of the focus areas, and there are successes and achievements by individual companies in those areas. However, those figures, of whether it is up or down, are public domain information off the departmental web site for those particular punters.

**Mr MILLS:** I accept that. The reason I am asking this is as a result of your own words, when you said to the Territory community: 'We will take full advantage of our relations with this group, BIMP-EAGA, and increase our involvement to create some real and positive outcomes for Territory companies'. All I am asking is, what are they?

**Mr HENDERSON:** I have just told you. There are a number of companies ...

**Mr Mills:** There are a number.

**Mr HENDERSON:** ... and I am not going to rattle them off here - that, as a result of this government's efforts, are now exporting to those BIMP-EAGA countries. We can debate that more in a briefing, but I am not going to parade commercial-in-confidence ...

**Mr MILLS:** I am not asking for that, you know I am not. It is a bit like, if I were to ask you, how was your day? 'Oh, good thanks'.

**Mr HENDERSON:** What are you asking for?

**Mr MILLS:** Detail. How many? You have identified this area as a key area. What is the result?

**Mr HENDERSON:** We can get back to you with how many. I do not have that information in front of me, but we can get back to you with how many.

**Mr MILLS:** Okay, thank you. You are saying you do not have it here, even though you have identified BIMP-EAGA as an area of focus, you do not have any ...

**Mr HENDERSON:** Yes. Out of those 226 businesses, quite a number would be exporting to the BIMP-EAGA region, but I do not have that broken down.

**Mr MILLS:** I need more information, minister, and that is what estimates is for.

**Mr HENDERSON:** Absolutely, and we will give it to you.

**Mr MILLS:** All right. Well, I suspect it is going to be the same here. Reading the words spoken by the Chief Minister and the Minister for Asian Relations and Trade, when the Chief Minister went off to China: 'to promote trade and investment in the Territory'. That is fantastic, and a round of applause from all of us. We want to see those outcomes. What trade has resulted from this promotional visit?

**Mr HENDERSON:** Again, the answer would be similar to the previous ones. There are individual businesses that are taking advantage of those visits; a number of them being Chinese entrepreneurs here in Darwin. Some are more forthcoming than others in what their business activities are. Again, within the



confines of a confidential briefing, there are a number of Darwin-based businesses that are following up on those opportunities.

**Mr MILLS:** Once again, you followed this China visit up. You said you were going to follow up on the leads established by the Chief Minister. So, in the following up of the leads established by the Chief Minister, I presume that we can hear that things went really well, but we do not have any demonstrable results from it, other than the assertion that you all had a darn good time, and you had some nice meetings.

**Mr HENDERSON:** No. We can certainly see the Hai Win shipping service that is now in place and has worked to further develop those north/south shipping links between Darwin and China; whether they are direct or whether they are via other regional ports. That work is progressing as per the trade strategy. There are certainly a number of businesses that are following up those links and, again, within the confines of briefings, there are also some Chinese business people who are seeking to invest in the Northern Territory as a result. Again, it is not for me to parade that information here in public.

**Mr MILLS:** You know I am not after the names and addresses of who is doing what. It is an aggregated result so that we can measure performance against rhetoric and assertion. That is our job.

**Mr HENDERSON:** The information is collated in the public domain, year on year. People do not ring up Hendo's office and say: 'I am off to China ...

**Mr Mills:** This is estimates, minister.

**Mr HENDERSON:** ...and I am doing business with so and so, and when I get back I will tell you all about it'. Business does not work like that. They do not tell the department either.

**Mr MILLS:** You set a strategy. You make a claim on what you are intending to achieve and, other than your assertion that you are making some progress and you are meeting people, we do not really know whether you are actually making any gains or not. We need to know.

**Mr HENDERSON:** We have an increase of 12% in the volume and value of trade. We have a 75% increase in the number of businesses that are exporting. There is the result on the page, and I am not going to go any further regarding individual businesses.

**Mr MILLS:** No, I will not use any more time on this issue. With the focus on BIMP-EAGA, why have you closed the office in Sabah which is, I understand, the regional ...

**Mr HENDERSON:** That was closed three years ago.

**Mr MILLS:** Yes, but you had, about three years ago, identified BIMP-EAGA as a key focus for your strategy, and closed the office in Sabah, which is the administrative hub for BIMP-EAGA, to my understanding.

**Mr HENDERSON:** We use consultants when we need to use consultants. We also use Austrade and other Commonwealth agencies and the BIMP-EAGA secretariat. We did a review of that particular position; it was not delivering for the Northern Territory taxpayer. That is the decision that we took.

**Mr MILLS:** Okay, I will check. That is why these figures are really important; whether your strategy is working. It is not to do whether you are a jolly good fellow; we are actually here to serve the public and the development of the Territory.

**Mr HENDERSON:** Yes, absolutely. I accept that.

**Mr MILLS:** Okay. I will be seeking those briefings.

The Bureau of Transport and Regional Economic's report on Australian sea freight statistics rates Darwin at 39 - this is out of 70 - between Useless Loop in WA and Karumba in Northern Queensland. Given that the greater share of port activity is associated with oil and gas supply vessels and project cargo associated with Wickham Point LNG, what are you doing to attract greater use of the port?

**Mr HENDERSON:** I will give you one clear example that we have had specific involvement in; that is, customs and quarantine issues. If you have been talking to the business community customs brokers - people who export over the wharves of Darwin - there was a very significant issue in regards to

quarantine regulations that the previous government had put in place in relation to the giant African snail and other particular pests that were over and above what was required by AQIS. When that particular information was brought to me and government, we very quickly addressed that issue. It was a very key impediment. As I was talking to customs brokers, importers, people overseas, the Port of Darwin was seen very much at a significant disadvantage as a result of that requirement that was previously imposed - something very specific, very tangible.

We are also having direct negotiations - and again, the carriage of that is not through my department, but through the Office of Territory Development - with a number of shipping lines. Over the weekend, we had people in town who are very much looking to use shipping routes through to Indonesia. A number of those potential opportunities are being progressed with shipping lines which are currently here in the Territory. I cannot divulge who those people are, but they are being actively pursued.

**Mr MILLS:** Okay, a further briefing. That is why we need, at this time of our business, to know clear figures. We are not after the names and addresses and a breach of confidentiality, but your set targets. We have to know that you are actually achieving or adjusting strategy.

One of those opportunities to increase the freight across the port, I understand through my reading of the media, could well be Western Mining and BHP Billiton, currently evaluating exports of uranium through the port to the tune of some hundreds of containers per annum. Would you welcome this trade?

**Mr HENDERSON:** Of course, we would welcome that trade.

**Mr MILLS:** You do not think that stance conflicts with the principal position of the ALP?

**Mr HENDERSON:** Again, we are here talking about what is in the budget papers and what is relevant to my particular agency. What the principal position is of the ALP has really nothing to do with that. Certainly, we would welcome that trade. Uranium has been exported over the wharves of Darwin for many years now.

**Mr MILLS:** Yes. But there was another government in place that did ...

**Mr HENDERSON:** Well, it is still being exported. Ranger and ERA are still operating and exporting uranium out of the Port of Darwin.

**Mr MILLS:** You have no personal conflict with that issue?

**Mr HENDERSON:** It is not about whether I have a personal conflict or not. It is that uranium is exported over the wharves of Darwin and will continue to do so.

**Mr MILLS:** So, seriously, you guys do not reflect on this personally?

**Mr HENDERSON:** This is the Estimates Committee about what is in the budget for this particular agency. It is not what about my personal beliefs are.

**Mr MILLS:** All right. It is clear that this conflicts with a principal position of the party you represent.

**Mr HENDERSON:** Well, no. You assert that. You can hold your opinions and I will hold mine. Let us get on to debating the budget.

**Mr MILLS:** All right.

**Madam DEPUTY CHAIR:** We are still on output 1.0. You have had a lot of latitude and I am quite happy to facilitate this.

**Mr MILLS:** All right.

**Madam DEPUTY CHAIR:** Are you still on Development questions output 1.0, shadow minister because, otherwise, we will move to output 1.3.

**Mr MILLS:** No, in the interests of management of time I will cease there

**Madam DEPUTY CHAIR:** Any other members have questions to do with Development 1.0?

**Mr WOOD:** Which is business and trade development?

**Madam DEPUTY CHAIR:** It is the development, and then we will move on to business and trade development.

**Mr WOOD:** I did not realise we were doing output 1.0.

**Madam DEPUTY CHAIR:** We are doing 1.0. We are doing 1.0 broadly on development. I made it clear at the outset.

**Mr WOOD:** No, mine are on 1.3.

**Madam DEPUTY CHAIR:** Okay. There being no further questions, that closes output 1.0.

### **Output 1.3 - Business and Trade Development**

**Madam DEPUTY CHAIR:** I now call for questions on Output 1.3, Business and Trade Development. Are there any questions?

**Mr MILLS:** I hope this is the right category. It is to do with the business of skilled migration strategy. That is it there? I do not want to miss out going after the wrong area.

**Mr HENDERSON:** I am happy for you to ask me questions where they sit, Terry.

**Mr MILLS:** \$350 000 went to the Business and Skilled Migration strategy. You know, we can measure that; that amount of money went in. What target was actually set and did you achieve it?

**Mr HENDERSON:** This has been a key focus area in regard to one of the major barriers and hurdles facing the Northern Territory economy. Essentially, the government has a three-pronged approach to this: training our own Territorians, Jobs Plan, and Jobs Plan 2. I am sure the Employment, Education and Training Minister spoke at length about those yesterday. The Office of the Chief Minister promoting the Northern Territory as a place to live and work is another plank of that, and business and skilled migration is another. In the interests of brevity, I have the statistics here. Since we commenced that particular program and beefed up that area of the department, the number of visas issued in the skilled migration category - and there were a number of different sub-categories there - was 159 in 2003-04 and, to date this year, there were 406 being issued; that is a 250% increase. The numbers of visas certified have increased from 90 to 220.

I would like to put on the public record my thanks and commendation to the people in the department who are doing this work because they are doing a fantastic job, which is well appreciated by the business community across the Territory.

**Mr MILLS:** Yes, likewise, minister. That is an excellent result. Can you give an indication what percentage that is of the skilled migration intake globally? The Territory has taken only, I think, 0.3% in the last estimate, of the skilled migration intake. Has that increased?

**Mr HENDERSON:** Mike, you might have a better answer than that? Certainly, the numbers have increased.

**Mr MILLS:** I have that clear, but in terms of a percentage of the ...

**Mr HENDERSON:** The Commonwealth has just adjusted all of those intakes. The target I would like to see us achieve is comparable to our percentage of the population, which is 1%. I would like to see a growth by 0.7% ...

**Mr MILLS:** That is what I am after actually.

**Mr HENDERSON:** ... but how that reflects in terms of the current Commonwealth numbers I do not have that. However, it is a 250% increase of what was happening before.

**Mr MILLS:** No, no, I accept that. I know how to work figures and that is a good result, but I take that on notice.

**Mr BURGESS:** Yes, what we will have to do is check against the latest Commonwealth figures on that and we do not have those right now.

**Mr MILLS:** Okay.

**Madam DEPUTY CHAIR:** All right, is that going to formally be a question on notice?

**Mr MILLS:** Yes.

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**Question on Notice**

**Madam DEPUTY CHAIR:** Can you restate the question for the purposes of Hansard, please.

**Mr MILLS:** The increase in skilled migration into the Territory – what percentage of the national intake is reflected by that increase?

**Madam DEPUTY CHAIR:** Minister?

**Mr HENDERSON:** Yes, I am happy to accept that.

**Madam DEPUTY CHAIR:** I allocate that question No 5.3.

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**Mr HENDERSON:** Again, may I offer, in all sincerity, a detailed briefing because there are lots of different sub-categories and they do a good job.

**Mr MILLS:** Yes, sure. Please do not be offended if we do not rush in because we have a fair bit on our plate.

**Mr HENDERSON:** No, no, I accept that. I am just saying it is very important.

**Mr MILLS:** I appreciate that. Thank you.

**Madam DEPUTY CHAIR:** Are there any further questions on Output 1.3?

**Mr MILLS:** No.

**Madam DEPUTY CHAIR:** Member for Nelson, I understand you have a question.

**Mr WOOD:** Or two.

**Madam DEPUTY CHAIR:** Or two.

**Mr WOOD:** Yes. Minister, Defence Support Services, you would have to expect a question from me on that.

**Mr HENDERSON:** Excellent, and good afternoon, Mr Wood.

**Mr WOOD:** Thank you. You made some statements during the election over getting the most from the Top End for Defence families, and you had a number of initiatives. The first was a Welcome to the Territory Expo, which you were going to hold in each state before troops relocated here. Could you tell us whether that has been costed and where it would show up in the budget? I notice you have said that this will start immediately within existing resources. Does that mean some areas are going to be cut so you can have an expo interstate?

**Mr HENDERSON:** I will hand over to my chief executive for the detail in dollars. That particular area of the department has an annual allocation of just over \$0.5m, I think it is, and the whole concept – particularly brought home with 1<sup>st</sup> Aviation Regiment relocating from Queensland to Darwin for the Tiger helicopters - is to actually go to Queensland with government agencies - and we will probably broaden that out to the community sector as well, we are still working on that - to roll out the welcome mat and present to that regiment and their families, in terms of coming to Darwin, what they can expect here, the level of services

that they can expect, and take any questions. We are just trying to ease the anxiety that some families have when they relocate from interstate to Darwin.

It is the first time that we have done this; a particular opportunity given a whole regiment is being deployed. We have been working with the Defence community organisation and other brass in terms of Defence officials, who think it is a very good idea. I look forward to leading that delegation in August.

**Mr WOOD:** It is a good idea. Do you take the local member with you?

**Mr HENDERSON:** Come and have a chat to me, Mr Wood. Come and have a chat to me.

**Mr WOOD:** Okay.

**Mrs MILLER:** Nice try!

**Madam DEPUTY CHAIR:** Next question, member for Nelson.

**Mr WOOD:** The next one was the \$100 000 to be allocated to a new bus service trial at the military bases. I note, minister, that you tended to say that this would make it easier for families to make the most out of Top End life. Robertson Barracks, of course, is a single person's base, and quite a few of those soldiers do not have their own transport.

**Mr HENDERSON:** Yes.

**Mr WOOD:** Would this initiative cover a bus service from Robertson Barracks to Palmerston? It has been said that this one will be an operating trial within existing resources. How will that be funded without cutting existing bus services?

**Mr HENDERSON:** We have not chopped that out yet, but it might be existing resources within DIPE as opposed to DBIRD, but I have not had that arm wrestle with the DIPE minister yet. We will work out those routes regarding the priority with the Defence Community Organisation. However, I would have to say from the feedback I have, Robertson Barracks would be right up there, but it is something we are going to work through with DCO.

**Mr WOOD:** That is the feedback I have had; they certainly need a bus service there.

**Mr HENDERSON:** Yes.

**Madam DEPUTY CHAIR:** Are there any other questions?

**Mr WOOD:** Yes. Minister, you also spoke about the Tiger helicopters arriving this year. How much local spin-off in the form of business will the arrival of that regiment provide to the Top End?

**Mr HENDERSON:** Again, the key area of my area of Defence Support, in trying to understand the support needs for those platforms, and there are a number of areas we are working on at the moment. One of them is training aircraft engineers and apprentices so they have the capacity to work in those areas. My CE has some notes here, and I might hand over to Mike for the specifics. It is certainly a platform we are targeting and doing a lot of work with the regiment and the manufacturers of that helicopter.

**Mr BURGESS:** Some of the areas we are going to be working and have already started are, naturally, to maximise local content in the construction of the facilities at the base for the regiment. Local content is currently running at in excess of 90%, so that is working well. We are working on developing a helicopter underwater escape training facility, establishing an apprenticeship program for five Darwin apprentices, and facilitating local industry participation in through life support to be provided by Australian Aerospace at Robertson Barracks. The through life support is estimated in the region of \$436m for the fleet, so the challenge is to grow industry capability here to get as much of that as we can. Of course, there has been a delegation to Oakey and Townsville in August to provide support to those families who are coming here.

**Mr WOOD:** Is there still an underwater helicopter escape facility at Berrimah Farm?

**Mr HENDERSON:** I have not seen it myself, but it is still out there.

**Mr WOOD:** Would you be duplicating, or are you trying to use that facility where it is already located?

**Mr BURGESS:** There is potential for facilities to be upgraded for this, so they will have to come to a landing with the providers in that area.

**Madam DEPUTY CHAIR:** Are there any further questions on Output 1.3?

**Mr WOOD:** Yes. The Robertson Barracks is growing continually and, of course, you would know that there are problems with traffic and this is an issue that has been going on for some time. There has been talk about putting in a second entrance to the west of the barracks, as well as also providing some new facilities for bicycle riders, because a lot of soldiers live in the northern suburbs as well. Have you had any approaches from the Army or from Litchfield Shire Council for your department to help facilitate or speed up some of these particular projects?

**Mr HENDERSON:** I am not aware of them, but I will hand over to Mike.

**Mr BURGESS:** We are constantly engaged with DIPE in relation to a whole lot of issues around Robertson Barracks, including issues to do with promoting a Defence Support hub out of that area. Along with those infrastructure issues, we are keen to accelerate the sort of issues that you are also raising, which is about making sure that the experience of Defence personnel living in Robertson Barracks and other facilities in the Territory is on a par with all the services we get in other suburbs and areas. Those sorts of things are regularly discussed with the other agencies which could provide those as core responsibilities.

**Mr WOOD:** The main issue we are talking about here is there has always been an ongoing issue in Knuckey's Lagoon area about the effect of traffic from the barracks, and looking at alternative ways to overcome those issues. Would your department be able to help facilitate that and move those issues along?

**Mr HENDERSON:** One of the commitments as well in the Defence package was a Defence community liaison position because, at the moment, outside of the Business and Industry issues, Defence raise issues at different levels of government and with different agencies, and it is pretty hard to get a homogenous view as to the significance of some of those. The idea of this Defence community liaison position was to be a one-stop shop within government, where DCO and/or the various arms of Defence can raise issues at a whole-of-government level, and for those issues to be tracked at a whole-of-government level by senior ministers.

At the moment, those types of issues get addressed at different agency levels but, as Defence Support Minister, I do not get to see the totality of them. Therefore, we are trying to provide a more responsive and accountable doorway for Defence issues into government through the creation of this position.

**Mr WOOD:** I have one last question on a different matter, Mining, Petroleum and Industry Development Services. I am not 100% sure what that does. However, on my favourite subject of ...

**Mr Henderson:** Hot rocks.

**Mr WOOD:** Hot rocks - geothermal technology. Do you have any role to play in actually helping facilitate companies to come to the Territory and deal with such an issue?

**Mr BURGESS:** We have done quite a bit of work recently on the geothermal issues. The important first step we have to do is create the right environment for those companies to come here. We have been examining legislation from other jurisdictions, and we have a project in this financial year to progress that. We hope to be able to put some options to minister Vatskalis in the not-too-distant future about taking some legislation forward. Once we have that in place, that provides security in that area for investors to come to the Territory. That is what we need to do.

**Mr WOOD:** That is good news. Thank you, minister.

**Madam DEPUTY CHAIR:** You are lucky. I was about to rule you out of order on any more hot rocks questions, because they are Kon's. That concludes consideration of Output 1.3.

#### **Output 1.4 – Quality Development and Coordination**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output 1.4, Quality Development and Coordination. Are there any questions?

**Mr MILLS:** I have a question. Minister, the Northern Territory Asian Engagement Plan - has that plan been superseded by another plan? This is the one that was announced or released in February 2003.

**Mr HENDERSON:** No, no, that has not been superseded; that is still an active document. The department, and government, is working through the strategies laid out in that document.

**Mr MILLS:** My understanding is that another one is being developed.

**Mr BURGESS:** Can I?

**Mr HENDERSON:** Yes.

**Mr BURGESS:** Late last year and earlier this year, we started work on reviewing the Asian Engagement Plan. That review was based on a reassessment of the changed economic climate, the new economic base in Darwin, the availability of the AustralAsia Trade Route; the railway and the new port.

We have started some work now to review the Asian Engagement Plan to see what needs to change, if anything. We have not completed the review yet. We did do a lot of consultation; we met with a lot of business people around town and Mayors, I believe, of both Darwin and Palmerston City Councils. We have taken all those views on. We would like to be able to present some options to the new government about what we think might be enhancements to the Asian Engagement Plan.

The general feeling, though, we got from people was that they see Asian engagement as a crucial element of the Territory's economy, and they expressed a desire for us to continue to do the things we have been doing.

**Mr MILLS:** Well, minister, it strikes me as odd that a plan that was released in 2003 is so early needing significant review. It is such an important project, and you say the parameters have changed, but it was released in 2003. What actually drives that change?

**Mr HENDERSON:** I will hand over to the chief executive. We constantly, in an ongoing way, review the appropriateness of government plans and strategies. I do not see anything out of the ordinary, but I will hand over to Michael.

**Mr MILLS:** I will take it that the existing one that was released in 2003 is still in circulation?

**Mr HENDERSON:** Yes.

**Mr MILLS:** Does it still have the map of Kalimantan on the front?

**Mr HENDERSON:** I have not seen it for a while to know which map it has on the front. I will get you the current one.

**Mr MILLS:** The current one that was released in 2003?

**Mr HENDERSON:** I will get you the plan as it exists that has been printed by the Government Printer. The cover may or may not have changed. I am not aware.

**Mr MILLS:** I would be interested if I could have one of the earlier ones.

**Mr HENDERSON:** One of the early ones. Okay.

**Mr MILLS:** Yes. I collect these sorts of things.

**Madam DEPUTY CHAIR:** The question is?

**Mr MILLS:** No, no, I am fine.

**Madam DEPUTY CHAIR:** Have you any questions? Is that it for Output 1.4? Are there any other questions for Output 1.4?

**Mr BONSON:** Minister, could you advise the outcomes of the skills business migration program?

**Mr HENDERSON:** Thank you, member for Millner. I will not go over everything I have said in the past, but there is another layer of detail, by regions, of how that particular strategy is helping out as well.

In Alice Springs recently, I was talking to business operators there, who are even targeting refrigeration mechanics from as far afield as Fiji. There are a couple of operators there. Business is looking globally, in bringing people to the Northern Territory.

In the breakdown of those numbers, the number of visas that were issued in Alice Springs is 55, and 140 in Darwin. One of the things we are going to do in the next 12 months is to further engage the regions in the business and skilled migration strategy and continue to build on the work that is being undertaken. I was just talking to a business operator on the weekend at the V8s who is actually in Singapore looking at bringing boilermakers working in the shipyards in Singapore to Darwin.

We did increase funding to the program; it is worth \$595 000 a year internally within the department. It not only facilitates working with individual businesses, but also gives it the budget capacity to actually go out and participate in migration road shows that are sponsored by DIMEA at an international level. It is a key level of the department and one that is really achieving good success at the moment.

**Madam DEPUTY CHAIR:** That concludes consideration of Output 1.4.

### **Output 1.5 - Indigenous Business and Information Services**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output 1.5, Indigenous Business and Information Services. Are there any questions?

**Mr MILLS:** I do not have the question I prepared to hand that I recall. Can you quantify the number of indigenous enterprises that have been assisted by the department in the last year?

**Mr HENDERSON:** That is a very good question that I will hand over to the CE. However, one of the issues that we faced earlier on in the piece was actually quantifying what an indigenous business was. How do you quantify that? Working at a Commonwealth level, it is an issue that small business ministers across Australia are facing in the Small Business Ministerial Council, and it is pretty hard to quantify that.

Joe Martin-Jard, who heads up the unit - welcome to the table - through the chief executive, can provide you with a more comprehensive answer, but the people in the unit are doing a great job. Over to Mike.

**Mr BURGESS:** I have invited Joe to join us. Joe heads up our new Indigenous Business Services Group. We formed this group out of a number of areas of the department earlier in the year and we now have exposure across the whole of the Territory and through our TBCs to provide services out to indigenous entrepreneurs. I will hand over to Joe. I thought it was important for Joe to come to talk to you.

**Madam DEPUTY CHAIR:** Welcome.

**Mr MARTIN-JARD:** Thank you. In 2004-05, we worked directly with about 15 indigenous businesses. I guess, indirectly, there probably would have been another 15 or so. Unfortunately, I do not have the names of those businesses.

**Mr MILLS:** They were new businesses?

**Mr MARTIN-JARD:** No, three were new and the rest were existing.

**Mr MILLS:** Okay. How many regional businesses are represented in that number?

**Mr MARTIN-JARD:** I would say that the majority are regional businesses.

**Mr MILLS:** Okay. I might add that to my list of briefings and get some more information on that. It is a new agency, I understand?

**Mr HENDERSON:** Also importantly, Mr Mills, there was a budget initiative in the 2005-06 Budget for additional funding of \$300 000 a year for the next four years to provide indigenous business capacity development and support. One of the things that became apparent through the formation of the unit, and also through visiting the region and individual MLAs who have bush communities, is that there is a real



structural problem, particularly for people in the bush who might have aspirations to start up and operate a small business. The capacity for them to actually do that from a regional/remote location is very difficult.

To be able to go to the bank for finance to get a business up and running, or put a business case together to show that the whole thing stacks up, is very hard to do. We were not offering those services so this \$300 000 - the parameters have to be put together by the department, but it is very much aimed up at providing the capacity and feasibility studies to get sort of micro-enterprises actually happening in remote communities and it is an initiative that is going to be worked up. It is a real barrier for aspirations in the bush.

**Mr MILLS:** We will investigate that later, thank you.

**Madam DEPUTY CHAIR:** Are there any other questions on Output 1.5? There being no others, that concludes consideration of Output 1.5. That concludes consideration of this Output Group.

#### **Non-Output Specific Budget-Related Questions**

**Madam DEPUTY CHAIR:** Are there any non-output specific budget-related questions?

**Mr MILLS:** You may ping me on this, but ...

**Madam DEPUTY CHAIR:** Have a go.

**Mr MILLS:** ... I will see how I go. Minister, when can I go down to the wharf and expect to see Hai Win return, the ships from China? When is Hai Win coming back? What is the scheduled arrival of Hai Win?

**Mr HENDERSON:** I am not trying to be evasive here, but the policy and the engagement with that particular shipping line is not with this agency. To make things easy, I can take it on notice but, in terms of this agency, it is not an area that we engage in.

**Mr MILLS:** Your office is on that side there and you get a look over the harbour. I will give you my mobile number and when you spot it, give me a buzz and I will come and have a look.

**Mr HENDERSON:** I can accept what you are trying to achieve here, but there is a lot of work that goes into attracting these shipping services. Swire is running, very successfully to my understanding, its crocodile line to Singapore. Hai Win has made those commitments and we continue to engage with them, but I do not have that detail of when the next ship arrives.

**Madam DEPUTY CHAIR:** All right. Do you formally want that on notice because it is outside this portfolio area?

**Mr MILLS:** Yes, it was offered and I would certainly like to know when Hai Win ...

**Mr HENDERSON:** We can try to get that for you for the sake of trying to be open and accountable.

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#### **Question on Notice**

**Madam DEPUTY CHAIR:** I ask you to restate the question for the purposes of Hansard and accuracy.

**Mr MILLS:** Minister, when will Hai Win return to Darwin?

**Madam DEPUTY CHAIR:** The minister has accepted that question, so it becomes question No 5.4.

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**Madam DEPUTY CHAIR:** Are there no further non-output specific questions? On behalf of the committee, I would like to thank the officers who provided advice for the Minister for Business, Industry and Resources for government today. Thank you Mr Burgess, Joe and, Bernard. That was not so bad, after all.

**Mr MILLS:** Hear, hear! Thank you.

## POLICE, FIRE AND EMERGENCY SERVICES

**Madam DEPUTY CHAIR:** The committee will now move on to the Northern Territory Police, Fire and Emergency Services. I invite the minister to introduce the officials accompanying him and, if he wishes, to make an opening statement on behalf of the Northern Territory Police, Fire and Emergency Services.

**Mr HENDERSON:** Thank you, Madam Deputy Chair. I am very pleased to have at the table today someone I am sure all the committee members know, Paul White, Commissioner of Police, Fire and Emergency Services; Greg Nettleton, Acting Director of Fire Services; Audrey Ko, Chief Financial Officer for the department; and Rose Hallett, Director of Finance and Procurement.

I will make a short opening statement.

This budget shows how the government has increased the Police, Fire and Emergency Services budget by 38% since 2001-02, in relative terms from \$137m in 2001-02 to \$189m in the 2005-06 financial year. The 2005-06 Budget represents an increase of 10% since 2004-05.

Major budget highlights for 2005-06 include \$27m for the continued implementation of the O'Sullivan Review of Police Resources; \$200 000 to trial mobile police stations in Darwin and Alice Springs; \$439 000 for Stage I of a project to provide Aboriginal Community Police Officers with vehicles; \$1.5m recurrent funding for PROMIS; \$750 000 for the continued implementation of the NT Fire and Rescue Service Assessment Report; \$790 000 for counter-terrorism initiatives; more than \$200 000 to provide an additional fire fighter at Yulara; and \$200 000 to provide an Emergency Services presence at Kings Canyon.

Our community is well served by this organisation and the record amounts of allocation have produced results of which we are very proud. There remains much more to be done. This budget sees more money go to Police, Fire and Emergency Services to keep the momentum going so even better results are achieved.

In Budget 2005-06, funding of \$27m is allocated for the continued implementation of the O'Sullivan Review. This will enable further police recruitment and improve the living and working conditions for police in the Territory.

The budget also includes \$160 000 to purchase a 7.4 m coastal vessel for Wadeye. This vessel will enable fast search and rescue capabilities to incidents around the Wadeye community.

This year, recurrent funding of \$1.5m will be provided for the Call Centre. The introduction of the Call Centre has enabled the reporting of crimes to be more convenient and effective for the public by reducing the need to attend at local police stations to report certain crime incidents. It is also providing a more efficient process for police by reducing the need for members to enter individual jobs to the PROMIS system at the end of their shift.

Funding of \$439 000 is allocated for Stage I of an initiative to provide Aboriginal Community Police Officers working in remote communities with police-owned vehicles to carry out their duties. To date, communities have been required to fund the provision, running and maintenance of ACPO vehicles. This funding will, therefore, help alleviate the strain on community council budgets. It is planned that all community-supplied ACPO vehicles will be replaced over a period of three years. This move underscores this government's support for remote communities, for improving policing services and building safer communities across the Territory.

Funding of \$750 000 is allocated this year to allow for the continuation of the implementation of the Fire and Rescue Service Review recommendations, to address management and workplace issues including industrial relations, human resource management and staff development. The government's commitment to the implementation of the recommendations has helped to ensure the organisation is one of the very best in Australia.

Over \$400 000 is allocated this year for expanded Fire and Emergency Services at Yulara and Kings Canyon. This funding will allow for an additional fire fighter to be stationed at Yulara to ensure increased protection is available before the 2005 tourist season, and to establish a controlled, safe and organised hazard abatement program that can be managed within local resources. The funding will also establish a permanent NT Emergency Service presence at Kings Canyon for the first time. This initiative will allow for a first response to accidents in addition to providing coordination training to local volunteers. These additional

resources will result in a major improvement to emergency response and fire protection in these important tourism regions.

Recurrent funding of \$1.5m will be made available in 2005-06 for maintenance of the PROMIS system and additional support. Funding was made available in 2004-05 to replace the obsolete server, hardware and software, and implement a later release of PROMIS. Additional staff were also appointed to provide increased support. As a result of these improvements, NT Police, Fire and Emergency Services now has a reliable system that assists in fighting crime and supports the move to intelligence-led policing. In 2005-06, the funding will be used to implement the latest technology which is required to continue the ongoing upgrades and maintenance of PROMIS.

The trademark of the last four years has been a constant stream of unfair criticism by the opposition against police - everything from being described as producing woeful results and providing bad value for money by the former Opposition Leader, through to other false claims by the former shadow minister. I hope that under the new Opposition Leader and her team – and this is sincere – we see a more positive era where the police are supported and criticisms are appropriately aimed at me as minister rather than the police.

This budget demonstrates the government has increased the Police, Fire and Emergency Services budget by 30% to a record \$189m, a figure which underscores the faith we have in the tri-service and the outstanding result it achieves. I look forward to the questions from the committee.

**Madam DEPUTY CHAIR:** Are there any questions on the statement?

**Ms CARNEY:** I do not have a question as such. It is just that I do not think the minister is being accurate when he made those sweeping comments about Denis Burke. If he goes back and reads the *Hansard*, he will see various comments were made in certain contexts. I just make that point because I do not think the minister has put them into any appropriate context.

**Mr HENDERSON:** I am not going to debate it, but I have a different view. Comments about the woeful results the police were achieving as a result of the record amounts of allocations, was a direct attack against the achievements of the police. I am just hoping we can get on to real policy issues. If the opposition wants to attack the performance of the police, then they do it by way of attacking me, as minister, and not the force itself.

**Ms CARNEY:** You can rest assured, minister, that when an attack is necessary, I am just the person to do it.

**Mr HENDERSON:** And I look forward to batting it back.

#### **OUTPUT GROUP 1.0 – COMMUNITY SAFETY AND CRIME PREVENTION** **Output 1.1 – Community Safety, Prevention and Support**

**Madam DEPUTY CHAIR:** The committee will now consider the estimates of proposed expenditure contained in the Appropriation Bill (No 2) 2005-2006 as they relate to the Northern Territory Police, Fire and Emergency Services.

I will now call for questions on Output Group 1.0, Community Safety and Crime Prevention, Output 1.1, Community Safety, Prevention and Support. Are there any questions?

**Ms CARNEY:** Madam Deputy Chair, I should indicate for the benefit of everybody that, because of the other outputs in this area, I propose to go generally until about 5 pm. That will require skipping some questions, but I will do my best with regard to the questions I can ask.

Minister, what are the current police staffing levels in the Northern Territory, excluding civilian staff?

**Mr HENDERSON:** I will hand over for the detail of that answer to the commissioner. I can very proudly say that they are at record levels, and we are on target to achieving 200 additional police on the beat by 2006. The commissioner can give the current numbers.

**Commissioner WHITE:** The establishment is currently 1057. The actual number of police, excluding civilians, is 1157.

**Ms CARNEY:** So establishment and actual are the same figure?

**Commissioner WHITE:** Establishment is 1057, actual is 1157.

**Ms CARNEY:** Sorry. Okay. What should the police establishment rate have been at 30 June 2005?

**Commissioner WHITE:** If you are talking about fully sworn police - by that I mean excluding ACPOs and auxiliaries - the number of fully sworn police at 30 June 2005: the establishment is 855; the actual is 889.

**Mr HENDERSON:** Which is a record for this organisation.

**Ms CARNEY:** As at 30 June, could you detail please, minister, police operational numbers for the following police stations - if you have it in table form, which you probably will, I would be grateful: Berrimah, Darwin, Casuarina, Palmerston, Katherine, Tennant Creek, Alice Springs, and ACPOs.

**Mr HENDERSON:** I will refer to the commissioner.

**Commissioner WHITE:** Thank you, minister. Numbers for Darwin Police Station – establishment 58, actual 56; Casuarina Police Station – establishment 59, actual 63; Palmerston Police Station - establishment 48, actual 62. I should add that, during the financial year, a Domestic and Personal Violence Protection Unit was established in Darwin with an establishment of 10 and actual of 11. In Katherine – establishment 55, actual 54; Alice Springs Police Station, the establishment 130, actual 131; and Tennant Creek - establishment 32, actual 32.

**Ms CARNEY:** And Berrimah?

**Commissioner WHITE:** Berrimah comprises Crime and Support Section plus Forensic Services, plus the college, plus other disparate groups. I can provide those details to you but I would have to collectively add those up. I could speak specifically to a section unit

**Ms CARNEY:** For the sake of completeness that would be good, although I appreciate the differences. Also ACPOs?

**Commissioner WHITE:** Yes, ACPOs at 30 June - establishment 63, and actual 56. And Auxiliaries?

**Ms CARNEY:** Yes.

**Commissioner WHITE:** Auxiliaries - establishment 140, actual 141.

**Ms CARNEY:** In relation to the Berrimah police station, will you take that on notice, minister?

**Mr HENDERSON:** Yes, I will have to take that on notice.

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#### Question on Notice

**Madam DEPUTY CHAIR:** For the purposes of Hansard, I will get the Opposition Leader to restate the question regarding Berrimah.

**Ms CARNEY:** As at 30 June 2005, please detail police operational numbers at Berrimah police station?

**Madam DEPUTY CHAIR:** The minister has indicated he will take that so that becomes question No 5.5.

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**Ms CARNEY:** Minister, the commissioner provided details of establishment and actual for up to 30 June 2005. Would you please provide the details and/or a comparison - if you have them in a table I would be grateful if you would table it – of the same details up to 30 June 2004, so that we can make a comparison.

**Mr HENDERSON:** Before handing over to the commissioner, I can certainly say as a result of Building Our Police Force program - and the situation we inherited was that many of those stations around the Territory did not have anywhere near the number of actual police as opposed to the establishment figure – it

is fabulous to see that, in most of those stations now, we are up to strength. The additional 80 police to be brought into the organisation this year is going to improve things further. I will hand over to the commissioner.

**Commissioner WHITE:** Thank you, minister. I do have charts containing those numbers, minister, before me but the copies I have, I written on. We can provide them if that is the case.

**Ms CARNEY:** Sorry?

**Mr HENDERSON:** We should be able to provide that information before the close of this session. It is just a case of photocopying them.

**Madam DEPUTY CHAIR:** Yes. They are in a table format. The commissioner indicated he does have it there, but it has his hand notes on it. They will get it back to you before the session ends.

**Ms CARNEY:** After the application of white-out. Thank you, commissioner.

How many extra police constables were recruited in 2004-05? How many are expected to be recruited in 2005-06?

**Mr HENDERSON:** Before handing over for the detail, can I say: lots. I very much enjoy attending each and every graduation parade. There were a significant number last year and there are going to be more this year. I will hand over to the commissioner.

**Ms CARNEY:** Can I, minister - if you do not mind with your indulgence, Madam Deputy Chair. We all know that we are in the business of politics but a few sentences of political waffle is not going to advance the interest - as you have done to preface us the answer to every question I have asked. Would you mind very much just putting that to one side so that we can actually get specific answers to specific questions so that we have an open and accountable estimates process. I would be most grateful, minister.

**Mr HENDERSON:** Absolutely! The commissioner will provide accurate detail - accurate detail.

**Ms CARNEY:** Just resist the temptation.

**Madam DEPUTY CHAIR:** I will remind the Leader of the Opposition the minister is only able to answer the questions for which he has carriage.

**Ms CARNEY:** Indeed, he does, Madam Deputy Chair. However, it is appropriate, as government says, the Estimates Committee is open. Well, the door is ajar; it is not fully open. Let us get on with it, can we?

**Commissioner WHITE:** I can provide the following information in relation to Recruit Squad graduations: Squad 80/04 commenced on 23 August 2004; 20 graduated on 31 March this year; Squad 81/05 commenced on 17 January 2005; 22 will graduate on 11 August 2005; Squad 82/05 commenced on 14 March 2005; 26 are expected to graduate on 6 October 2005; Squad 83/05 commenced on 23 May 2005; 26 are expected to graduate on 15 December 2005; Squad 84/05 is due to commence on 7 November, with 24 anticipated.

There were other squads that commenced in the financial year 2003-04, and graduated in the first half of 2004-05. I need to check to make sure I have not missed any of those.

**Ms CARNEY:** What is the projection for 2005-06?

**Commissioner WHITE:** There are 24 commencing 7 November; 24 commencing 13 March 2006; and 24 commencing 22 May 2006. There will be another course in either January or February 2006 with a like number, but we are yet to resolve the details of that course.

**Ms CARNEY:** Okay, thank you. Do you know how many police have been recruited since September 2001 and July 2005? Do you have a global figure?

**Commissioner WHITE:** Through the minister, I can give some detail, although not entirely as to your question. I can tell you that since July 2002, according to my records, 265 police recruits have undertaken training at the college.

**Ms CARNEY:** Is it possible, through you, minister, to obtain the figures as to the total number of police recruited from September 2001 to 1 July 2005?

**Commissioner WHITE:** In 2001, two squads with 60 recruits.

**Ms CARNEY:** Two squads with 60 each or 30 each?

**Commissioner WHITE:** That would be a total of 60.

**Ms CARNEY:** A total of 60, yes.

**Commissioner WHITE:** In 2002, two squads with a total of 55; in 2003, four squads with a total of 123; in 2004, four squads with a total of 113; 2005, three squads with a total of 80; and there are currently 72 recruits in the college.

**Ms CARNEY:** How many police have resigned from September 2001 to July 2005?

**Commissioner WHITE:** I do not have those numbers. I have a percentage rate for attrition, but I do not have the numbers.

**Ms CARNEY:** A percentage rate for attrition. Do you have the numbers under the heading of attrition as opposed to percentage?

**Commissioner WHITE:** No.

**Ms CARNEY:** What does that percentage figure reference? Is it the global figure or the yearly figure?

**Commissioner WHITE:** Depending on the methodology, there are different percentages. The attrition rate in 2004-05 year-to-date for constables and above excluding recruits, retirements, dismissals and death is 3.6%. This figure is resignations. So, the resignation rate is 3.6%. It does not take account of retirements, dismissals, death or recruits.

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#### Question on Notice

**Ms CARNEY:** Perhaps I will ask the question in another way that will probably likely to be on notice. I will ask it in two ways. Will you accept, minister, this question on notice: how many police have resigned from September 2001 to July 2005? I would appreciate that.

**Mr HENDERSON:** Yes, I will take it on notice.

**Madam DEPUTY CHAIR:** For the purpose of Hansard and accuracy the Opposition Leader just restated the question, so I allocate No 5.6 to that because the minister is taking it on notice.

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**Ms CARNEY:** The second question will be: please provide numbers as to retirements, dismissals and deaths from September 2001 to July 2005.

**Mr HENDERSON:** Okay.

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#### Question on Notice

**Madam DEPUTY CHAIR:** For the purpose of Hansard I will ask the shadow minister to restate that question.

**Ms CARNEY:** Minister, please provide details of all dismissals, retirements and deaths in the police force from September 2001 to July 2005.

**Madam DEPUTY CHAIR:** The minister has indicated he will take that on notice. That is No 5.7.

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**Ms CARNEY:** Finally, can you provide the attrition rate on a financial yearly basis, starting from 2001-02.

**Commissioner WHITE:** Yes, I do have some of that information before me, minister, if you want me to refer to that.

**Ms CARNEY:** Sorry to interrupt, but if you do not mind, given that there is some of the information, I wonder whether it would be better for all of us if you did take that question on notice and then we can get a complete answer which may, indeed, be in a table or something like that. Is that convenient?

**Commissioner WHITE:** The attrition rate, according to the definition that I have already stated for 2000-01 is 2.64%; and 2001 ...

**Ms CARNEY:** Sorry, commissioner, can you just start that again? This is 2001-02, and you are giving to me as a percentage figure per year, correct?

**Commissioner WHITE:** I will start at 2001-02 - 4.81%; 2002-03 - 6.21%; 2003-04 - 3.92%; and, as I have indicated, year-to-date in preparation of estimates from 1 July 2004 to 30 May 2005 - 3.6%.

**Ms CARNEY:** That is good. Thank you. I did have some other questions to ask in relation to staffing, but time is agin me. Can you tell us, minister, what funds are allocated as a result of the recent EBA agreement for the Police Association in the 2005-06 Budget?

**Mr HENDERSON:** I thought that Syd answered those questions yesterday. Did we have those numbers with us? Yes, the EBA is actually negotiated through the Office of Commissioner of Public Employment. My advice is that, obviously, that budget allocation will be made. It has not been made as yet. I do not know whether minister Stirling answered that question yesterday on the Police EBA, because he is the authorising minister for that.

**Ms CARNEY:** But it did not come from the Police budget? Correct?

**Mr HENDERSON:** The increased allocation will be appropriated from Treasury to the Police budget, but that has not occurred.

**Ms CARNEY:** That is right. So, it will come from the Police budget, which is why it is ...

**Mr HENDERSON:** It has not been transferred to the police yet.

**Ms CARNEY:** That happens with everything, so ...

**Mr HENDERSON:** Yes, but I do not have that number. I do not know if Audrey did have that number. It really is for the Treasurer.

**Ms CARNEY:** Perhaps we are getting a bit confused. The simple question is: is there an allocation in this Budget Paper 2005-06?

**Mr HENDERSON:** No, because the EBA had not been signed off at that point.

**Ms CARNEY:** Thank you. I just wanted you to put that on the record. How much is the EBA going to cost?

**Mr HENDERSON:** 18.5% over three years. That is the percentage.

**Ms CARNEY:** The percentage of what? How much will it cost? What is the figure that will ultimately emerge somewhere in a Police budget?

**Mr HENDERSON:** I will hand over to the commissioner.

**Commissioner WHITE:** The final figures are yet to be resolved in discussion with Treasury, but I am given to understand the dollar amount is about \$29m over three years.

**Madam DEPUTY CHAIR:** Are there any further questions on Output 1.1, Community Safety, Prevention and Support?

**Ms CARNEY:** Oh yes! Yes, indeed. I have a number of questions. Minister, how much was spent in media advertising specifically related to police recruitment in 2004-05? Who is responsible for preparing the print media advertising and electronic media advertising?

**Mr HENDERSON:** Before handing over to the commissioner; the real objective of the advertising in the Territory is to encourage more Territorians to put their hand up to join our police force. One of the responses to the attrition and morale levels that were affecting the police force prior to O'Sullivan, and one of the O'Sullivan recommendations, was to try to recruit more Territorians into our police force. That campaign is ongoing and starting to prove some good results. At the moment, one of the things we are looking at doing is encouraging more women and more people from an ethnic background to join the police force. I will hand over to the commissioner for the details to the question.

**Commissioner WHITE:** Thank you, minister. I am advised that \$500 000 in 2004-05 was committed to marketing and recruitment for police.

**Ms CARNEY:** Does that expression 'marketing and recruitment' include media advertising costs?

**Commissioner WHITE:** Yes.

**Ms CARNEY:** Who is responsible for preparing the print media advertising as well as electronic media advertising?

**Commissioner WHITE:** The Department of the Chief Minister has the budget for this and the media with the Department of the Chief Minister works with the Director of Media and Corporate Communications for the tri-service.

**Ms CARNEY:** So that \$500 000 figure that you referred to comes out of Chief Minister's?

**Commissioner WHITE:** Yes.

**Ms CARNEY:** Thank you. How many police are currently being recruited as a result of this media campaign and how many applications have been received so far?

**Mr HENDERSON:** Commissioner.

**Commissioner WHITE:** Thank you, minister. I will take that question on notice.

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#### Question on Notice

**Madam DEPUTY CHAIR:** For the purposes of Hansard, Leader of the Opposition, could you restate your question please.

**Ms CARNEY:** How many police are currently being recruited as a result of the current media campaign and how many applications have been received so far?

**Mr HENDERSON:** I suppose the first half of the answer is the commissioner has identified the number of recruits that are graduating through, from 2002-03 when O'Sullivan and the funding commenced. Those numbers have already been provided; it would be the number of applicants we have had.

**Ms CARNEY:** No, minister, I am actually after the specific figures from the time of the advertising campaign which, of course, is – what? - nine, 10 months, perhaps, if that. Whereas O'Sullivan, as you say, is 2002-03. I am looking specifically at the media campaign?

**Mr HENDERSON:** The media campaign started very early on in the piece, but we can get those. In 2003, I think it started.

**Madam DEPUTY CHAIR:** For the purposes of Hansard, I will get you to restate your question, Leader of the Opposition.

**Ms CARNEY:** I will restate the question. I will put it for a third time. The question is: how many police have been recruited as a result of the media campaign, and how many applications have been received so far?



**Mr HENDERSON:** Yes, I am happy with that.

**Madam DEPUTY CHAIR:** The minister accepts the question. That becomes No 5.8.

**Ms CARNEY:** Given the current intake - and there are several squads per year - how much is being spent on advertising the current intake? Is that a figure capable of being obtained?

**Commissioner WHITE:** Through the minister, I will endeavour to obtain those details.

**Madam DEPUTY CHAIR:** Is that another question on notice or incorporated in the previous question on notice?

**Ms CARNEY:** Question on notice.

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#### Question on Notice

**Madam DEPUTY CHAIR:** Okay, so restate the question.

**Ms CARNEY:** How much money is being spent on advertising the current intake?

**Madam DEPUTY CHAIR:** Okay, and the minister has indicated that he will take the question.

**Mr HENDERSON:** I am happy to take it and also put it in context of government policy as one of the recommendations from O'Sullivan. The reason for the recruitment campaign is to recruit more Territorians into our police force who know this community better than people coming from externally, and we will continue to do that. I will provide the answer.

**Ms CARNEY:** I am not suggesting or implying that there is anything wrong it. I just want to know how much it is costing. I think it is great.

**Madam DEPUTY CHAIR:** That is question on notice No 5.9.

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**Ms CARNEY:** Minister, police have the sole responsibility for policing the *Summary Offences Act* which is, amongst other things, supposed to control behaviour on the streets such as swearing, fighting, riots, disorderly conduct and so on. Can you tell us how many prosecutions were launched in 2004-05 throughout the Northern Territory, in pursuance of the *Summary Offences Act*? Could you separate the on-the-spot fines, arrest, and issue of summonses?

**Commissioner WHITE:** Through the minister, I will need to take that question on notice. I do have some information in relation to specific operations conducted during the 2004-05 financial year if the minister wishes me to ...

**Mr HENDERSON:** Yes, good results.

**Commissioner WHITE:** In the first three months of 2004, police took 3682 people into protective custody, which is an average of 47 persons a day. This is for the greater Darwin operational service region. In the corresponding period of 2005 - that is, the first three months - police took 4565 into protective custody, or an average of 51 persons a day.

Between 4 and 18 April 2005, an operation conducted in the greater Darwin region resulted in 1007 persons apprehended for protective custody, 700 litres of alcohol tipped out and 1480 persons moved on.

There was a similar operation in Katherine and Northern operational service region between 7 May and 12 June 2005, in which 888 persons were apprehended for protective custody, 1477 litres of alcohol tipped out and 1787 persons moved on.

Operations were also conducted in the rural area, including Hodgson Downs, Mataranka and Top Springs.

Operation City Safe commenced in March 2005 in Alice Springs targeting crime and antisocial behaviour in and around the Alice Springs CBD. Some 162 people were apprehended for protective custody, 135 people were arrested, 13 substance abuse case interventions were made, 783 litres of alcohol tipped out, and 1587 people moved on. There was a similar operation from 26 to 27 May this year in the area near Alice Springs Gap with 24 persons apprehended for protective custody, 87 litres of alcohol tipped out, and 93 people moved on.

That is the information I have before me.

**Ms CARNEY:** Minister, government announced a new policy of policing drunks and itinerants during the election campaign. Has government articulated to police how it wants this policy to be applied?

**Mr HENDERSON:** In answering that question, and with the figures the commissioner has just provided, there was certainly some commentary for some time and during the campaign that the police do not enforce the 2 km law, are not tipping out grog any more. Those figures clearly indicate that the 2 km law is enforced with thousands of litres of alcohol being tipped out and people moved on.

Regarding the election commitment, the Police Commissioner will be coming back to me with briefings as to how to implement government policy. Government policy has been articulated and it is now for the commissioner and the agency to come back with a brief to me as to how that policy will be put in place.

**Ms CARNEY:** So the answer is yes. Thank you. Do you expect an increase in prosecutions given government's election announcement regarding drunks and itinerants?

**Mr HENDERSON:** I believe that we will have a more effective policy response to that - an operational response. As a result, are additional prosecutions going to be affected? I suppose time will tell. I do not have a crystal ball.

**Ms CARNEY:** I will ask again: do you have any expectation that there will be an increase in prosecutions? Surely, you have advice on that?

**Mr HENDERSON:** I do not have any expectations. What I do know is that the police will do a very good job, particularly in Darwin with the additional two ACPO vehicles and integrating that response within the police command. I believe we will see a reduction in antisocial behaviour, but whether it will lead to increased numbers of prosecutions, time will tell.

**Ms CARNEY:** So you have no idea whether it will?

**Mr HENDERSON:** I do not have a crystal ball.

**Ms CARNEY:** Given that police have the responsibility of being under this proposed policy to the extent that I understand it, that it could be said to be a drunk's collection service, has any extra funding been allocated to assist the police officers performing their functions? If not, do you envisage allocating more resources?

**Mr HENDERSON:** In referring to the policy as a 'drunk's collection ...

**Ms CARNEY:** It could be said.

**Mr HENDERSON:** The commissioner has just advised how many people are taken into protective custody every day across the Northern Territory. To try to imply that this is a new role we are asking the police to undertake is not accurate. Police only take people into protective custody when they are assured that those individuals are a danger to themselves or other people.

Regarding funding this commitment, funds were notionally nominated and costed in the lead-up, and additional funding will go to police for that additional responsibility they will have. However, the details of that have been worked out; notional allocations have been made.

**Ms CARNEY:** Given that you said that is not a new role police will be taking as a result of the policy expressed during the election campaign, could you tell me what the policy is? I understood that police would have a new role.

**Mr HENDERSON:** The policy, as announced in terms of Darwin, is that the Night Patrol will become eight additional Aboriginal Community Police Officers who will be recruited to run two vehicles on a 24/7 presence in the Darwin and Palmerston region, to work in an integrated way within the police command structure. The detail of how that will work will be up to the commissioner to determine. However, the effect of taking people into protective custody is a role that the police currently undertake. By bringing the Night Patrol in under the auspices and command structure of the police, we allow the police to more effectively target hot spot problems in an integrated manner. Police have always had the power to take people into protective custody, and will continue to do so.

**Ms CARNEY:** All right. How do police currently prioritise dealing with drunks? How do they determine where to send drunks – whether they take them to a sobering-up shelter or police cell? How do the police prioritise the difficult role they have in dealing with drunks across the Northern Territory?

**Mr HENDERSON:** I will defer to the commissioner for an answer.

**Commissioner WHITE:** In general terms, antisocial behaviour, as a priority of policing across the Territory, requires police managers to take advice from the information collated over certain periods of time, and to meet daily to discuss what tactical action plans will be put in place to address our priorities - from unlawful entries through to antisocial behaviour. Patrols are then directed to what we call hot spots, and are required to actively police those hot spots and to deal with antisocial behaviour.

**Ms CARNEY:** Thank you. Moving to a slightly different area in the interests of time, are there any circumstances – and, if so, what are they – where a property crime would not be recorded in the official crime statistics?

**Mr HENDERSON:** Commissioner.

**Commissioner WHITE:** All offences reported to the police are recorded and form part of my annual report to the minister. Police statistics are based on offences reported. Regarding what is reported and what is not, my understanding, from Crime and Safety Surveys across Australia nationally by jurisdiction, is that there is a percentage of people who do not report crimes. I understand that that percentage has remained constant over time. That being the case, crimes reported to the police give a pretty good guide on a year-to-year basis of trends in crime.

**Ms CARNEY:** Just in case I missed it, you said that all of the reports of property crime would be in your annual report. Are they in the quarterly crime stats that are published?

**Commissioner WHITE:** Yes, the Office of Crime Prevention obtains its data from the Northern Territory Police system. However, the particular crimes reported on can differ to the crimes in my annual report. That is to say the categories of crime between the two are not exactly the same.

**Madam DEPUTY CHAIR:** I might just draw your attention to the budget estimates. It is a line of questioning on operational. We are trying to facilitate the questioning of the budget estimates process. Do you have questions on Output 1.1?

**Ms CARNEY:** Sorry, I think you are trying to ask what this has to do with budget. Is that correct?

**Madam DEPUTY CHAIR:** I am drawing your attention to the fact that it is the budget estimates process.

**Ms CARNEY:** It is a budget estimates process, I know very well. It is relevant to establish what sort of property crime is reported, because then you can follow it through as to the resources that police need and receive. That is the sort of information that is important.

In relation to property crime, how much of police resources is spent dealing with property crime, generally, in the Northern Territory?

**Commissioner WHITE:** Thank you, minister. Excuse me, minister, if I can refer to Budget Paper No 3.

**Mr HENDERSON:** Please do.

**Commissioner WHITE:** I refer to Budget Paper No 3, on page 154, Output Group, Community Safety and Crime Prevention. The performance measures would indicate some of the time spent by police on property crime, as would page 155, Output Group, General Policing Crime Detection, Investigation and

Prosecution. Under investigations, some of that would relate to property crime investigation. On page 156, Services to the Judicial Process, some of the estimates there would relate to property crime as well. I do not ...

**Ms Carney:** You do not have a specific breakdown?

**Commissioner WHITE:** ... believe I can give you the specific breakdown. I am not aware of any data we collect that can point to that.

**Ms CARNEY:** How much more equipment was purchased in 2004-05 for police officers? How many more guns, cars and uniforms etcetera, are available? What is planned for 2005-06?

**Mr HENDERSON:** I do not know how much detail the commissioner has on that, but part of the formula that was allocated in the \$75m to build our police force and recruit the additional 200 police officers, was a formula that actually calculated in not only the operational and salary costs of police, but also those types of issues as well. It is formula based and all police officers, when recruited, should have a uniform, a hand gun, and a vehicle to drive around in. I will hand over to the commissioner.

**Commissioner WHITE:** Thank you, minister. I can indicate that following the Building Our Police Force program, additional funding was allocated to motor vehicles, but I do not have the number of motor vehicles. I can indicate that under the Building Our Police Force program, additional funding was made available for coastal patrol boats, road safety equipment and basic maintenance and replacement. This will form part of a enhanced capital replacement program of \$2.75m in 2004-05, and will again occur in 2005-06. I can indicate that some of the road safety equipment incorporates additional evidentiary breath analysis units, additional mobile radar devices, additional hand-held laser speed detection devices, and additional alcohol screening devices and, in relation to the coastal patrol boat program, a coastal boat is earmarked for Wadeye.

**Ms CARNEY:** Thank you for that. Did I understand earlier on in your answer that you did not have information on the purchase of motor vehicles for 2004-05?

**Commissioner WHITE:** Through the minister, I do not have the numbers before me of the number of motor vehicles.

**Ms CARNEY:** Perhaps the minister can take that on notice. How many police vehicles were purchased in 2004-05?

**Commissioner WHITE:** Between 150 and 250.

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#### Question on Notice

**Madam DEPUTY CHAIR:** A question on notice. For the purposes of Hansard, the Leader of the Opposition will restate the question.

**Ms CARNEY:** How many motor vehicles were purchased by police in 2004-05?

**Madam DEPUTY CHAIR:** The minister has indicated he will take the question. That becomes question No 5.10.

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**Ms CARNEY:** Minister, was any money spent by your department on the 2005-06 post-budget promotion campaign? If so, how much, and what was it spent on?

**Mr HENDERSON:** Can you clarify post-budget election campaign?

**Ms CARNEY:** After the budget there was lots of advertising material, anything from brochures to e-mails.

**Mr HENDERSON:** The budget communication campaign would have been done at a central level, not at an agency level. I am not aware that this agency put out any post-budget mail.

**Ms CARNEY:** Would you like to take advice? Would you like to check that?

**Mr HENDERSON:** No. I have advice, and it was nil.

**Ms CARNEY:** Okay. I understand that the government's budget and post-budget promotional material was sent to all police by way of the official e-mail system. In other words, police received it whether they wanted it or not. If so, did you authorise the sending of that material?

**Mr HENDERSON:** For a number of years there has been a minister's message conveyed regarding the budget highlights.

**Ms CARNEY:** So a summary of the budget highlights was circulated ...

**Mr HENDERSON:** In terms of the budget for this particular agency, yes, and quite appropriately so.

**Ms CARNEY:** How much was spent, if any, on behalf of Police, Fire and Emergency Services on advertising, promotional activities, videos, DVDs, brochures and general printed matter in 2004-05?

**Mr HENDERSON:** In terms of promoting the activities of Northern Territory Police?

**Ms CARNEY:** You can be as broad as you like.

**Madam DEPUTY CHAIR:** Other examples used have been the Darwin Show, for example.

**Mr HENDERSON:** Yes, the show circuit.

**Madam DEPUTY CHAIR:** I am getting used to this question.

**Commissioner WHITE:** I have some information before me regarding marketing and promotion and can advise that in 2004-05, \$84 499 was expended on marketing and promotion. I do not have a specific breakdown, but I am led to believe it includes the show circuit, Crime Stoppers, Neighbourhood Watch and Safety House.

**Ms CARNEY:** Minister, I would like a month-by-month breakdown of spending. Some of your colleagues have agreed to do so. Will you accept, albeit on notice, a month-by-month breakdown on spending on advertising or promotional activities for 2004-05?

**Mr HENDERSON:** My advice is it is not an issue of accountability. I know where you are trying to get to, Leader of the Opposition. Just for example, if you are trying to get to the fact that, somehow, the department's marketing and promotion increased in line with the electoral cycle. In 2003-04, the budget for marketing and promotion was \$106 080 as opposed to 2004-05, \$84 000 - a significant reduction. We can get that level of information, but it is going to be difficult and time consuming.

**Ms CARNEY:** Minister, we have asked a question like this every estimates. Do not be so touchy.

**Mr HENDERSON:** I am not being touchy.

**Ms CARNEY:** You have no idea where I am going with this question.

**Mr HENDERSON:** I have every idea!

**Ms CARNEY:** I simply ask the question and would be ever so grateful if you would take it on notice so that you can, like other years, provide me with a month-by-month breakdown of spending.

**Mr HENDERSON:** This is the third time I have taken the Police budget through estimates, and I have not been asked for a month-by-month breakdown of marketing and promotion. This will take a lot of work. If you want me to put officers of my department, who have better things to do, through a lot of work to get these figures, I will. However, in terms of any thoughts that, somehow, money would have increased in the run-up to the election, I can tell you it will not. If you have a very good reason for seeking this information that has never been sought before on this item, I will take it on notice. However, be mindful of the fact that it is going to create a lot of work for people who have better things to do.

**Ms CARNEY:** Minister, I do not think you know anything about how much work is required.

**Mr HENDERSON:** Yes, I do; I have just been advised.

**Ms CARNEY:** I suspect it is going to be the touch of a button.

**Mr HENDERSON:** No, I have just been advised.

**Ms CARNEY:** I can hear what some of your people are saying ...

**Madam DEPUTY CHAIR:** Leader of the Opposition, if you can ...

**Ms CARNEY:** ... and I do ask ...

**Madam DEPUTY CHAIR:** Leader of the Opposition! Stop while I am talking. I am the Chair! Leader of the Opposition! Badgering across the table at a minister is not appropriate.

**Ms CARNEY:** Well, waffling on about rubbish is not required either, Madam Deputy Chair.

**Madam DEPUTY CHAIR:** Leader of the Opposition, I ask you to restrain in the badgering. The minister was responding. In the process, as Chair when I start to speak, I expect you and anyone else in this room to stop speaking. Minister, will you take that as a question on notice?

**Mr HENDERSON:** In response, I have been advised that it will take a lot of work to get this information and it is not readily available at the touch of a button. However, if you insist, I will take it on notice. Just be mindful of the fact that people have better things to do.

**Ms CARNEY:** Minister, over the last day or so, your ministerial colleagues have agreed to give us a month-by-month breakdown of this sort of spending. I do not know why you are so sensitive. I am sure it is do-able, and I would be very grateful if you would provide the answer. Do we assume that is done on notice?

**Mr HENDERSON:** Now you are fully aware ...

**Ms CARNEY:** Do not keep patronising me. Are you taking the question on notice or not?

**Mr HENDERSON:** I am not patronising you, Leader of the Opposition.

**Ms CARNEY:** Are you taking the question on notice, or not, minister?

**Madam DEPUTY CHAIR:** Leader of the Opposition, I am really trying to resist ...

**Ms CARNEY:** Ask him to answer it, Madam Deputy Chair.

**Madam DEPUTY CHAIR:** Let me finish speaking, please. I am trying to resist to the point of warning you in due recognition of your status as Leader of the Opposition. However, let us show some decorum.

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#### Question on Notice

**Madam DEPUTY CHAIR:** We are following process. I ask you to restate your question.

**Ms CARNEY:** I will happily restate the question, Madam Deputy Chair. I will restate the question, and it would be terrific if the minister would answer, yes or no. Will you provide a month-by-month breakdown of spending on advertising and promotional activities for 2004-05?

**Mr HENDERSON:** Reluctantly, yes.

**Ms CARNEY:** Oh, hallelujah!

**Madam DEPUTY CHAIR:** I will attribute to that question No 5.11.

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**Madam DEPUTY CHAIR:** I remind you we are on Output 1.1, Community Safety, Prevention and Support.

**Ms CARNEY:** In the interests of time - and I anticipate that the members for Nelson and Braitling will have questions - as a courtesy to other members, I will not proceed with the rest of the questions. It is like pulling teeth most of the time, in any event. That concludes, reluctantly. I see the minister smiling; he has achieved what he has always wanted - lack of scrutiny. That concludes my questions for this output group.

**Mr HENDERSON:** I offer the Leader of the Opposition that you can put those questions on notice if you have run out time and if you have not run out of questions. You can put them on notice and they will be answered. Or you could also seek a briefing, at any time, which previous shadow ministers have not sought. Hopefully, in getting your head across this agency, I would invite you to receive a full and detailed briefing so your further questions can be answered.

**Madam DEPUTY CHAIR:** Any questions from other members?

**Mr WOOD:** I hope these all fit within your area. We will see how we go.

**Mr HENDERSON:** Are they about Humpty Doo police station?

**Mr WOOD:** There is a mention of that.

**Mr HENDERSON:** Excellent! Police and fire station.

**Mr WOOD:** Yes, and I may raise another issue with regard to that as well.

A general question: can you provide details of the Fire Service review recommendations still to be implemented? I gather there is \$750 000 to continue with implementation of the Fire Service Review recommendations.

**Mr HENDERSON:** Can you repeat the question, please, Mr Wood?

**Mr WOOD:** Can you provide details of the Fire Service review recommendations still to be implemented?

**Mr HENDERSON:** Before handing over to Mr Nettleton, I can say that all of the recommendations of the METIS Review were accepted by government, and funding allocated to implementing those recommendations. The Chief Fire Officer does have an implementation committee in place. Those core areas cover leadership and management, openness and accountability, merit from the top down and building strength, and the recommendations are being implemented as we speak. There is additional money in the budget this year. However, I invite Mr Nettleton to explain a bit further exactly what has happened in that regard.

**Mr NETTLETON:** In general, the implementation of the METIS Review will continue through to the next financial year. I do not have the details of the exact breakdown of the \$750 000 for specific areas, but that implementation will continue to progress in the development and training of their staff as we move through those recommendations.

**Mr WOOD:** Minister, you might be able to possibly report on that.

**Mr HENDERSON:** Hang on, the Chief Financial Officer has a bit more information here.

**Mr NETTLETON:** For 2005-06, there is \$50 000 allocated under the openness and accountability to a community advisory council; \$250 000 for special expertise and training - and training also in that \$250 000 for occupational health and safety and industrial relations; and under building strength, there is also \$250 000 for training in those areas.

**Mr WOOD:** Minister, can you provide details of the O'Sullivan Report recommendations to be implemented this year? I believe there is \$27m to continue that implementation?

**Mr HENDERSON:** Yes, I will hand over to the commissioner for a detailed response. Again, we are committed to implementing the recommendations of that review, but with the recognition that times and circumstances do change. The commissioner does have an element of discretion in those issues and the timing. O'Sullivan was very proscriptive about things happening in specific locations over the three years but, obviously, circumstances do change and the commissioner has autonomy of where he deploys people. I will hand over to the commissioner.

**Commissioner WHITE:** Thank you, minister. In answer to the question, 112 recommendations were incorporated into the Building our Police Force program following the O'Sullivan Review. All but seven are finalised, or close to finalisation - all but seven. Therefore, seven are outstanding. Many were recently achieved following the enterprise bargaining agreement.

In relation to funding, \$27m is allocated to the police force under the Building our Police Force Program. That includes operating expenses and capital, salaries and capital, including some of the equipment I earlier referred to, such as coastal patrols and road safety equipment.

**Mr WOOD:** Thank you. Minister, not only do I have an interest about the Humpty Doo Police Station, now that I have the – ex-headquarters, is it?

**Mr HENDERSON:** Berrimah? Yes.

**Mr WOOD:** Berrimah. Perhaps you might give us an invitation when they are having the passing out parade - now that I have taken an interest in that area.

**Mr HENDERSON:** I am sure that we can arrange for that, Mr Wood.

**Mr WOOD:** That is all right. Continuing on. What was the final figure for the completion of the Humpty Doo Police, Fire and Emergency Centre and how did that compare to the figure budgeted?

**Mr HENDERSON:** Like everything else, it probably went up because costs certainly have escalated quite significantly. I am not sure if we have those numbers, but just over \$2m.

**Mr WOOD:** \$2m was the budget figure, or thereabouts. I suppose I am asking: did it keep to budget?

**Mr HENDERSON:** Yes, I think pretty much so. There would not have been any significant variations and it is a fabulous piece of infrastructure for the good folk of the rural region.

**Mr WOOD:** Not forgetting the sign that first went up there said 'Police, Fire and Ambulance'. What is going to happen ...

**Mr Henderson:** It said Police Service.

**Mr WOOD:** I have the photo to prove it.

**Mr HENDERSON:** We can build an ambulance station when they want one.

**Mr WOOD:** That is all right. What are the plans for a Stage 2 as has been shown on the plans?

**Mr HENDERSON:** There are no current budget allocations. As we have said numerous times, when we get advice from the ambulance service that the facility is needed, it has been designed to be able to be extended. That is not the advice that we have from Health at the moment, but we have foresight, we have vision. It is a growing population in the rural area and, at some time in the future, it will occur on advice from Health and St John that the facility is required.

**Mr WOOD:** And the two local members might have a hand in that too.

**Mr HENDERSON:** We have a number of local members there now; they might gang up on us.

**Mr WOOD:** Minister, in light of the fact that you do combine some police stations with fire brigades - Humpty Doo, Katherine and maybe Alice Springs are examples - I am not sure if I am right there ...

**Mr HENDERSON:** Tennant Creek.

**Mr WOOD:** ... why did you not look at combining the new Casuarina Police Station, as highlighted in the election campaign, and the new fire station, and perhaps even look at combining the ambulance service at Casuarina with it as well?



**Mr HENDERSON:** I will defer to the commissioner in a moment. The fire station facility, as it stands, is 30-plus years of age, barely adequate to meet the needs of the fire service, particularly in the capacity to undertake training - certainly a pretty poor facility.

The starting point in determining a new facility was a mapping exercise conducted by the fire service for the best location to provide the quickest response time to fires that could occur in the northern suburbs. A number of potential sites were mapped and the current location was one of the most optimum sites. Regarding the commitment in the election campaign to rebuild the Casuarina Police Station, the plan is that when the new fire station is complete, obviously, the Casuarina officers will move to the new fire station. On a temporary basis, the police officers based at Casuarina would move to the current fire facility. The bulldozers would go in, demolish Casuarina Police Station, and a new police station would be rebuilt. Those officers would then move back to their new quarters and, at some point, although no decision has been made, government will dispose of the land that the current Casuarina fire service is based on.

The location for the fire services was based on response time. The decision to keep the police station at the current location was based on the fact that, in policing response to the northern suburbs, Casuarina is absolutely central, and the best option for the police is to stay where they are but in a new facility.

**Mr WOOD:** Where exactly is the fire station going? It says Marrara fire station, I think. Where is the site?

**Mr HENDERSON:** I can give you a lot number, but opposite the Airport Hotel, Henry Wrigley Drive.

**Mr WOOD:** Near the football stadium? The soccer stadium?

**Mr HENDERSON:** I would call it the soccer stadium. McMillans Road.

**Mr WOOD:** So do I. Sometimes you might need the fire brigade to attend.

**Madam DEPUTY CHAIR:** Any further questions on that output, member for Nelson?

**Mr WOOD:** Minister, I believe that, in regard to supplying vehicles for ACPOs, there has been at times a request by local government or communities to provide funds for such a vehicle. Has that policy now ceased, and is the government now supplying vehicles for ACPOs?

**Mr HENDERSON:** I will hand over to the commissioner for the details, but a commitment is in the budget for \$439 000 for the next three years for a program of the police taking over the funding, ownership and running of vehicles for ACPOs in remote communities. It is a three-year plan to do that and in response from lobbying by LGANT and individual organisations regarding the impact it was having on the budget. Therefore, it is funded in this year's budget. However, I will hand over to the commissioner for how he intends to roll that out.

**Commissioner WHITE:** \$439 000 is allocated in 2005-06 for vehicles for ACPOs. Six vehicles will be purchased in 2005-06; the first five are allocated as follows: Milikapiti; Galiwinku; Barunga/Beswick; and Finke. One vehicle is to be used by the indigenous Police Development Unit for recruitment purposes.

**Mr WOOD:** A follow-up question on that: are there vehicles still being used by ACPOs that are being funded by local government, and will they be refunded for those vehicles?

**Mr HENDERSON:** My advice is that the interim arrangement is that they will be reimbursed. This funding is not going to happen overnight, but will happen over the next two years. My advice is that they will be reimbursed for that cost until such time as we purchase the vehicle and take ownership.

**Mr WOOD:** Thank you, minister; it is good news. Once again, local government takes on some matters which really do not concern it and that has been one of the problems. Just a few more questions, minister. Regarding Neighbourhood Watch: how much money will be spent on that and how does it compare with the last few years funding?

**Mr HENDERSON:** I will defer to the commissioner.

**Commissioner WHITE:** \$110 000 per annum.

**Mr WOOD:** How does that compare with previous years? Is it an increase?

**Commissioner WHITE:** I am advised it is recurrent.

**Mr HENDERSON:** Early on in the piece, we did double the funding. Under the previous government, Neighbourhood Watch only got \$50 000 a year and we have doubled that. We are maintaining that commitment.

**Mr WOOD:** That helps with the Christmas party, too, doesn't it?

**Mrs MILLER:** Santa Claus.

**Mr WOOD:** Has Neighbourhood Watch been reviewed or evaluated to see whether it is still an effective program?

**Mr HENDERSON:** Again, I will defer to the commissioner. I do not think there is a public review, but I am not sure about internally.

**Commissioner WHITE:** Through the minister, I believe that Neighbourhood Watch is a particularly effective program to assist police in delivering community-based policing services to the community. I meet regularly with the Neighbourhood Watch Board. The Neighbourhood Watch Board, I have to say, is extremely proactive and probably leading Australia in their commitment to the Neighbourhood Watch vision.

As a consequence of a national conference, the Northern Territory was tasked to develop a national marketing strategy for Neighbourhood Watch. I am particularly pleased with the enrolments, the membership, their strategic plan and the overall commitment of the board to the ongoing vitality of Neighbourhood Watch.

**Mr WOOD:** Minister, how do you coordinate crime prevention programs from Police, Fire and Emergency with similar programs in the Department of Justice?

**Mr HENDERSON:** I will defer to the commissioner.

**Commissioner WHITE:** At a number of levels, we work with the Department of Justice, particularly through the Office of Crime Prevention. I am on a Committee of Chief Executives that meets regularly. In a coordinated approach to crime prevention and community safety at other officer levels and at a local level, police have had involvement in the establishment of regional crime prevention plans.

**Mr WOOD:** My last question, and it goes back to Humpty Doo Police Station. It has been operating for about six months. Is it operating to budget, and what has been the community's and your own personnel's reaction to it? Are they happy with the operation of the new facility?

**Mr HENDERSON:** Before I hand over to the commissioner, the feedback that I have had from the community has been overwhelmingly endorsing of the facility. I understand that some of the more entrepreneurial practitioners in certain horticultural sectors are probably feeling the heat a bit more than they used to; I have had a feedback there. However, that is precisely one of the reasons that we made that commitment.

Apart from a few people on the fringes, there is overwhelming support. I am not sure whether you have had representation from those people on the fringes of their entrepreneurial activities being impacted upon, but the officers I have spoken to are very happy to be there. I will defer to the commissioner.

**Commissioner WHITE:** Through the minister, the facility - and by that I mean the Police and Fire facility at Humpty Doo - seems to be working particularly well. On a recent visit, the staff reinforced the work and their commitment to the Humpty Doo region. The police station is staffed by seven police officers and operates from 10 am to 6 pm each week day. On weekends, the hours of duty are 8 am to 4 pm. The after hours police response is provided by Palmerston. I should add, in keeping with our intelligence-led policing philosophy, the officers do sometimes work an afternoon or evening shift.

**Mr WOOD:** That has been noted, commissioner. The vehicles are a bit easier to see.

**Commissioner WHITE:** Over the course of one 35-day roster recently, police conducted 45 patrols between 8 am and 6 pm, and 15 patrols between 1 pm and 11 pm. The fire station comprises a full-time fire-fighting core of four members, who work eight hours per day, Monday to Friday, 8 am to 4.30 pm. On

weekends and after hours, fire crews from Palmerston will respond to the rural area, with back-up support from the five long-established rural area volunteer brigades.

**Mr WOOD:** Thank you for that. I will hand over.

**Madam DEPUTY CHAIR:** Member for Brainting, I believe you have questions on Output 1.1?

**Mrs BRAHAM:** Yes, I do. As you would expect, minister, mainly to do with Central Australia. Horse patrols were a great success in the trial we had down there. Unfortunately, the horses went back to Darwin, due, I believe, to lack of additional budget in the operational branch to have them. They were quite successful in breaking up a mob at one stage, so that problems did not occur. Is there anything in the budget to have these horse patrols returned to Alice Springs on a more permanent basis, or even during the warmer months, which perhaps is the time when we have most outdoor activities?

**Mr HENDERSON:** Thank you, member for Brainting. It is always good to get questions from Central Australia. Before I hand over to the commissioner for his answer to this, I would not believe everything I hear regarding the reasons why certain trials are continued or not continued. There was no issue in relation to budget; it was purely a trial in effectiveness initiated by the commissioner. I will hand over to the commissioner for a response, but any scuttlebutt in Alice Springs that it was pulled for lack of funding is misguided and misinformed, and I am sure the commissioner will put the record straight.

**Commissioner WHITE:** In August 2004, police in Alice Springs introduced a six-month trial of mounted horse patrols, which were extremely well received by the public. The six-month trial concluded on 18 March. An effective evaluation informed us that the trial was successful in enhancing public image and profile and community reassurance, and there was clear support for the continuation of the mounted patrol in Alice Springs. However, the trial was not successful in respect of efficient and effective service delivery. Less than 50% of duty time was actually undertaken as patrols because of the stabling and agistment requirements. Therefore, it is not a reflection on the members themselves; it is more on the labour intensive process of preparing mounted patrols for public duty. There is an enormous amount of work that goes into what the public sees at the front end when the patrols hit the streets.

In view of that effectiveness issue, we believe that we can provide an effective policing commitment to crime reduction in Alice Springs through foot patrols, bicycle patrols, motorcycle patrols and our intelligence-led policing which canvasses hot spots and repeat offenders. Also, of course, we are currently drawing up specifications for a mobile police station for Alice Springs to complement the current service delivery.

**Mrs BRAHAM:** Can I ask whether the horse patrols will continue in Darwin?

**Commissioner WHITE:** Yes.

**Mrs BRAHAM:** I will be lobbying more for that, because I believe they were, as you said, a great PR exercise for the police. I am sure that is also as important. With regard to the mobile police station, could you give me some indication of how it is to be run, what sort of budget has been allocated to it, and will it be a 24-hour service?

**Mr HENDERSON:** On advice from the commissioner regarding targeting hot spots of either antisocial behaviour or other type activity, the mobile police post is something that we are going to trial in Darwin and Alice Springs. Obviously, the commissioner will have operational responsibility. To the commissioner.

**Commissioner WHITE:** The approximate cost of a mobile police station is \$100 000. They will be a prominent vehicle. We are assessing two particular vehicles at the moment, and we have the specifications drawn up. They will be suitably based. Their use will be at the discretion of the local Commander in Alice Springs.

**Mrs BRAHAM:** Do you envisage them running 24 hours a day or only day time?

**Commissioner WHITE:** I would be reluctant to make a 24-hour commitment. It is really at the discretion of the Police Commander and management team to utilise their resources as best they can over the 24-hour, seven-day period.

**Mrs BRAHAM:** Minister, I guess if we cannot have our horse patrols, perhaps the mobile police station will assist.

The Blue Light Discos in Alice Springs have always been on a voluntary basis by members of the police force. They have struggled also due to a lack of funding which we have been sourcing from other areas. I believe that there has been a change of policy. Will the Blue Light Discos receive funding, and will the volunteer police members who work on it be paid overtime or paid for the duties? What sort of back-up will they now have from the police force?

**Mr HENDERSON:** I will defer to the commissioner.

**Commissioner WHITE:** I consider Blue Light to be a very important part in the way in which we deliver policing services to the community. Here I talk about crime prevention, particularly amongst young people. I have asked the Assistant Commissioner Operations to look at expanding the Blue Light program across the Territory. Recently I was advised that, with some private sponsorship, a trailer was made available to assist with Blue Light.

The program is run by a particularly compassionate senior constable who is doing a marvellous job to support programs across the Territory. I feel I should make particular mention of the work of Senior Constable Libby Andrew at Kintore in recent times. Libby found that there was a lack of social infrastructure for young kids at Kintore and undertook to implement the Blue Light program. Libby sought funding. We contributed to the funding as did a private provider. That resulted in a Blue Light Disco at Kintore and the results have been second to none. We know that apart from providing a positive social environment for the young kids, they took it upon themselves to raise over \$2000 towards the tsunami devastation in South-East Asia at the end of last year. It is a remarkable program providing some genuine social interaction for young kids.

**Mrs BRAHAM:** I agree, minister. I guess if we can assist them to have the equipment necessary to run them successfully, it would be great. That seems to have been the main disadvantage they have had in the past.

Just one more question. You talked about ACPOs earlier, and it is good to hear that you have addressed the problems of vehicles. Could you advise me whether the ACPOs who play their part in Central Australia, particularly in the footy season, are entitled to housing?

**Mr HENDERSON:** The answer is yes.

**Mrs BRAHAM:** I am asking if the ACPOs in the communities and in towns also have entitlement to housing?

**Mr HENDERSON:** I will defer to the commissioner. One of the reforms with O'Sullivan that was funded was to give ACPOs the same level of entitlements that police officers have in bush communities. For the details of how that is managed, I will defer to the commissioner.

**Commissioner WHITE:** Yes, ACPOs will receive the same housing conditions as what we call fully sworn police officers. In addition to housing, they will also receive freight allowance and what we call FOILS – fares out of isolated areas. The objective is to provide the same terms and conditions to ACPOs as it is to fully sworn police officers.

**Mrs BRAHAM:** Could I ask how many ACPOs there are in the Territory?

**Madam DEPUTY CHAIR:** We had that answer earlier.

**Mrs BRAHAM:** I am sorry.

**Madam DEPUTY CHAIR:** I am conscious of the time.

**Mrs BRAHAM:** All right. Finally, could I ask about the career paths for ACPOs. I know there was a push to have a career path. Has there been such a thing? What level are they going to?

**Mr HENDERSON:** Again, I concur. It is a very important part of policing in the Territory and the commissioner and his team have been doing a lot of work in this area. I defer to the commissioner.

**Commissioner WHITE:** Yes, the ACPO scheme is a vital component of the police force. We recently reviewed the ACPO scheme with a view to developing a future visions strategy. We have retained a consultant to help develop the strategic plan. A presentation on the scheme was provided to Cabinet a few

months ago. In general terms, we want to fully develop the ACPO scheme to an equivalent to fully sworn policing status, but we understand that there are particular training needs and development needs that go along with that. Therefore, we have made a commitment to enhancing the scheme over the coming years and we will be putting the finishing touches on the strategic plan. Only last week, I wrote to each ACPO to inform them of the future direction of their work.

**Madam DEPUTY CHAIR:** Are any further questions on Output 1.1 which is Community Safety Prevention and Support?

**Dr LIM:** Yes, I do. Minister, what was the revenue from speed cameras in the last financial year?

**Madam DEPUTY CHAIR:** Does that come under road safety services or ...

**Dr LIM:** Yes, of course it does.

**Mr HENDERSON:** I am not sure where it comes but we have the answer for it.

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#### Answer to Question

**Mr HENDERSON:** Before the commissioner goes into those statistics, I have an answer to a previous question in regards to how many vehicles were purchased by Police, Fire and Emergency Services in 2004-05. The answer is in total 218. The breakdown is: 195 of those were for police; 17 for the Fire Service which included four trucks – I do not have a definition of the trucks; and six vehicles for Emergency Service. That is an answer to a question that was previously taken.

**Madam DEPUTY CHAIR:** That is in response to question 5.10. Thank you for that.

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**Mr HENDERSON:** I will hand over to the commissioner for the answer on speed cameras.

**Commissioner WHITE:** Speed camera checks for 2003-04 – 1 029 983; infringements issued - 20 932. The dollar cost of the infringements issued is \$1 904 692.

Financial year 2004-05 as at 31 May: 588 948 vehicles checked; 20 451 infringements detected; 15 578 infringements issued. Total dollar amount \$1 361 453.

**Dr LIM:** Is that the cost of the revenue.

**Commissioner WHITE:** Yes.

**Mr HENDERSON:** It is actually less than the previous year.

**Dr LIM:** Minister, are you prepared to table that paper so that it is easier than trying to memorise it all and trying to write it down so quickly.

**Mr HENDERSON:** Yes, we can provide that.

**Dr LIM:** Minister, are you able to provide month-by-month what the revenue was for the last financial year?

**Mr HENDERSON:** From speed cameras?

**Dr LIM:** Yes.

**Mr HENDERSON:** There would be work involved in doing it.

**Dr LIM:** But you would keep those sorts of stats normally, anyway.

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**Question on Notice**

**Madam DEPUTY CHAIR:** So that is a question on notice. Member for Greatorex, could you repeat the question?

**Dr LIM:** I ask the minister to provide revenue from speed cameras month-by-month for the last financial year.

**Mr HENDERSON:** I will take that on notice, but it is good to see that drivers in the Territory are modifying their behaviour and abiding by the speed limits, given the decreasing amount of revenue that is being receipted from these speed cameras. Drivers are heeding the message and revenue is decreasing.

**Dr LIM:** That is good.

**Madam DEPUTY CHAIR:** That is question No 5.12.

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**Dr LIM:** That is good, and I applaud that Territory drivers are much safer these days. Minister, are you able to provide the numbers of people who are caught speeding by speed cameras fortnight-by-fortnight for the last financial year?

**Mr HENDERSON:** Fortnight-by-fortnight? The commissioner has advised that the number of infringements detected in 2004-05 were 20 451. The previous year it was 25 200, so 5000 fewer. To break that out fortnight-by-fortnight, I assume would be a lot of work.

**Dr LIM:** Well, let us have it month-by-month then.

**Mr HENDERSON:** I will take advice as to how difficult and time consuming that would be. Member for Greatorex, I will instruct the department to do it if you really need it and it is going to be of some significant relevance; however, I urge you to take into account that it is going to be work. I do not understand why you need it.

**Dr LIM:** I appreciate that, minister. If revenue can be provided month-by-month, I am sure there are stats for the number of infringements could be similarly collated.

**Mr HENDERSON:** Again, I am taking advice from the table that there would be a lot of work involved in breaking this out. May I ask for the good reason for which you would want to see that number month-on-month, given that we can give you the figure year-on-year and it is showing the number of infringements detected is reducing?

**Dr LIM:** The rationale is that, I am sure, at different speeds above the speed limit, the fine is different, so it is a little hard to just have the global figures in dollars without the figures for people who have infringed. I am sure that the lower the excess speed, the lower the fine. Am I right?

**Commissioner WHITE:** Correct. There are gradations.

**Dr LIM:** Therefore, the higher the speed, the bigger the fine. If you give me a global figure of money, I cannot work out how many people were pinged by the speed camera. If you give me the numbers of people and the global figure of dollars, there is some way to correlate the two.

**Mr HENDERSON:** Member for Greatorex, we are providing you with the number of people: there were 20 451 people issued with infringement notices to date in the 2004-05 year, compared with – in terms of issued, sorry! The number of infringements issued: 15 578 to date in 2004-05 compared with 20 932 in 2003-04. So there is your answer: 15 578 infringements issued raising, in terms of fines, \$1 361 453.

**Dr LIM:** Minister, if you gave it to me month-by-month, it would make it a lot easier for me to then focus down on the issues rather than just having a global annual figure of money and numbers.

**Mr HENDERSON:** The difficulty, on advice from the Chief Financial Officer, is the infringements and the fines are not paid to police, they go through to Treasury, therefore to actually correlate fines to the specific ticket to month-by-month is going to be an incredible amount of work that is going to involve two agencies

getting together to reconcile those particular figures. For the life of me, I cannot see how that information is relevant in the public domain, given the amount of work it is going to take to pull together across two agencies.

**Dr LIM:** Well, minister, it is figures I feel that I should have and it is public anyway. Surely ...

**Mr HENDERSON:** We are giving you the information. It is not an issue of accountability. All I am very aware of is just how under the pump officers in the finance area of my department are. We are providing the police annual report - and I will just check with the commissioner - which is going to be made available in the not-too-distant future. It goes into further detail in terms of traffic-related offences. Just bear with me two minutes, member for Greatorex.

**Madam DEPUTY CHAIR:** Member for Greatorex, for my purposes as Chair, is that your last question on this output area?

**Dr LIM:** Yes, it is.

**Mr HENDERSON:** In the annual report that will be tabled very soon, infringement tickets issued in all areas - so drink driving, traffic lights, seat belts - are year-on-year numbers going back to 1998-99 where very clear trends can be assessed and determined. Again, those are done on a year-by-year basis. To pull that information together month-by-month, I do not know how that greater informs public debate on road safety. I am very reluctant to put my department and Treasury through an extraordinary amount of work unless you can clearly articulate, in the public interest, why that information needs to be had in such level of detail. It has never been asked for before.

**Dr LIM:** To save time, if you cannot give it to me, that is fine. I have asked a question for you to supply me with information. If you cannot, you cannot.

**Mr HENDERSON:** Thank you, member for Greatorex, for not pushing the issue. Can I offer at any time ...

**Dr LIM:** I will not waste time, we have 45 minutes left.

**Madam DEPUTY CHAIR:** Are there any other questions on Output 1.1? There being no further questions, that concludes consideration of this output group.

## **OUTPUT GROUP 2.0 – GENERAL POLICING, CRIME PROTECTION, INVESTIGATION AND PROSECUTION**

### **Output 2.1 – Response and Recovery Services**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output Group 2.0, General Policing, Crime Protection, Investigation and Prosecution, Output 2.1, Response and Recovery Services. Are there any questions?

**Ms CARNEY:** Madam Deputy Chair, I had numerous questions in relation to all of the outputs in this area but we will forgo them in the interests of time, given the DCIS questions that need to be asked.

**Madam DEPUTY CHAIR:** That concludes questions on Output 2.1.

### **Output 2.2 – Investigations**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output 2, Investigations.

**Mrs BRAHAM:** Hoon legislation, minister – you know where this has come from ...

**Mr Henderson:** Who legislation?

**Mrs BRAHAM:** Hoon! You know, those characters who roar around. Has it been adopted and have there been any arrests or any charges laid?

**Mr HENDERSON:** I will defer to the commissioner but, to my understanding, the legislation has been enacted. Whether there have been any prosecutions, I will defer to the commissioner.

You can certainly dob them in, member for Braitling. If there is somebody hooning down your street, just get the licence plate and dob them in to the good officers down there in Alice Springs and I am sure they will be on to them.

**Mrs BRAHAM:** I believe this has something to do with the member for Nelson.

**Mr HENDERSON:** Oh, the member for Nelson. Hoons in the rural area. Okay. We do not have specific information as to whether prosecutions have been issued under that particular legislation. If you want, I can take that on notice.

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**Question on Notice**

**Madam DEPUTY CHAIR:** Okay, can you restate the question on notice.

**Mrs BRAHAM:** Has hoon legislation been enacted, and how many prosecutions?

**Madam DEPUTY CHAIR:** The minister has indicated he will take that question, which is question No 5.13.

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**Madam DEPUTY CHAIR:** Any further questions?

**Mr HENDERSON:** I urge the member for Nelson, if he knows of any hoons in the rural area ...

**Mrs BRAHAM:** We shall alert you.

**Madam DEPUTY CHAIR:** Any further questions on Output 2.2, Investigations?

**Mrs BRAHAM:** Yes. Minister, do the fishing inspectors come under Police? With the amount of publicity regarding crabbing, illegal netting, could you tell me how many fishing inspectors there are? Where are they based? Are there any based at Borrooloola, for instance? How many inspectors check fishing boats? Basically, what sort of hours are spent on it, and what budget is spent on checking? I am probably not talking about illegal fishing vessels from Indonesia but more the smaller internal fishing irregularities that occur.

**Mr HENDERSON:** Thank you, member for Braitling. Before I defer to the commissioner, we do not have fishing inspectors as such, but police officers in the Marine and Fisheries Enforcement Unit do have powers under the *Fisheries Act* to act as inspectors.

Again, part of the O'Sullivan funding commitment was a \$1m program to upgrade and replace a number of small coastal vessels across the Top End that really were in need of replacement, to provide that unit with a better enforcement capability across the Top End. There is money in the budget this year for a new vessel for the Wadey community. I will defer to the commissioner regarding how these police are deployed operationally.

**Commissioner WHITE:** The Marine and Fisheries Enforcement Unit has an establishment of 16 officers. Those officers, amongst other things, perform an inspectorial role in policing the local fishing industry. However, I do not have any details of their apprehension or seizure weight with me. I would need to take that on notice.

**Mrs BRAHAM:** That can be done for me as far as I am concerned.

**Mr HENDERSON:** Yes, and if the member for Nelson would like a detailed briefing, we can get officers from that section, and relevant people, to come in and ...

**Madam DEPUTY CHAIR:** Any further questions on Output 2.2?

**Mrs BRAHAM:** 2.3?

**Madam DEPUTY CHAIR:** No, 2.2.

**Mrs BRAHAM:** No, okay then.



**Madam DEPUTY CHAIR:** Okay, that concludes consideration of Output 2.2.

### **Output 2.3 – Services to the Judicial Process**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output 2.3, Services to the Judicial Process. Are there any questions?

**Mrs BRAHAM:** Briefly, minister, could you tell us if you will be continuing the juvenile diversion programs? Are you reliant on federal funding, or is there money budgeted within your Territory budget for this program?

**Mr HENDERSON:** Thank you, member for Braitling. I will just turn to the particular page. The current status is that there is funding to continue with the Juvenile Diversion Program. However, we are undertaking a detailed review of the effectiveness of that program. That review is, obviously, in conjunction with the Department of Justice. The program that has been in place for a number of years has, in part, received Commonwealth funding. There is funding in the budget this year to take us up to when that review is handed down. The government will be taking a policy decision in the not-too-distant future, based on the outcomes of that review, as to the status of the scheme and whether it will need to be amended, modified or whatever. It is appropriate - I think it has been in place for quite a number of years now - that we undertake that review. However, until such time as that review is completed and Cabinet makes policy decisions, the Juvenile Diversion Program continues to be funded.

**Mrs BRAHAM:** Will that review include the outcomes on re-offenders of the existing program?

**Mr HENDERSON:** Yes, all of that. Absolutely! That is ...

**Mrs BRAHAM:** That will be available?

**Mr HENDERSON:** I am not going to make commitments because I am not the minister with policy carriage of that. The Justice minister does. However, certainly we want to undertake a review of the effectiveness in terms of re-offending and recidivism. That is the parameter of the review. We will then be taking some policy decisions once we are informed by those outcomes. I am sure the Justice minister, in due course, will make public comments and there will probably be a debate in the House, I would image.

**Madam DEPUTY CHAIR:** Are there any further questions on Output 2.3? There being no further questions, that concludes consideration of this output group.

### **OUTPUT GROUP 3.0 - ROAD SAFETY SERVICES** **Output 3.1 - Road Safety Services**

**Madam DEPUTY CHAIR:** I call on questions relating to Output Group 3.0, Road Safety Services, Output 3.1, Road Safety Services. Are there any questions?

**Ms CARNEY:** Once again, for the purposes of Hansard I did have questions but I will not ask them as a result of time constraints. The same applies for Output 4.0 and 5.0.

**Madam DEPUTY CHAIR:** Member for Braitling? Any other members?

**Mrs BRAHAM:** Just in 3.1, in regard to red light cameras. I am not sure the member for Greatorex asked this. Do you intend to continue using them? Do you have speed cameras on traffic lights on Alice Springs? I am not asking that for devious reasons ...

**Mr Henderson:** Would you like some?

**Mrs BRAHAM:** It was something that was mooted a long time ago and I have never been able to find them.

**Mr HENDERSON:** I will defer to the commissioner, but if you would like to lobby for speed traffic cameras on traffic lights in Alice Springs, we will be open to being lobbied upon.

**Mrs BRAHAM:** This technology - is there a problem in the Wet Season with the cameras we have at the moment?

**Mr HENDERSON:** I refer to the commissioner.

**Commissioner WHITE:** My understanding is that the principle of traffic light cameras is the problem of DIPE not NT Police. It is my understanding that they are not functioning.

**Madam DEPUTY CHAIR:** Any further questions on Output 3.1, Road Safety Services? There being no further questions, that concludes consideration of this output group.

**OUTPUT GROUP 4.0 - FIRE PREVENTION AND RESPONSE MANAGEMENT**  
**Output 4.1 - Fire Prevention and Response Management**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output Group 4.0, Fire Prevention and Response Management, Output 4.1, Fire Prevention and Response Management. Are there any questions? That concludes consideration of this output group.

**OUTPUT GROUP 5.0 - EMERGENCY SERVICES**  
**Output 5.1 - Emergency Services**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output Group 5.0, Emergency Services, Output 5.1, Emergency Services. Are there any questions? There being no questions, that concludes consideration of this output group.

**Non-Output Specific Budget Related Questions**

**Madam DEPUTY CHAIR:** Are there any other non output specific budget related questions?

On behalf of the committee, I would like to thank officers from Police, Fire and Emergency Services who provided advice to the minister today and for appearing before the Estimates Committee. Thank you for your time.

It is now ten past, we will have a short break. We will resume at 5.15 pm. It means that the next session will now be finished at 6.15 pm.

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The committee suspended.  
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**DEPARTMENT OF CORPORATE AND INFORMATION SERVICES**

**Madam DEPUTY CHAIR:** I welcome the minister and invite him to introduce the officials accompanying and, if he wishes, to make an opening statement on behalf of the Department of Corporate Information Services.

**Mr HENDERSON:** Thank you, Madam Deputy Chair. I have an opening statement but, in the interest of time, I will let the committee get on with it. I introduce Chief Executive Officer, Richard Galton, who took the reins of DCIS last August, so I think it is his first Estimates Committee; and Director of Budgets and Commercial, Trevor Beck. Trevor has just advised that this his first estimates. There is a range of departmental officers here. If we do not have the detail, we can get the detail that the committee requires. Welcome, everyone from DCIS; it is a large and diverse department that serves government well. I welcome questions from the committee.

**Madam DEPUTY CHAIR:** The committee will now consider the estimates of proposed expenditure contained in the Appropriation Bill (No 2), 2005-06 as they relate to the Department of Corporate and Information Services.

**OUTPUT GROUP 1.0 – CORPORATE SUPPORT SERVICES**  
**Output 1.1 – Financial and Accounting Services**

**Madam DEPUTY CHAIR:** I will now call the questions relating to Output Group 1.0, Corporate Support Services, Output 1.1, Financial and Accounting services. Are there any questions?

**Dr LIM:** Yes, Madam Deputy Chair. Thank you, minister. I join your praise for DCIS. It is – and do not take the word wrong – but reasonably good and efficient department. We have very few questions for you, actually.

Launching to Output 1.1, I recall the government policy of paying all its bills within 30 days. What processes are in place to ensure that payments are timely, and that they are, in fact, paid within 30 days? Are there any accounts over 30 days? How many are there? To what value? How old are they past 30 days?

**Mr HENDERSON:** Thank you, member for Greatorex. Yes, this particular commitment was a commitment that I made as procurement minister when I had that particular responsibility. However, DCIS is the monitoring agency. I am very pleased to be able to say that when the policy came into effect, I think the performance across government was somewhere in the low 80% - 82% or 83% - of invoices were paid within 30 days. That has now increased to about 94% on my advice, which has been a huge improvement. Most of the invoices that make up the remainder of that number would be invoices that are, somehow, in dispute between government agencies and individual contractors and business operators. However, I will defer to my Chief Executive Officer for the detail. However, I am very pleased with progress. We would love to see 100%. We probably know we are never going to get there, but 94% is not bad, and we keep going north. Over to Richard.

**Mr GALTON:** Richard Galton. We do have a total amount of \$76 132 063 paid in accounts to the 11<sup>th</sup> month to 31 May this year. Of those, 6% were not disputed and not paid within the 30 days.

**Dr LIM:** Are you able to provide a list of accounts that are over 30 days, and the quantum?

**Mr HENDERSON:** We can provide this document to you, member for Greatorex. Actually, looking at this, some agencies are doing better than others, but the average is 6%. I am happy to table that.

**Dr LIM:** Thank you. I note from Budget Paper No 3, this year versus the previous two years, that some categories within the performance measures have been left out. I am going to be, unfortunately, repetitive with this, and ask: what is the average price of the creditor invoice processed?

**Mr HENDERSON:** Can you repeat that?

**Dr LIM:** What is the average price of the creditor invoiced?

**Mr HENDERSON:** Oh, you have me there on that. I will have to defer on that. Which particular budget book are you referring to?

**Dr LIM:** Well, the budget book of last year and the year before included the costings per invoice process, whether it be from creditor, debtor or for assets recorded. I am disappointed that is no longer available.

**Mr HENDERSON:** Okay, bear with us two seconds and I will see if I can find it.

**Dr LIM:** I can lend you the old budget to have a look at if you want.

**Mr HENDERSON:** No, we have something here. These are the price of the products?

**Mr GALTON:** That is the price of the product.

**Mr HENDERSON:** Can you specify what products you are after, and then we can give you a price of that product.

**Dr LIM:** In Budget Paper No 3 of last year, under Financial and Accounting Services, Performance Measures, one of the performance measures was the costs per creditor invoice processed. There was another measure which was average price per debtor invoice processed. Finally, there was the average price per asset recorded. These are measures of performance and it would be good to have them included in the budget papers so we can at least see how the department is performing.

**Mr HENDERSON:** What I have here I am prepared to table, member for Greatorex. In terms of the products and services that DCIS provide, there is a cost measure and a price book, I suppose, going back

to 2001-02 showing what is occurring with the prices that are charged to agencies for these services. I am happy to table that.

**Dr LIM:** I do not know why it is not there, but assuming it is the same as what I am asking for, that is great.

**Mr HENDERSON:** How about we table this and I will give you a copy? If that meets your needs, then it is good, if it does not ...

**Dr LIM:** Madam Deputy Chair, to ensure that I do not go past this output group, when I see this tabled paper and it is not what ...

**Madam DEPUTY CHAIR:** I am sure we will take that into account, those being tabled now. I am sure time is okay.

**Dr LIM:** I will stop there on output 1.1.

**Mrs BRAHAM:** May I ask a question while we are waiting?

**Madam DEPUTY CHAIR:** Member for Braiting, if you have a question on output 1.1, by all means.

**Mrs BRAHAM:** Minister, can I ask you what your travel budget was for DCIS for the last year.

**Mr HENDERSON:** Oh, certainly. I am sure we have an answer here somewhere, he says with great certainty. Travel expenditure: total air travel expenditure as of 31 May 2005 is \$148 908; total travelling allowance and accommodation expenditure is \$119 943.

**Mrs BRAHAM:** Minister, the air travel is booked by each department? Is that correct?

**Mr HENDERSON:** My understanding is that each agency books its own travel.

**Mrs BRAHAM:** Does this agency book through the Internet or by local commercial agencies?

**Mr HENDERSON:** I am advised a combination. However, I urge the agency, wherever possible, to use local business, member for Braiting.

**Mrs BRAHAM:** That is where I was coming to, minister, because I believe ...

**Mr HENDERSON:** It is a timely reminder, and I thank you for it.

**Mrs BRAHAM:** Perhaps you could remind all other departments as well?

**Mr HENDERSON:** Yes, it is a timely reminder.

**Mrs BRAHAM:** Thank you.

**Madam DEPUTY CHAIR:** Any further question on Output 1.1, member for Greatorex?

**Dr LIM:** No.

**Madam DEPUTY CHAIR:** No? You are okay with that? That concludes consideration of Output 1.1.

### **Output 1.2 – Contract and Procurement Services**

**Madam DEPUTY CHAIR:** I will now call for questions on output 1.2, Contract and Procurement Services. Are there any questions, member for Greatorex?

**Dr LIM:** Yes. How much was spent on consultant services for the last financial year for the whole-of-government? Do you have figures for 2003-04, 2002-03, and 2001-02?

**Mr HENDERSON:** Can I clarify your question? This would be consultants issued for DCIS? You did say whole-of-government. I just have the DCIS consultancies that were ...

**Dr LIM:** Minister, I would have thought that DCIS would be the administering agency that provides administrative services to service all contracts. Each department comes to you with a contract: 'Will you please sort it out?' You would know, wouldn't you?

**Madam DEPUTY CHAIR:** Member for Greatorex, the consultancies have been provided agency by agency to this Estimates Committee. Therefore, it is appropriate that DCIS can provide DCIS. That has been the process.

**Mr HENDERSON:** This question was asked last year. Again, it is a bit like the traffic infringement notices. Each agency is provided - it is a standard question you are asking of all ministers. To collate that across government - and the experience when we collated that information last year - is a lot of work. You are getting the information provided agency by agency.

I can certainly do that for DCIS and advise that total non-IT consultant expenditure was \$371 211; IT consultants expenditure was \$1 819 127. I can provide itemised detail as to whom those consultancies went to, and for what particular purpose.

**Dr LIM:** For DCIS only?

**Mr HENDERSON:** For DCIS. Given that every other minister is providing similar responses, I do not see why we need to double up on that information.

**Dr LIM:** If you can do that, it would be appreciated.

**Madam DEPUTY CHAIR:** The minister is tabling that. Any further question on Output 1.2?

**Dr LIM:** Yes, I do. Again, I come back to performance measures. For this output group what is the average price for tender managed, and the average price to develop request for tender?

**Mr HENDERSON:** Your question again, sorry?

**Dr LIM:** In terms of performance measures, minister, in this group ....

**Mr HENDERSON:** Oh, okay, the group that you have there.

**Dr LIM:** That is right. The average price per tender managed, and what is the average price to develop request for tender?

**Mr HENDERSON:** From that table, member from Greatorex, the cost per price for tenders managed is \$1200 ...

**Dr LIM:** Sorry, where? Can you point me to this?

**Mr HENDERSON:** Yes, that total there, if you go down fifth line CAPS, Contracts and Procurement Services. Right near the top, Tender Management Standard RFT complex, those details are there in terms of the current DCIS price book.

**Dr LIM:** I am happy with that, thank you.

**Madam DEPUTY CHAIR:** Any further questions on Output 1.2?

**Dr LIM:** No.

**Madam DEPUTY CHAIR:** No. Member for Braitling?

**Mrs Braham:** Minister, the payroll system and payment maintenance system has been transferred from the Brisbane-based mainframe to the Northern Territory ...

**Mr HENDERSON:** Don't we know it!

**Mrs BRAHAM:** I believe there have been some difficulties experienced adapting to the new system?

**Mr HENDERSON:** Again, Madam Speaker, you should not believe everything that you hear.

**Madam DEPUTY CHAIR:** Member for Braitling.

**Mrs BRAHAM:** Could you advise of the transition and how effective this has been?

**Dr LIM:** Is this in Data Centre Services, or are you using it in this group?

**Mrs BRAHAM:** Yes, this is contract.

**Madam DEPUTY CHAIR:** Contract and procurement services.

**Mr HENDERSON:** Thank you, member for Braitling. Yes, this has been a very significant issue for this agency to manage after the last 12 months. It has been the first item on the agenda in CEO/ministers meetings because the last thing we wanted to do is not have the capacity to pay people. I am very confident that the transition is going very well. I will hand over to our chief executive to provide some detail.

**Mr GALTON:** This is a good news story for the department. It is a very complex payroll system that we do have, and the migration from a Brisbane-based company - but a Canberra-based system – to the Northern Territory has been effected very efficiently. We have just cloned and made our first payroll payment in this year, so the system is working perfectly. We have had 100% congruence between what the payment was in Brisbane ...

**Mrs Braham:** That is reassuring.

**Mr GALTON:** ... and what the payment was up here. We run with the clone for another three months, and then we cut ourselves free of SciTech.

**Mrs BRAHAM:** Fine, thank you, Madam Deputy Chair, and good luck.

**Madam DEPUTY CHAIR:** Any further questions on Output 1.2? There being no further questions, that concludes consideration of Output 1.2.

### **Output 1.3 - Human Resource Services**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output 1.3, Human Resource Services. Are there any questions?

**Dr LIM:** Yes. Minister, are you able to detail the number of part-time and full-time employees paid by DCIS on behalf of all of government by agencies for the last financial year; if not, for the previous three other financial years?

**Mr HENDERSON:** I will defer to my chief executive.

**Mr GALTON:** I can't break it down by department but I can give you some global figures over the last 12 months for the number of public servants or people who have been paid through the government system. June just gone past has included a fair number of casual employees who were engaged for the election process. That number was 18 200 in total. The running year-to-date figure for the number of people we do pay - which includes full-time, part-time, casual, temporary, permanent, those on long service leave, those on recreation leave, and those on sick leave - is 17 378.

**Dr LIM:** Are you prepared to table that, minister?

**Mr GALTON:** Yes, I am prepared to table that.

**Madam DEPUTY CHAIR:** Tabled document. Member for Greatorex, any further questions?

**Dr LIM:** Yes, I do. If you could refer me now to the performance measures again in terms of average price you pay an employee per year; the average price per commencement, termination; average price per pay variation process, automatic and manual; and the average human resource system price per employee. Do we have that in this sheet?

**Mr HENDERSON:** If you go to the top of the second page, member for Greatorex, itemised there is payroll services per employee, manual, automatic, commencement, termination, going back to 2001-02. It is good to see that these services are getting cheaper across government.

**Dr LIM:** It should.

**Madam DEPUTY CHAIR:** Any further questions, member for Greatorex?

**Dr LIM:** No, not for 1.3, thank you.

**Madam DEPUTY CHAIR:** Any further questions on Output 1.3? That concludes consideration of Output 1.3.

#### **Output 1.4 - Archives and Records Management Services**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output 1.4, Archives and Records Management Services. Are there any questions?

**Dr LIM:** Minister, if you can point out for me where the archives performance measures are in this spreadsheet that you provided for the average price per record, policy and disposable authority issued, and average price of collections managed?

**Mr HENDERSON:** Just bear with us, member for Greatorex. What I can say whilst we are seeing whether we have that information with us is that a good initiative from the government was the Alice Springs Archive, which was opened in November 2003. I have visited the archive and it is a magnificent initiative that I know has been very warmly welcomed by the people of Central Australia. Approximately \$200 000 was spent in the previous year establishing and creating the archive facility, and the recurrent costs are around \$172 000 per annum, which includes the cost to employ two permanent staff members to operate the facility. It has been a very big success story.

I am advised that on the second page, member for Greatorex, under Payroll there is a Records Policy and Systems, and that is the itemised cost there at \$65.

**Dr LIM:** All right. I will look at that later on. That is all for 1.4.

**Madam DEPUTY CHAIR:** That concludes consideration of Output 1.4.

#### **Output 1.5 – Information and Communication Technology Services**

**Madam DEPUTY CHAIR:** The committee will now proceed to Output 1.5, Information and Communication Technology Services. Are there any questions?

**Dr LIM:** Minister, I bring your attention to the Telstra contract. Your government recently made great play by awarding the major contract to Telstra; however, at the expense of the previous service provider, Optus. What, in fact, has that contract being taken away from Optus done to Optus and to the competitiveness of communications providers in the Territory?

**Mr HENDERSON:** Member for Greatorex, it has been very significant work undertaken by the department this year in managing the tender process and all the work that went before it. We believe - and the Probit Auditor has concurred with the process - that it was an open, transparent and competitive process. I firmly believe that Telstra will deliver on their contractual obligations over the next five years.

I would like to put on the record in *Hansard* my thanks to Optus for the previous five-year contract; they did provide a very good and professional service to government. However, at the end of the day, whenever you go through a tender process, there are going to be winners and losers and, on this particular occasion, Telstra won the bid fair and square.

Of course, there has been a significant impact on Optus; they have lost their major contract in the Northern Territory. We have managed the transition through that process. My firm understanding is virtually all, if not all, of the people will be redeployed in the Northern Territory. There is a big skills shortage at the moment, so those people affected will find alternative employment, so I do not have significant concerns in that regard.

As the minister with carriage for this, I was very mindful of the competitive tension issues in the marketplace. As part of the evaluation, that was taken into account; the fact that Optus did provide a competitive tension within the marketplace in the Territory. However, the assessment criteria that was evaluated by the Probit Auditor took that into account. However, the tender offered by Telstra in their bid

did bring significantly greater value for money, not only for the Territory government but for the Territory. I can say, member for Grotorex, that the competitive tension issue was taken into the account in the evaluation of those tenders.

**Dr LIM:** But we are now back into a monopoly situation by a major national telecommunications company. What is the government doing to prevent to return to the pre-outsourcing environment where we had one company essentially dictating its own terms?

**Mr HENDERSON:** Optus is not leaving the Territory. Optus has made a commitment to stay in the Territory and continue to compete in the private sector for business share. It was something that I spoke to the Chief Executive of Optus about. I am very pleased to see that Optus is continuing its presence in the Territory, and is going to continue to compete for work in the private sector. I am very pleased to see that Optus is staying.

**Dr LIM:** Can you provide the costs that have been incurred by government to disengage Optus?

**Mr HENDERSON:** Those costs are not fully accounted for yet. My advice is that there are still some commercial discussions taking place and costs being determined. At this point in time, I cannot give you that number but, once the whole transition has occurred and those issues have been sorted out, they will be made available through the public records.

**Dr LIM:** Thank you, minister. Can I, therefore, put this on question on notice, that in three or six months time when all things are all settled that you provide us with a formal response.

**Mr HENDERSON:** Yes, I am certainly prepared to do that. At the moment, it is being worked through.

**Dr LIM:** How does the disengagement cost affect the bottom line of the department for the 2004-05 financial year?

**Mr HENDERSON:** I will defer to the chief executive to answer that, but any additional cost that obviously cannot be absorbed within the agency budget would be forthcoming from Treasury.

**Mr GALTON:** The full cost of the transition in the disengagement from Optus is taken into account. It has been split over two years, the 2004-05 and the 2005-06 year, and it is calculated within budget.

**Madam DEPUTY CHAIR:** Any further questions?

**Dr LIM:** Yes. This cost was incurred in the tender assessment process as an additional cost to the Telstra tender? The Telstra tender was about \$28m per year over four or five years, so this disengagement cost is on top of that, or is it part of the whole contract price?

**Mr HENDERSON:** I will defer to my CEO.

**Mr GALTON:** We did take account of the disengagement and the transitional cost as part of the tender assessment. We had to make allowances for that and getting a balance fixed between the two bids.

**Dr LIM:** Can you refresh my mind, minister? What was the value of the contract to Telstra - over four or five years?

**Mr GALTON:** I cannot give you the precise cost on what the Telstra bid was and the additions that we had to make to it, and nor can I give you a comprehensive breakdown of the total cost for Optus if we engage with them for the five years. In round figures, the five-year cost for the Optus bid was a \$160m-odd and the Telstra bid was \$150m.

**Dr LIM:** I recall a media release by the minister stating quite clearly how much the tender was worth to Telstra. I do not have the media release here with me at the moment. What I am asking is: is this disengagement cost on top of that amount that has been awarded to Telstra? Is that right?

**Mr GALTON:** The figure is spread over the five years as \$30.6m per annum.

**Dr LIM:** \$30.6m, and that is all for Telstra? That is not inclusive of disengagement costs and transition costs? The \$30.6m is the Telstra direct costing or is it disengagement cost?



**Mr GALTON:** Yes, that does include the transition cost.

**Dr LIM:** Okay. So, what aspects of the tender assessment and the transition are being disputed by the unsuccessful tenderer?

**Mr HENDERSON:** There are discussions taking place in negotiations around those issues at the moment. Regarding the commercial sensitivity for the people involved, I am not prepared to discuss those now in this forum. However, in costs to government, when those issues are finalised then those costs will be made available. But I really do not want to go into a debate in ...

**Dr LIM:** Okay, we do not have to go into the quantum of the costs of disengagement. However, had the costs of disengagement been factored into it right at the beginning, would the outcomes be exactly the same, or could they be quite different - had those disengagement costs been factored into the tender?

**Mr HENDERSON:** I defer to the chief executive.

**Mr GALTON:** You are confusing two issues here. The disengagement costs were taken to the tender assessment; allowances were made for disengaging with Optus. We are not disputing disengagement with Optus at the moment. They have some claims before us that are not yet a dispute. It is the outstanding claims on the elements of the Optus contract that we are trying to resolve with them at the moment. As far as we are concerned, disengagement has been settled.

**Dr LIM:** Okay. Then, maybe the question is: if the disputed amount was taken into consideration, would the offer of the contract with Telstra been affected, or been quite different?

**Mr GALTON:** The rankings would not have changed.

**Dr LIM:** How many jobs did Telstra guarantee to bring into the Northern Territory with the winning of this tender?

**Mr HENDERSON:** Again, I will defer to the chief executive for the detail. However, in new jobs to the Northern Territory, we are talking about, in scope, 80 new positions directly to provide the services and then, out of scope, in industry development, 171 new jobs.

**Dr LIM:** So how many have been created to date?

**Mr HENDERSON:** We are only days into the new contract. My advice is that the in scope are in place, so those 80 new jobs are already in place. The industry development, the call centres and what have you - the new jobs - 170 will appear over time. My advice is by end of year one of the contract those additional 171 out-of-scope jobs will be in place.

**Dr LIM:** You are talking about the 80 new jobs. Are you talking about Telstra absorbing staff shed by Optus; therefore, not creating new jobs but taking on someone else's staff because Optus do not require them any more? They are not 80 new jobs, are they? They are 80 people employed, many of whom come from Optus.

**Mr HENDERSON:** There would be an element of that. Member for Greatorex, industry development and the number of jobs to be created as a result of this contract was, obviously, one of the evaluation criteria in assessing the tender process. That was rigorously tested in how that was evaluated, and also as part of that overall process endorsed by the Probity Auditor. Therefore, in whether, nett in and out, there are any real new jobs or not, there are significant numbers of new jobs that will be created. That was all part of the assessment of the tender process that was overseen by a Probity Auditor and signed off.

**Dr LIM:** Are you able to give us what the nett gain of jobs is?

**Mr HENDERSON:** Well, certainly 170-plus. My advice is, in scope, Optus previously employed 66 people. In scope, Telstra will be employing 80 so, obviously, that is a nett increase of 14. Added to that the industry development, the out-of-scope additional jobs, the assessment was the Optus bid would have delivered 20 new jobs, whereas the Telstra bid will deliver 171 new jobs.

**Dr LIM:** Would the government then hold Telstra to its promise that it will deliver 80 new jobs in scope?

**Mr HENDERSON:** Yes, absolutely.

**Dr LIM:** So you are looking at the 66 Optus loss. We might have lost two-thirds or three-quarters; I do not know how many. So Telstra has to replace that loss plus extra to make up to the 80?

**Mr HENDERSON:** No, I did not say that. It would be an element. In terms of the assessment to deliver the in scope, 80 positions will be there within Telstra. How many of those they take on from Optus, I do not have that detail; that would be an issue between the individual employee and Telstra. However, in the nett effect of this contract: 80 jobs to deliver the in scope contract, and 171, which is very significantly ahead of what Optus bid.

**Dr LIM:** We use different words but what we are agreeing upon is that Telstra is not going to deliver 80 new jobs in the Territory within this contract in scope.

**Mr HENDERSON:** The reality is that Telstra has to deliver the 80 jobs. Optus is keeping some of those people on - I am not sure - because they are going to stay here in the Territory. Therefore, in whether this contract and its assessment is good for additional jobs in the Territory economy, the answer very substantively is yes.

**Dr LIM:** I said to you that we both agree on that point. The point that I am trying to make - and I think we both agree on that as well - is that Telstra will not deliver 80 extra jobs in scope because they are taking on a large proportion of Optus ex-employees.

**Mr HENDERSON:** The total of extra jobs in the Territory; they have 80 positions to find to deliver this contract. How many of those positions are filled by people currently within Telstra, how many people may move from Optus, has to be netted out. The reality is, out of scope, 171 brand new jobs will be created in the Territory by - the end of year one is the aim - this contract compared to the Optus bid of 20 new jobs.

**Dr LIM:** Minister, I am labouring on this point because I know that since the awarding of the contract with Telstra, Telstra has already commenced cutbacks on staffing. What assurances have you sought from Telstra, given its prior commitments to cutting back on staff, that we would actually be quarantined from staff cutbacks and that, in fact, we will have at least 80 new jobs created by Telstra with in scope?

**Mr HENDERSON:** Again, I am not here to defend what Telstra is doing, but I would be careful making allegations that they are cutting jobs in the Northern Territory. I would be careful making that allegation because my understanding of what Telstra is doing at a corporate level is a lot of the jobs that are going to be lost are at the marketing and various management layers. I am not advised by Danny Honan that there are any job losses in the Northern Territory. Telstra will very significantly grow its number of people employed here in the Territory as a result of this contract. Unless you are capable of providing evidence that Telstra is cutting jobs in the Territory, I would be careful of making that allegation.

**Dr LIM:** I used my words very carefully, minister. I asked what processes or assurances have you and the government got from Telstra that there will be no job cutbacks in the Northern Territory, understanding that Telstra nationally has announced job cutbacks? That is what I asked. Have you done anything with Telstra?

**Mr HENDERSON:** Telstra will be creating significant numbers of new jobs here in the Territory as a result of this government contract which we can, as a government, hold Telstra to account for. In terms of other areas of its business here in the Northern Territory, we cannot hold them to account for other areas of its operation, and neither should we, given their corporate structure.

I do not know where you are trying to get to here, member for Greatorex. The tender was assessed in an open and transparent way against the selection criteria. It has been overseen by a Probity Auditor in terms of those categories and, very significantly, Telstra will generate 171 new jobs out of scope. They will be employing 80 people here in the Territory to deliver the in-scope side of the contract. This is a very good result for the Northern Territory.

**Dr LIM:** I am not trying to get anywhere, minister; I am just asking what assurances have you sought from Telstra that new jobs will be created within the Territory to ensure that we are quarantined from the national Telstra cutbacks.

**Madam DEPUTY CHAIR:** I might just point out repetition at this stage, member for Greatorex. You have just 20 minutes to go on questions for DCIS, and that question has been asked about three times now ...

**Dr LIM:** And you have just wasted half a minute.

**Madam DEPUTY CHAIR:** ... and that is repetition. I am calling a point of order on repetition, and I ask you to proceed with questions that you have not previously asked.

**Dr LIM:** How come the minister is seeking advice at the moment?

**Madam DEPUTY CHAIR:** Are you challenging my ruling?

**Dr LIM:** The minister is seeking advice.

**Madam DEPUTY CHAIR:** My ruling is: proceed with questions. You were being repetitious.

**Dr LIM:** Is the minister going to respond or ...

**Madam DEPUTY CHAIR:** Member for Greatorex, proceed with questions - another question.

**Dr LIM:** The minister is not going to respond, okay.

**Mr HENDERSON:** I will respond when people are quiet.

**Dr LIM:** Okay.

**Mr HENDERSON:** Thank you. Telstra will deliver on its contractual obligations to the Northern Territory government, and that includes not only services but the number of jobs that will be created as a result of this. There are penalties within the contract for failing to deliver. So, yes, I have sought assurances. There are penalties within the contract for not delivering on those commitments and, yes, we will hold them to account.

**Dr LIM:** Thank you; that was quite painless. All right, next question. With the break-up of mainframe services, there will be an incremental cost per unit of service delivered with the decreasing pool expertise within the service. Have we now firmed up who is going to be providing mainframe services to the Territory? It is all fixed, all firm?

**Mr HENDERSON:** Yes. Mainframe has not been broken up and DCIS will continue to provide mainframe services to government agencies.

**Dr LIM:** All right. Referring to this spreadsheet that you provided, what was the average price per desktop user - which should be here somewhere - and what is the average price per hour of IT support?

**Mr HENDERSON:** I invite Mr Brad Irvine to the table to give a better explanation than I could on the numbers. Brad, if you would like come and join us?

**Mr IRVINE:** Brad Irvine. Through the minister, referring again to the table of charges, the IT service management is broken into two areas: contract services and agency services. Contract services is a charge levied on agencies for us to manage contracts on behalf of whole-of-government. Agency services is a collective of IT managers and IT directors, and this is done on a calculation *pro rata* on the consumption of those people by the agencies. That is the costing that you see across ...

**Dr LIM:** So we cannot work out per hour support that is now being charged? For instance, if I ring up the Help Desk and they provide me with a half-an-hour of service, what does it cost?

**Mr IRVINE:** It is included in your fee. Sorry, I should just draw the distinction: this is DCIS's charging to government agencies; this is not CSC charging. If you ring the Help Desk, you are paying \$259 or \$263 per desktop per month.

**Dr LIM:** Right.

**Mr IRVING:** All the services are wrapped up in that, and that includes if an engineer has to come out once, three times, five times. That is all paid for. There are no hourly charges.

**Dr LIM:** Has the contract been changed? In previous years, there was an allocation of \$75 per hour of support. That is no longer categorised within the department?

**Mr GALTON:** I think you are referring to our charges; that is, the DCIS charging agencies for IT managers and IT directors. It is done on a cost - I do not think it is by hour. It is done on the FTEs because we have different levels of people allocated on a semi-permanent basis to each agency. They are charged for *pro rata*.

**Dr LIM:** When you have the allocated FTE managers per annum - I assume PA stands for that - you are looking at a \$130 000 per person?

**Mr GALTON:** Yes, that is correct.

**Dr LIM:** All right, thank you.

**Madam DEPUTY CHAIR:** Are there any further questions on output 1.5?

**Dr LIM:** Yes. Minister, I assume you agree that the function of the taxpayer-funded government web site is to promote the policies and work of government?

**Mr HENDERSON:** Very much so.

**Dr LIM:** Do you also agree that the web site funded and paid for by the Territory taxpayer containing government media releases should be done in such away that is political rather than government and opposition? I draw your attention to media releases such as these, where you have become party political. This is in the government web site. Why are you using 'Country Liberal Party' rather than 'opposition'? The list goes on: 'CLP seek to wreck Alice Springs sittings'; and 'CLP opposition will cut jobs'; 'CLP continues to play politics'; 'CLP opposition using teachers'; 'CLP opposition still attacking police'; 'CLP Internet obscenities a disgrace'; and 'No new ideas for recycled CLP opposition'. You continue to use that. Do you think that is appropriate?

**Mr HENDERSON:** I am not across the detail of how those things get up onto the government web site, but I believe the same policy parameters are there from when the CLP was in government. Routinely, the same types of media releases ended up on the government web site when the CLP was in government - routinely. If it was not me, I remember asking the same questions, if we track back through the *Hansard*.

**Dr LIM:** Minister, I do not want to put any officer on the spot but, looking at the Northern Territory government of Australia web site right in front of me at this moment, at the very bottom, apart from the disclaimer, is and I quote:

*Responsibility for comment in this web site is taken by the CEO of DCIS on behalf of the Northern Territory government, Department of Corporate and Community Services, Cavenagh Street, Darwin.*

It is managed by DCIS. I am asking you as the minister for the department: do you think the department should be carrying party political stuff, or do you think it should not?

**Mr HENDERSON:** As I said, my understanding is that the policy has not changed. The policy in regard the publication of those media releases would be the same as when the previous government was in office. What I can undertake to do is to take that away and have a look at it. The policy has not changed and the same type of media releases are appearing on the web site as used to appear when the CLP was in government.

**Dr LIM:** That is what you claim. Show me any media releases back four years ago that ...

**Mr HENDERSON:** I obviously do not have them with me now, but I can say that if we were to go back through *Hansard*, we can see similar lines of questioning.

**Dr LIM:** Do you think that taxpayers' money should be used to launch political attacks against the opposition like that?

**Mr HENDERSON:** Like I say, the policy has not changed from when the CLP was in government and I undertake to have a look at that.

**Dr LIM:** Thank you.

**Madam DEPUTY CHAIR:** Any further questions on output 1.5?

**Dr LIM:** Not for me, thank you.

**Madam DEPUTY CHAIR:** Okay, that concludes consideration of this output group.

**OUTPUT GROUP 2.0 – PROPERTY MANAGEMENT**  
**Output 2.1 - Property Management**

**Madam DEPUTY CHAIR:** I call for questions relating to Output Group 2.0, Output 2.1, Property Management. Are there any questions?

**Dr LIM:** Yes, thank you, Madam Deputy Chair. The number of property leases has gone up by one between April 2004-05 and 2005-06, with a commensurate increase of floor space rented by 4000 m<sup>2</sup>. Where is this leased property? What relationship does it have with the promise of lease space with the Chinatown project?

**Mr HENDERSON:** I might defer to my chief executive and other agency staff for that. Katrina, you might like to come to the table. Katrina Harding heads up our Property Division. Welcome, Katrina.

**Ms HARDING:** Thank you. There is actually a combination of ons and offs.

**Mr GALTON:** The actual figure of plus-one is a combination of ons and offs. Basically, there are 113 ...

**Ms HARDING:** Sorry, 142.

**Dr LIM:** I draw your attention to page 167 of Budget Paper No 3, which gives you the figures.

**Ms HARDING:** They are actually ...

**Madam DEPUTY CHAIR:** For the purposes of Hansard, I will get you to state your name, Katrina.

**Ms HARDING:** Katrina Harding. The increase in one lease is actually a combination of ons and offs. There are a number of leases. These reflect leases that are actually expiring during the year. They total two. There are a number of leases that come on during the year, and they total three. So, there is an additional one.

**Dr LIM:** Okay. That is no relationship to the 4000 m<sup>2</sup> increase?

**Ms HARDING:** Yes, there is a relationship to the 4000 m<sup>2</sup>. They reflect some accommodation initiatives for Department of Health in Alice Springs and Department of Health in Darwin. There is one other; a little adjustment for the Department of Justice.

**Dr LIM:** It has no relationship with the proposed new space in Chinatown?

**Ms HARDING:** Chinatown is not included in the 4000 m<sup>2</sup> increase.

**Dr LIM:** Looking at the spreadsheet one more time, what is the average rental cost? It is not included in here that I can see anywhere.

**Ms HARDING:** I have that.

**Dr LIM:** There is a black line, in fact.

**Ms HARDING:** The average cost ...

**Mr HENDERSON:** Is that per square?

**Ms HARDING:** Yes.

**Mr GALTON:** Yes, per square.

**Mr HENDERSON:** Go on.

**Mr GALTON:** The average rental cost is \$253 per square metre for the year 2005-06.

**Dr LIM:** Thank you.

**Madam DEPUTY CHAIR:** Are there any further questions on Output 2.1. That concludes consideration of these output groups.

#### **Non-Output Specific Budget Questions**

**Madam DEPUTY CHAIR:** Are there any other non-output specific budget-related questions to these groups?

**Dr LIM:** Yes. Minister, how much was spent on behalf of your department on advertising, promotional activities, media, DVDs, brochures, and general printed matter in 2004-05? Are you able to provide me month-by-month breakdown of spending, and programs that this spending was for?

**Mr HENDERSON:** Total advertising expenditure as of May 2005 is \$501 064, and that is made up of: general advertising, \$1473; *Gazette* advertising for CAPS, \$53 096; CAPS tender advertising, whole-of-government – this is advertising tenders across the Territory - \$369 856; DCIS recruitment advertising, \$71 055; and marketing advertising, \$2792. Note recruitment advertising for other agencies is \$1.4m at the end of May, and this cost is recovered from agencies.

**Dr LIM:** Are you able to also provide how much was spent on print media, electronic media, poster production and direct mail, and DVD/CD production?

**Mr HENDERSON:** I do not know that we do that type. This is all primarily print advertising, particularly around tenders, so there would be very little, if any, flyers and what have you. Marketing advertising is \$2792.

**Dr LIM:** Would you be prepared to table that?

**Mr HENDERSON:** I can table this.

**Madam DEPUTY CHAIR:** Tabled paper. Further questions? There being no further questions, the committee will now move onto the Data Centre Services.

#### **OUTPUT GROUP 1.0 – DATA CENTRE SERVICES Output - Business Line**

**Madam DEPUTY CHAIR:** The committee will now consider questions regarding the Business Line, Data Centre Services. Are there any questions?

**Dr LIM:** Yes, just a quick one. The Data Centre has been downsized for the last three years and I find it interesting that staffing numbers have suddenly gone up by 30% to 50%. In the previous two years, the staffing levels have been around 30 to 35, so what is the cause of this increase in staff numbers?

**Mr HENDERSON:** Member for Greatorex, I am very pleased to be the minister for DCIS because I spent quite a few years in Data Centre Services. It is good to see they are still providing a great service to Territory government agencies. The reason for the increase in staff was, when the government made the decision to outsource data centre services, a number of people who were providing contract services to government were taken back on as permanent full-time employees. When the policy decision was made not to outsource, a number of individuals who were providing contract services through the proper recruitment process were taken on as permanent employees.

**Dr LIM:** Many people lost their jobs because they were not sure what the future was.

**Mr HENDERSON:** That was not our decision.

**Dr LIM:** Coming back to the spreadsheet, what is the average price per billable mainframe CPU second and all those questions that are in there. If I can read them out to you and you can refer them to me. What is the average price for mainframe software agreement? The average management price for the server, the megabyte of storage space utilised?

**Mr HENDERSON:** Yes, we have a product listing on all of that. We will get hold of it. I defer, through the chief executive, to Mr Brad Irvine to explain how all this is costed out.

**Mr IRVINE:** There are a number of areas; this is not a single sourcing arrangement. We have pricing mechanisms in place with our prime desktop, LAN and help desk provider, which is CSC. The Data Centre also does a comparable service. However, we can certainly give you some breakdown on the Data Centre Services price book. Then there is a third entry, which is where agencies can actually elect to get server management, which is one I just picked up on that you put on the table. Server management is free range; it is done through various number of management arrangements. We can certainly give some breakdown to the price book out of Data Centre Services so you can focus on how they ...

**Mr HENDERSON:** Could I also just point to, member for Greatorex, page 172 of Budget Paper No 3. There is a breakdown there of some of the budget allocations for mainframe seconds processed and servers - whether those numbers there satisfy your question.

**Dr LIM:** Thank you for that, I did not get to that page to look at. I will refer to that later on. Thank you very much.

**Madam DEPUTY CHAIR:** Are there any further questions on the Data Centre's Services output? There being no further questions, that concludes consideration of this business line.

### **OUTPUT GROUP 1.0 - GOVERNMENT PRINTING OFFICE** **Output – Business Line**

**Madam DEPUTY CHAIR:** We will now move onto the Government Printing Office. The committee will now proceed to consider questions regarding the business line of the Government Printing Office. Are there any questions?

**Dr LIM:** Minister, are you able to list all the work undertaken by the GPO in its printing services on behalf of ministerial offices? Could you give me a breakdown of work undertaken for each minister in the year 2004-05?

**Mr HENDERSON:** My advice is that we can do that by agency. The printing done by Government Printer - I am thinking in my agencies; for example, the Trade Strategy, Asian Engagement - those orders are commissioned by the agency and not by the minister's office although, obviously, the minister's office would sign off on the policy and the content of those products. I find it hard to visualise government ministerial offices ordering products from the GPO.

**Madam DEPUTY CHAIR:** I will rule on this in terms of the ministerial office aspect. The Chief Minister has coverage of expenditure by ministers from ministers' officers. That was dealt with last night. The minister is able to respond in terms of the agency, but not the ministerial office. That is my ruling.

**Mr HENDERSON:** We can give it by agencies if so required.

**Dr LIM:** We would appreciate that if you have that.

**Mr HENDERSON:** Yes, I can table that.

**Dr LIM:** Thank you. No further questions on this.

**Mrs BRAHAM:** What percentage of the work is outsourced?

**Mr HENDERSON:** According to my chief executive, as at the end of May, the GPO has outsourced 28.9% of work, which equates to \$1 402 181.

**Madam DEPUTY CHAIR:** Are there any further questions on the Government Printing Office? There being no further questions, that concludes consideration of this business line and, indeed, it concludes consideration of ...

**Dr LIM:** I have 15 seconds. I could have asked a question and the minister could have given me the answer. Minister, NT Fleet, what is the average cost of ...

**Madam DEPUTY CHAIR:** Member for Greatorex, I said that concludes this consideration.

**Dr LIM:** No, no. Hang on. You cut off 15 seconds.

**Madam DEPUTY CHAIR:** No, I am not cutting off 15 seconds. I started early, even before members of the committee had sat. You were here and I asked if you were ready to start a few seconds earlier.

Thank you, minister, and officers of DCIS for appearing before the Estimates Committee. The Estimates Committee will resume at 7 pm for consideration of DIPE.

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The committee suspended.

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## MINISTER BURNS' PORTFOLIOS

### DEPARTMENT OF INFRASTRUCTURE, PLANNING AND ENVIRONMENT

**Mr CHAIRMAN:** I welcome the minister and invite him to introduce the officials accompanying him and, if he wishes, to make an opening statement on behalf of the Department of Infrastructure, Planning and Environment .

**Dr BURNS:** Thank you, Mr Chairman. I am joined at the table this evening by Sarah Butterworth, Chief Executive Officer of the Department of Infrastructure, Planning and Environment. Sarah has just completed her first year as CEO of the department, and a very positive year it has been. I am also joined by Nick Pellissier, who is the Executive Director for the department's Strategic and Business Services Group. Nick is also acting in the position of Business Manager for the Construction Division. Mr Ken Tinkham, Chief Financial Officer for the department, is also with us and will be available to assist the committee in its considerations.

I will be joined at the table by other departmental officers as appropriate as we move through the appropriation for this diverse and innovative department. For Output 1.1, Land Planning Development and Management, I will be joined by the Acting Executive Officer, Mr Rob Applegate.

The agencies that I have the honour of having in my ministerial portfolio are some of the major drivers of the Territory's economic development. The Department of Infrastructure, Planning and Environment has sustainable development and protection of our unique lifestyle as its guiding principles. The department is a major generator of jobs and economic growth within the Territory, both directly through the capital works program, and by setting in place the land development framework and public infrastructure that drives economic development. The department is also responsible for the transport framework and infrastructure that serves both urban and remote communities and industry. The department is responsible for maintaining and enhancing our unique lifestyle through its functions in land and resource management, including the development of parks and the protection of biodiversity.

The past financial year has been one of major achievement for the department in many areas. Planning for the Darwin waterfront and the Desert Knowledge Centre in Alice Springs are now well advanced, and the first contracts are starting to flow. Contractors are on-site at the waterfront site preparing the area for this major development. I issued a media release yesterday in regard to a \$2.6m contract recently awarded to Sitzler Bros for work on the Desert Knowledge Centre. Major private sector investments have been made in the Darwin Business Park and more are nearing finalisation. New urban land developments are proceeding in Alice Springs, Darwin and Palmerston. The draft master plan for the future development of Territory parks has been developed in extensive consultation with a wide range of stakeholders. These are just a few of the many major projects that are under way.

In addition, DIPE is responsible for the design and delivery of much of government's capital works program. This provides private sector employment opportunities throughout the Territory from design to construction.

Mr Chairman, I will handle any question the committee members may have in regard to any contractual issues for any capital works programs that are administered by the Department of Infrastructure, Planning and Environment. Questions in regard to non-DIPE capital works programs need to be directed to the appropriate minister. Similarly, questions in regard to the Office of the Environment and Heritage will be handled by the minister for the Environment. There may be some issues of a departmental corporate nature that relate to both my portfolio and those of the minister for the Environment, and I will provide relevant information where appropriate.



The Chief Minister and Treasurer have answered questions in regard to the financial arrangements for the waterfront project. I will answer questions in regard to operational matters that are within my portfolio in advancing this important project. Any questions in regard to environmental regulation of this or other projects should be directed to the Minister for Environment and Heritage.

Mr Chairman, in conclusion, I look forward to any questions the committee may have in regard to the appropriation for this year.

**Mr CHAIRMAN:** Thank you, minister. Are there any questions in regards to that statement?

**Dr LIM:** Yes, Mr Chairman. I am glad that the minister introduced with a broad-brush statement on his department. He said that DIPE is designed - I think I have the correct words used - to handle all capital works program for the whole-of-government. Is that what you said in your statement?

**Dr BURNS:** There are a number of projects that fall directly under the control or auspices of DIPE. From my recollection in the last financial year, it was approximately \$130m. However, there are other capital works programs in other agencies and also GOCs such as Power and Water. However, I might defer to the CEO in relation with that particular question.

**Ms BUTTERWORTH:** We manage all the capital works except for Power and Water and sometimes for the Port Corporation.

**Dr LIM:** I am just trying to get my mind around the mega-department of DIPE, which is, as we all know, a large department. Your statement did not quite give me a clear overview of what the department does in being a government agency for other agencies. Can you explain that to me?

**Dr BURNS:** There is quite a complex organisational chart and it might be an opportunity for Ms Butterworth to explain. There are a number of executive directors who are here today from the various elements of the department. You are right, member for Greatorex, it is a very large department and it carries out many functions. However, I might leave that overview to Ms Butterworth.

**Mr CHAIRMAN:** May I request that departmental officers, for the purposes of Hansard, state their name so that we can record it accurately?

**Ms BUTTERWORTH:** The department, as the minister says, is broken up into a number of divisions. Perhaps if I just run down each of those and give a brief idea of what they do. Does that help?

**Dr LIM:** Is it possible to get a copy of the org chart that you may be referring from, so that while you are talking we can refer to it. Is that possible?

**Ms BUTTERWORTH:** We will get a copy for you. There should be one in ...

**Dr LIM:** We started a bit early, so I do not mind holding off one minute while you photocopy and pass it across. We did not start ...

**Mr CHAIRMAN:** No, we started at 7 pm, Richard.

**Dr LIM:** 7 pm, okay.

**Mr CHAIRMAN:** But I am happy to finish, all right.

**Mr Mills:** I am sure you would, you are a government member.

**Dr BURNS:** Maybe if we give Dr Lim a copy ...

**Ms BUTTERWORTH:** We have given him one.

**Dr BURNS:** You have? All right.

**Ms BUTTERWORTH:** Okay, taking it from the top on that page, the Office of Environment and Heritage we will deal with tomorrow because that is under minister Scrymgour. Then there is Conservation and Natural Resources, which includes the Parks Area and Natural Resource Policy; natural systems; bio-park which includes the Desert Park in Alice Springs; biodiversity - have I covered everything? - conservation

policy. They are policy areas associated with conservation and all of the wildlife and biodiversity associated things.

Transport includes transport policy, bus service, MVR - all the public transport things including taxis, commercial passenger vehicles, road networks, safety in relation to marine and road safety ...

**Dr LIM:** Airports?

**Ms BUTTERWORTH:** No, not airports.

**Dr LIM:** Airstrips?

**Ms BUTTERWORTH:** Airstrips belong to Community Development.

Land Development is a group that predominantly facilitates major projects. They deal with the capital works program for land development as well, but they assist with the major gas projects and those sorts of things from a land perspective.

There is Lands and Planning, which includes the – this is almost a memory test - building areas including DCA, the Development Consent Authority; land administration administering *Crown Land Act* and those sorts of those things; Land Information - all the IT and geospatial technology; Building Advisory Services; Development Assessment and Planning which I have mentioned for DCA and also for future planning; and the Planning and Building Policy area which has been dealing with legislative changes.

Infrastructure Services is a new division that we have established within the organisation to manage the procurement issues within DIPE, because that is, obviously, a high profile area for us; also the asset management of the whole-of-government; and the project development area, a pre-capital works assistance to agencies on project development.

The Construction Division is the GBD that manages all the design and construction of capital works, minor works, and R&M for government.

Strategic and Business Services is the corporate group which runs all the normal corporate things: IT, HR, finance, information - all of those areas.

The Darwin City Waterfront Office has recently been established, and we have offices in all of the regions. John Baskerville manages the regional offices for us.

**Dr LIM:** Including Tennant Creek, Katherine, and Nhulunbuy?

**Ms BUTTERWORTH:** And Nhulunbuy, yes.

**Dr LIM:** That is a big swag of different operating cultures within one big mega-department. How do you bring that together so that people start thinking in the same way?

**Dr BURNS:** You are correct, member for Greatorex. There are disparate elements of the department, but there are also common themes that run through the department. The motto, if you like, of the department of balancing development with conservation and conservation values in order to really safeguard our Territory lifestyle and our environment, is a theme that runs throughout the entire department. As the department has evolved and grown over the last couple of years, there have been a number of exercises which have been engaged in by management to look at the disparate elements and the management aspects to do with that. However, I will ask the CEO to comment further.

**Ms BUTTERWORTH:** We have recently completed our latest corporate planning exercise. We have built on the theme of balancing conservation development; our theme is now working together for the conservation and sustainable development of the Territory, as we want to do precisely what you are referring to: bringing the organisation and really capitalising on this working together theme as opposed to a conflict which might appear from balancing.

We have done a lot of work; we have had workshops with every group in the organisation and found the common themes. We now have four common core outputs that everyone is working towards, and they cover legislation, strategic planning, community alignment, and competent and committed people. Then there are other outcome statements which relate particularly to the divisions. Therefore, everybody has to

have some strategies to deal with those four which give them the opportunity for synergism and working together, and then there are some individual ones as well.

**Dr LIM:** Are you trying to assure me that there are no silos within DIPE?

**Ms BUTTERWORTH:** There are still some silos, however, we are working towards getting rid of them.

**Dr LIM:** Did you have to spend a lot of money on consultancies to bring this together which, in my mind, sounds like an amorphous mass?

**Ms BUTTERWORTH:** We had a facilitator for the workshops which we have been running since January.

**Dr LIM:** Has much money been spent on consultancies in DIPE overall?

**Ms BUTTERWORTH:** I can give you the list of consultancies, yes. In Construction Division alone it is about \$10m.

**Dr BURNS:** Construction Division is not a consultancy to build the corporate entities.

**Ms BUTTERWORTH:** No.

**Dr BURNS:** Can we give the member for Greatorex that information of what might have been spent on consultancies? I have to say, member for Greatorex, my experience of the department has been a very favourable one; there are dedicated public servants in the department. As a government, we decided to go for economies of scale in departments. There was a reorganisation, as you are aware, some time ago and there is always a challenge of people feeling that they have lost some of their identity or autonomy in that.

However, generally speaking, I have to say my experience of the department has been very favourable. It is an efficient department with hardworking public servants. There are problems which arise from time to time; however, those things can happen in any department. Generally speaking, what I have picked up is that people who work for DIPE are proud of being a part of it. In fact, at the Alice Springs Show someone who was with me had a DIPE hat and one of the employees wanted a DIPE hat; therefore, there is pride in the badge.

**Dr LIM:** What I am trying to come to terms with is, for instance, if an agency comes to DIPE - that is another agency - and says 'Manage this particular project for me', what is the government's structure that you have to ensure that the client agency is being serviced by DIPE adequately - that DIPE understands the issues involved for the client agency - and the appropriate charges to be made to the particular agency, especially when you mentioned something like 100 other agencies coming to DIPE looking for services every day, or every year? How do you manage the government's issues within DIPE?

**Dr BURNS:** That is a very important question, and one which I have been very focused on since I have become minister: ensuring that, in particular, the capital works expenditure which is trusted to DIPE, and the minor new works, and repairs and maintenance budget which flows through DIPE, is spent effectively in the way that it was intended. There have been some problems, particularly in the last 12 months where there have been escalations in costs. That is not restricted to the Northern Territory, it is Australia wide.

I will ask the CEO and possibly others to comment further. However, there is a focus in the weekly meetings I have with my CEO. One of the major issues discussed at that meeting are capital works and repairs and maintenance progress on all of those things. We get an exceptions report if there is project that does happen to be lagging for whatever reason. Sometimes, it is a school building out in a remote community that requires the input of the school community. For whatever reason, that might be difficult at times, but we are always looking for those projects that maybe falling behind, that may be having problems. We have certainly achieved quite near our target in capital works expenditure, repairs and maintenance and minor new works over the past year because we have paid a lot of attention to it.

There will, necessarily, be exceptions. There will be projects that, for whatever reason, have difficulties associated with them. However, there is the flow of information and there are regular reports that go to Cabinet on the issue. Ministers with other portfolios take a very active interest, particularly in the capital expenditure on projects to do with their portfolios. The CEO might want to comment further on this issue.

**Ms BUTTERWORTH:** There are only a couple of things that I would add. I mentioned the Infrastructure Services Division previously. One of the issues that arose during our corporate planning was that we needed to improve our planning processes in the early stages of projects. The Infrastructure Services group does just that in dealing closely with agencies and trying to get the briefs developed early.

We have now also introduced a system of procurement plans, which have to be done on each project, and those are reviewed by a committee that I chair. Like the minister, I review the capital works and minor works and R&M expenditure on a monthly basis with the people involved.

**Dr LIM:** How much can you be certain that the funding to a particular area is actually going to that area? Say Parks and Wildlife has come to you and said: 'We need to have a particular project done and we are your client'. You provide the services. You obviously charge for corporate services as well to manage the project for them. How do you ensure that the costing is passed on appropriately, so that suddenly, not the whole amount of money comes from Parks and Wildlife to DIPE and then disappears?

**Dr BURNS:** There are a couple of ways, member for Greatorex. You might recall that in the 2005-06 Budget, Parks and Wildlife is receiving an increased appropriation of \$1.2m to their base funding. I argued quite strongly for that within budget Cabinet because I believe that, over quite a number of years, the Parks Service was in increasing need of an increase to their base funding. There was one process where I had to argue in a fair bit of detail. \$1.2m might not seem a lot when you look at the overall appropriation, but I had to supply quite a lot of detail and convince my Cabinet colleagues that that money was going exactly to the sorts of activities within the Parks Service that we wanted it to.

On wider issues - and possibly the CEO or Mr Tinkham might want to comment on this - with accrual accounting, these sorts of costs have become more transparent. That is what this Estimates Committee is about. As a government, we are certainly trying to ensure that the maximum possible amount of funding is reaching the interface where it is needed. I might ask Ms Butterworth and/or Mr Tinkham to comment further.

**Ms BUTTERWORTH:** Can I just clarify: you are talking about all the operating expenses within the department, or are you talking about capital works?

**Dr LIM:** No, from client agencies coming in. Say, for instance, my agency comes to you for services, whether it be for capital works, minor new works, repairs and maintenance – whatever - or even just to design something for them ...

**Ms Butterworth:** Yes.

**Dr LIM:** ... how do you ensure that the project gets done in a timely fashion; that charges are made to the appropriate agency that sought the project? How do you charge for it? Do you charge based on the project, the materials, the staff? How do you do it?

**Ms BUTTERWORTH:** At the time that we prepare the procurement plan, we determine whether the job is going to be done in-house or by consultants in terms of design, and a fee offer is prepared which relates to the cost of the Construction Division because, as a GBD, the Construction Division has to charge for its services. The fee is determined, and whether the work is going to be done in-house - and there is a charge for in-house resources - or whether it is going to be done by consultants. That is estimated and referred to the Infrastructure Services Division who accept or negotiate the fee offer. That is how we manage that side of it. Payments are then made on a monthly basis against that from the infrastructure Services Division to the Construction Division to pay for those services. As far as the appropriation for capital works and so on is concerned, that is monitored through the monthly reporting process.

**Dr LIM:** Do not shoot the messenger here, but I get from many contractors in both the Top End and Central Australia that one of the criticisms is that DIPE does not do things in a timely fashion; at times it tends to take longer than it should. The comment is that there is not enough expertise within DIPE. Can you give me an assurance that those concerns by the contractors out in private enterprise are unfounded?

**Dr BURNS:** This is an issue that has been raised with me also, member for Greatorex, and it is a discussion that the CEO and I have had. Obviously, as government, if we are investing cash into our capital expenditure - as you would be aware, we have been increasing the amount of cash; I think it has increased over the past four years by about 55% - we want to make sure that that work gets out there and carry over from one year to another. It is an issue - I acknowledge that - not least of all because of the very volume of work and capital expenditure that we have been pushing through the system. It is something we

need to look at. If contractors want to approach me and have a discussion about it, I am more than happy to discuss the issue with them and try to take remedial action, because we want to see the work out there. As you are probably aware, over the past year with DIPE contracts, at least, about 95% of them by value have gone to Territory companies. In our DIPE-managed projects, there was \$130m against it and it is likely we will be spending \$127m. So, yes, there is \$3m that has not been expended on those projects under the auspices of DIPE, but that is a pretty good result. Possibly, the CEO might want to comment further about this issue.

**Ms BUTTERWORTH:** The only thing I would add is that we are trying to open up better dialogue with the industry. Yes, there have been quite a number of complaints about a range of issues. I suspect that is because I am new and they are taking that opportunity to come and talk to me. We are formalising some consultation with both TCA on the building side and the civil contractors in trying to address the issues.

**Dr LIM:** Have you catalogued all the complaints?

**Ms BUTTERWORTH:** Yes.

**Dr LIM:** Is that something that we can have a look at, minister?

**Dr BURNS:** It has been an issue that has been raised with me by individuals, and whenever an individual raises an issue, or about a particular project, I raise it with the CEO. However, I have to say in the last year there have not been scores of them, member for Greatorex. *In toto*, there might be half a dozen people who have approached me. When you look at the total number of projects, I do not believe it is a large number. When people raise the issue, I try to work through the issue and get a solution for them.

**Dr LIM:** As the shadow for DCIS, I get the sense that DCIS and DIPE actually duplicate a lot of things within the process of servicing government. Can you assure me that there is no duplication? With mega-departments such as DIPE, and also DCIS for that matter, is there any duplication?

**Dr BURNS:** I am not aware of any. Ms Butterworth is in an ideal position, having been CEO of DCIS and now of DIPE, to comment on that issue.

**Ms BUTTERWORTH:** No, there are not areas of duplication; they are entirely different roles which we play. The area we have the most contact with is DCIS - apart from the fact that they pay our salaries, accounts and those sorts of things - probably in the procurement area where CAPS actually advertise contracts. However, we are responsible for the procurement. There are some areas there where we want to resolve exactly what the respective roles are; however, there is no duplication.

**Dr LIM:** A question through you to the CEO, minister. I understand that DIPE is under some financial constraints, yet I hear that the CEO has obtained the services of a consultant to help run the department. Is there any problem there?

**Dr BURNS:** I have not heard that particular issue. Could you elaborate further, member for Greatorex?

**Dr LIM:** I hear that the CEO of DIPE needed to hire either a personal assistant or a consultant to assist in a corporate role. If I am wrong, please correct me.

**Dr BURNS:** As far as I am aware, Mr Pellissier certainly fulfills a lot of those corporate roles very ably. Did you want to comment at all? No. The CEO has not heard of this person either, member for Greatorex.

**Dr LIM:** Okay. Chairman, I might move to the first category.

**Mr CHAIRMAN:** You have finished? That is fine.

#### INFRASTRUCTURE, PLANNING AND ENVIRONMENT

**Mr CHAIRMAN:** The committee will now consider the estimates of proposed expenditure contained in the Appropriation Bill (No 2) 2005-06, as they relate to the Department of Infrastructure, Planning and the Environment.

**OUTPUT GROUP 1.0 – LAND, PLANNING, DEVELOPMENT AND MANAGEMENT**  
**Output 1.1 – Land Information Infrastructure**

**Mr CHAIRMAN:** I now call for questions on Output Group 1.0, Land, Planning, Development and Management; Output 1.1, Land Information Infrastructure. Are there any questions?

**Dr LIM:** Mr Chairman, yes, I have. However, I recognise that the member for Nelson has done a lot of work for these estimates and has missed out significantly for the last two days. I would like to concede some time for him.

**Mr WOOD:** Does that make me the anonymous shadow spokesperson for Lands and Planning?

**Mr CHAIRMAN:** No, it does not really. You are still a committee member. You are forgoing the opportunity ...

**Dr LIM:** No, I am not forgoing my opportunity ...

**Mr CHAIRMAN:** Please, I will direct traffic. Would you like to ask your questions?

**Dr LIM:** I am relinquishing the opportunity to the member for Nelson.

**Mr CHAIRMAN:** Shadow minister, I will foreshadow with you now that if you forgo yours then I will close it down after he has his shot.

**Dr LIM:** This is democracy at work. I am a PAC member, I am a committee member, and I can question any time I want.

**Mr CHAIRMAN:** Do you want to ask any questions, shadow minister?

**Dr LIM:** I am deferring the time to the member for Nelson.

**Mr CHAIRMAN:** I say again: I will shut it down after the member for Nelson has his say.

**Dr LIM:** You shut whatever you like down. You can do what you like.

**Mr CHAIRMAN:** All right. Member for Nelson.

**Mr WOOD:** Thank you, Mr Chairman. Minister, I only have one question on this first Output 1.1. The department has introduced ILIS Maps, a web-based on-line mapping service. How much did that cost to introduce; is it up and running; and what are the costs to the customer who wishes to access the system?

**Dr BURNS:** I will defer to you, Vic.

**Mr STEPHENS:** Vic Stephens. ILIS Maps was developed as part of the ILIS system redevelopment in 2001-03. The initial cost of ILIS Maps itself was rolled into the total ILIS development. The estimated cost of ILIS Maps, specifically, including software licences, was approximately \$50 000. Recently, ILIS Maps Version 2, on a different software platform, was developed and implemented at a total cost of \$52 000, including consultants and proven development. The other parts of the question were?

**Mr WOOD:** If a customer wishes to access the system, what sort of charge is there?

**Mr STEPHENS:** Currently, there are no charges to access ILIS Maps. There are charges for access to ILIS title searches. ILIS Maps is a free service to subscribers of the department.

**Mr WOOD:** Minister, can I get an explanation of exactly what ILIS Maps covers?

**Mr STEPHENS:** ILIS Maps is a spatial interface to combine land administration data, and spatial data as it displays of maps. There are a whole series of layers of maps from topography, Cadasta, land tenure, and these layers are generated dynamically and can be controlled by the user. It is intended, when ILIS is made available generally through the Internet with a credit card facility for people for pay for title searches, then ILIS maps will also be available.

**Mr WOOD:** Minister, people apart such as local government, land councils, at the present time can you use that system?

**Mr STEPHENS:** They can use it if they are subscribing to the ILIS system.

**Mr WOOD:** Does that subscription cost them anything?

**Mr STEPHENS:** The subscription costs currently only relate to the cost of the land titles.

**Mr WOOD:** Thank you, minister.

**Dr LIM:** I have a question, Mr Chairman.

**Mr CHAIRMAN:** Member for Greatorex, I want to remind you of the opening statement made to the committee on 4 July 2005 where I stated quite clearly: 'I propose to invite shadow ministers to ask their questions first, followed by members of the committee, independent members, and finally, members addressing electorate issues bearing in mind the orders of parliament 29 June 2005'.

**Dr LIM:** I am still a member of the committee and you do not recognise this.

**Mr CHAIRMAN:** I will go back to you as a shadow, member for Greatorex. It is a bit late in the day for being cute.

**Dr LIM:** Minister, could you please provide ...

**Mr CHAIRMAN:** No, hang on, member for Greatorex. Are you asking this as a shadow or as a member of the committee?

**Dr LIM:** It does not matter, because the question is asked!

**Dr BURNS:** Mr Chairman, I am prepared to take the question.

**Mr CHAIRMAN:** I will be prepared to shut it down next time.

**Dr LIM:** Thank you, minister. Could you please provide more details of the \$2m office move by the Land Information Services?

**Mr APPLGATE:** Rod Applegate. We have a notional figure of \$2m in the capital works program for 2005-06. That is to try to move all the Land Information Services, which is largely in the Magistrates' Court complex. At the moment, they share space in the Magistrates' Court. We are under pressure from the Magistrates' Court to provide more space for them. The solution is to move the Land Information Service people out of there and co-locate them with the rest of the department. Also, if that is approved, we will be taking the opportunity to move a small section of the Land Information Services which is in another building also to co-locate. The \$2m covers the costs of relocation, the uplift and the reformatting of the available space in the building which is Energy House. Yes, so that is largely the ...

**Dr LIM:** On a reasonably permanent basis. You are not going to spend another \$2m in five years time to go somewhere else?

**Mr APPLGATE:** The only reason we are moving is because the Magistrates' Court is in dire need of additional space and it is their building that we are co-located with. I suspect that we will not be moving back there.

**Dr LIM:** Thank you. No further questions.

**Mr CHAIRMAN:** Are there any further questions? And that concludes consideration for Output 1.1.

### **Output 1.2 – Land Use Planning and Regulation**

**Mr CHAIRMAN:** The committee will now consider Output 1.2, Land Use Planning and Regulation. Are there any questions?

**Dr LIM:** No, I do not have any questions for that, thank you.

**Mr WOOD:** Minister, you announced recently the NT Planning Scheme is going to be released. Is this a draft, a final draft, or is this a final plan? Is there an item in the budget to cover the cost of this release?

**Dr BURNS:** I suppose there are two interrelated elements to your question, member for Nelson. One is the *Planning Act* which was passed in February 2005, and the review of the Planning Scheme. As I understand, it is contingent on that coming into force. Basically, I am advised that the regulations necessary to implement the amended act are now being finalised and the *Planning Act* is likely to commence in September 2005.

The Planning Scheme itself was commenced in 2000. The project was resourced with a dedicated team that produced the preliminary draft in September 2000 for initial consultation. The preliminary draft and, two years later a more comprehensive version, was subject to broad consultation with industry, government agencies, local government and the community. The vast majority of those consulted were highly favourable.

Further development, work and refinement has occurred sporadically since that time, although the *Planning Act* amendment project necessarily delayed the completion of the Planning Scheme, as I said. The draft Planning Scheme is expected to be available for formal consultation under the *Planning Act* late this year or in early 2006. In terms of a budgetary item for that, I would have to defer to others.

**Mr WOOD:** Thank you, minister. My next question is: has the review of the *Crown Lands Act* been completed?

**Dr BURNS:** I think that is ongoing. I do not believe it is, but I will defer to others. It is under Land Administration. It is under a different output area, is that right, Mr Applegate?

**Mr WOOD:** What output would that be?

**Mr CHAIRMAN:** Land Administration, Output 2.4.

**Mr WOOD:** Okay, I will try to remember it there. My next question, minister, is about the Development Consent Authority. Do you have a total cost of running the Development Consent Authority for the last financial year or the previous financial year? I am not sure what the latest figures would be.

Would you know how many decisions were appealed in 2005-05 or 2003-04? The reason I am asking that question is because there was stage where most of the appeals were upheld. I think the department did more work on its decision-making process. I just wanted to see whether that process actually resulted in fewer problems with appeals or whether there were fewer appeals upheld.

**Dr BURNS:** You have asked quite a number of questions there, member for Nelson. The information I have is that the 2004-05 estimate for the cost of the DCA was \$150 000 and the 2005-06 estimates is, once again, \$150 000. I do have a table of statistics about applications including appeals. It is quite a complex one that goes over Darwin, Litchfield, Palmerston, Alice Springs and Katherine. Did you want a total? I am quite willing to table this.

**Mr WOOD:** Yes, please table it if that would be okay. That is my last question on that section, Mr Chairman.

**Mr CHAIRMAN:** Are there any further questions? That concludes consideration of Output 1.12, Land Use Planning and Regulation.

### Output 1.3 – Building Regulation

**Mr CHAIRMAN:** We will move on to Output 1.13, Building Regulation. Are there any questions?

**Dr LIM:** Yes. Minister, I know we moved to private certifiers quite some time ago. Are you still happy with the way that private certifiers have performed in the Territory in terms of building certification?

**Dr BURNS:** Generally, member for Grotorex, building certifiers in the Northern Territory behave with very high ethical standards and they are very professional people. I have regular meetings with the peak body and enjoy quite a good relationship there.



Nonetheless, I would have to say that there are a few, and there have been a few instances that have been reported to me of people who have not acted ethically. Indeed, there was a case that went forward for discipline of a building certifier that was appealed to the Supreme Court and, ultimately, fell through. You may recall that there were amendments introduced to the act in parliament to rectify that situation.

So, yes, generally the industry is a very good industry that acts ethically and there have been some instances, unfortunately, where people have not acted ethically.

**Dr LIM:** Are you satisfied with the level of professionalism in the properties that have been certified and do you think the numbers are adequate for the Territory?

**Dr BURNS:** The numbers of certifiers?

**Dr LIM:** Yes.

**Dr BURNS:** Well, certifier is a business; it is a practice. I know Katherine, for example, has had a problem attracting a building certifier there. It is the same, I suppose, as a doctor or a pharmacist in private practice; the business or the work has to be there to attract them. That is a difficulty with some areas like Katherine. There is extra cost, because someone has to travel from Darwin to certify the building, so it is a problem. Private certification is a problem in some areas.

**Dr LIM:** Is the government looking at reintroducing government employed certifiers?

**Dr BURNS:** I have to say no, at this stage, member for Greatorex, we are not.

**Dr LIM:** So, people still living in the regions will still continue to suffer the difficulties of getting builders certification done?

**Dr BURNS:** You may recall, when we made amendments to the *Building Act*, that we made it a flexible regime of building controlled areas regarding certification. To some degree with builders, there can be an element of self-certification, so we have tried to be flexible in that regard. Yes, I acknowledge that there are difficulties in some of the regions with getting building certifiers.

**Mrs Miller:** That is an understatement!

**Dr LIM:** Referring to the building certifier who is under a cloud at the moment, what processes are being taken to ensure that that cloud is cleared?

**Dr BURNS:** Which building certifier is this, member for Greatorex?

**Dr LIM:** I would rather not mention his name, but I am sure that you know that there is a building certifier who has been deregistered for, from his point of view, spurious reasons. Is the department doing anything about it to clear his deregistration so that he can get back to work again?

**Dr BURNS:** I understand that there is a fair process of discipline within that particular sector. I am advised - I assume we are talking about the same person, but it is very hard to say here.

**Dr LIM:** I would rather his name not be mentioned.

**Dr BURNS:** I am not going to mention his name, member for Greatorex. In terms of one particular individual who seems to be in a similar situation to the individual that you have mentioned, the board has invited this person to make any submissions he may wish to make in relation to the matter. The board is currently considering its options for action in relation to the matter. In the interim, the board has directed that, from the time of receipt of the board's letter, this particular person should not perform any function or exercise any power of a building practitioner until the status of their registration is clarified.

**Dr LIM:** Thank you.

**Dr BURNS:** If a person in such a position believes that they have been wronged, they do have a few options, including the Ombudsman.

**Dr LIM:** Thank you very much.

**Mr WOOD:** On to building matters again, minister. Has your department been in discussion regarding issues related to the building on the corner of Vanderlin Drive and Stuart Highway called the Wow building? Can you say what exactly is the problem there, and does it have anything to do with building certification?

**Dr BURNS:** It is a complex matter. Yes, the department has been in contact with these particular individuals, and they have been in contact with my office as well. It is a complex matter which involves the Darwin City Council and the Development Consent Authority. I may stand corrected, but my understanding of the matter is that a building permit was issued for that particular property but, on the basis of a letter, the developers actually extended the building on to the road way, and without consent from the consent authority. I think they did have something in writing from council but not from the consent authority. Technically, that building was illegal and Fabio Finocchiaro took action, as did the consent authority. Fabio, did you want to address this particular issue? It is complex and we have been trying to assist these developers. They have done the wrong thing; however, it is an issue we need to find our way through. Over to you, Fabio.

**Mr FINOCCHIARO:** There are a number of issues. There are the Development Consent Authority issues with Wow Sight and Sound. However, the issue of the building permit, from my perspective, is that there was a building permit issued; there have been some variations to that site plan and site layout and a permit has been issued on that. Without naming the certifier, in my role as Director of Building Control, I have corresponded with that individual and taken the appropriate course of action under the act to pursue that action.

The other component of it is a Development Consent Authority issue. I understand, as the minister has just said, that there are negotiations working through the planning issues.

The other component of it is the operation of the building. There is certification for the operation of the building so there is no issue of safety from the perspective of occupants and consumers entering on that site. The two are related, but they are quite separate. The building has the whistles and bells, might I say, in the safety things that are required by the Building Code. The issue of the certification of it, the appropriateness of the building permit, and compliance of the *Building Act* is a separate issue that I am running as Director of Building Control.

**Mr WOOD:** Through you, minister, is the government considering giving some land – because it is Crown land next door I presume, or Power and Water's land - to the owners of the Sundowner Caravan Park which has had difficulty with access because that building has encroached out onto their driveway?

**Dr BURNS:** That is an issue which is being looked at. I do not think we would be giving land. The building encroached on the road so, whilst we want to rectify the issue, we are not going to be giving away land to anyone. We are not going to charge them over the top for it either; there will be a fair price. Also, the whole issue of access from the Stuart Highway is being looked at as well.

Another party to the discussions is Darwin City Council. There are a number of parties: the developer, the caravan park people, the Darwin City Council, the DCA, and the department. However, I am confident we will find a way through. It is a salutary lesson to any developer that you build to the permit you are issued with, and be very careful what you do.

**Mr WOOD.** Thank you, minister. I can see why you enjoy the job. On the *Building Act* itself; we passed amendments to it. How is it working? Does it seem to be working well, or are there any issues ...

**Dr BURNS:** I will defer to Fabio on this one.

**Mr FINOCCHIARO:** The *Building Act* was amended twice: once in December 2004, and a further amendment in February 2005. The amendments dealt with two issues. One was the introduction of a major reform which was builder's registration and home warranty insurance, and the other amendment dealt with disciplinary powers of the Practitioners Board, strengthening powers of the Director of Building Controls, and those compliance-type issues.

Both of the acts require a number of regulations to be brought in before we can commence them. In essence, we are looking towards having the regulations for builder's registration drafted, hopefully, by the end of July, with a commencement date of builder's registration of 1 January 2006, followed by home warranty insurance in July 2006, and the latter amendments dealing with the strengthening of Builder's Practitioners Boards and those types of issues in September 2005.

**Mr WOOD:** Thank you, minister and Mr Chairman.

**Mr CHAIRMAN:** Any further questions?

**Dr LIM:** No, thank you.

**Mr CHAIRMAN:** That concludes consideration of Output 1.3.

#### **Output 1.4 – Land Management**

**Mr CHAIRMAN:** The committee will now consider Output 1.4, Land Management. Are there any questions?

**Dr LIM:** Yes. Minister, given the depletion of professional ranks in the infrastructure area, highlighted by the need to have external architectural and quantity surveying expertise on Darwin Cove assessment, how well are you equipped to manage an upturned capital works activity that your government is thinking will happen in the foreseeable future?

**Dr BURNS:** It is true, member for Greatorex, that government did seek expert architectural advice in terms of that particular development. Everyone knows the name of Mr Bob Nation who is a much esteemed architect in Australia; I think he heads up the institute. He enjoys a lot of popular support amongst the architecture and design community here in Darwin. Bob Nation has done a fantastic job. This is really a signature project and, basically, he is someone with national and international experience who has had great and very positive input. In terms of government engaging the very best professionals to give a world class development I, for one, am not going to quibble about that.

**Dr LIM:** Do you know how the estimates were prepared for each project? Who did them? How confident are you about the accuracy of the estimate given to you, particularly given the major construction and material cost increases and escalation of the cost of specialist labour?

**Dr BURNS:** I am not sure how this fits into this particular output area. I suppose there is the output area that is down a bit further – Darwin City Waterfront redevelopment. I more than happy to discuss that issue there.

**Dr Lim:** Do you want me to defer it until then?

**Dr BURNS:** Obviously, some substantial investors, including ABN AMRO, are willing to invest in this project; they believe in it. There are quite a lot of local companies that are involved in this consortium; they believe in it. These are people who had a history in building in the Territory for many years. We have others involved in the consortium very experienced. These are people who know what they are doing, member for Greatorex, and they are prepared to invest in this magnificent project.

**Dr LIM:** If the government is exposed as well, Territorians are exposed financially for many years to come in this project. Therefore, what scrutiny are you providing this project to ensure that Territorians do not get ripped off?

**Dr BURNS:** Member for Greatorex, I believe there has probably been extensive discussions within estimates both with the Chief Minister and the Treasurer in relation to this. The deeds that are drawn up between the Territory and the proponents, and between the proponents themselves, are very complex. They minimise risk; they address issues of risk. This is a very complex commercial transaction. I have faith in it; we have received very good advice. It is going to be a great investment for the Territory. It is going to attract conventions to Darwin and provide work within our construction industry over the next 15 years. It is a very positive development and it has been entered into carefully and government is moving forward with this major project which will be a signature of this government.

**Dr LIM:** Minister, have you had to meet any major additional costs which effectively increase the project costs and reduces cash available for new projects within your portfolio?

**Dr BURNS:** No, member for Greatorex, but we can discuss the Darwin City Waterfront development. We have Land Development after this output area. The last output area of Output Group Land, Planning Development and Management is devoted to the waterfront redevelopment ...

**Dr LIM:** But it is still part of Land Management; it is part of the land that the Territory government has giving away to a private consortium.

**Dr BURNS:** All the issues within my portfolio area and my budget responsibilities are there. You can see we are jumping around a bit, Mr Chairman.

**Mr CHAIRMAN:** Minister, you have indicated that you believe that the question is better suited under the waterfront redevelopment output – two outputs away. I am sure the member for Greatorex would be happy to go back to it there. Do you have any more questions regarding the Land Management?

**Dr LIM:** Not for this category.

**Mr CHAIRMAN:** Any other questions on output 1.4, Land Management?

**Mr WOOD:** I go back to the review of the *Crown Lands Act* under Output 1.4. Has that been completed and when will it be completed?

**Mr APPLGATE:** The *Crown Lands Act* review is still under way. We hope to have something available in early 2006 to take out to the community to consult with, with a view that we would be introducing the bill in mid-2006.

**Mr WOOD:** Thanks. Minister, in the annual report, you have stated that you have secured a number of parcels of land for the oil and gas industry. Where exactly are the parcels of land? How much land is involved? How much did the land cost to acquire? Is any of the land subject to environmental assessment?

**Dr BURNS:** This relates principally to any future development at Glyde Point. This is what I think you are talking about. I will wait until we get the specifics on that. I will ask Mr Neville Jones to start answering this question in terms of land acquisitions.

**Mr JONES:** I am not totally sure what you are referring to, Mr Wood. The land available for development of the gas industry on Middle Arm Peninsula, now known as Wickham, was Crown land. The land that was proposed to develop the Glyde Point industrial estate is land held currently by the Northern Territory Land Corporation and has not yet been transferred to the land corporation.

The only other land that I can imagine you are referring to is the infrastructure and transport corridors connecting those industrial estates. There were some land acquisitions completed, I think, in the calendar year 2003, which was along the Annersley Road, from memory. The large extent of that corridor network is through Koolpinyah Station. Whilst discussions have been held with the owner and acquisition notices were served for the purposes of native title, all of that process is currently suspended.

**Mr WOOD:** I did certainly take it out of 2003-04 document. When you need it, you cannot find it, but it was certainly taken out of here. There is a section under here that says 'secured a number of parcels of land for the oil and gas industry', but that was a copy of exactly what was in the ...

**Mr JONES:** Those acquisitions would have been along Annersley Road.

**Mr WOOD:** Would we be able to just find out at some other time?

**Mr JONES:** Yes.

**Mr CHAIRMAN:** Is that a question on notice, member for Nelson?

**Mr WOOD:** Yes, it is.

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#### Question on Notice

**Mr CHAIRMAN:** Could you restate the question, please?

**Mr WOOD:** Minister, the annual report stated that you have secured a number of parcels of land for the oil and gas industry. Where exactly are the parcels of land? How much land is involved? How much did the land cost to acquire? Is any of the land subject to environmental assessment?

**Mr CHAIRMAN:** Are you prepared to take the question on notice?

**Dr BURNS:** Yes, Mr Chairman.

**Mr CHAIRMAN:** I allocate No 7.1 to that question.

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**Mr CHAIRMAN:** Please continue.

**Mr WOOD:** Could you say how much it cost the department to purchase the three lots of land for the Humpty Doo Police Fire and Emergency Service? The original site was planned at the corner of Spencely Road and the Stuart Highway. Do you have an estimate of how much it would have cost to establish that facility at that site? I raise the question simple because I think at the time it was said that it was cheaper to put the facility on the three sites it is presently on rather than developing where it was originally to go. Were there any costings done to prove that was the case?

**Dr BURNS:** I am not aware of that specific issue. Does anyone want to speak to that? We can take that on notice. Does anyone want to comment?

**Mr JONES:** The acquisition for that parcel of land was in the previous financial year, and I do not have the figures here at the moment. We can follow that up and take that question on notice.

**Mr WOOD:** Would you take it on notice, please?

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#### Question on Notice

**Mr CHAIRMAN:** Would you care to restate that question, please, member for Nelson?

**Mr WOOD:** Could you say how much it cost the department to purchase the three lots of land for the Humpty Doo Police Fire and Emergency Service? The original site planned was at the corner of Spencely Road and the Stuart Highway. Do you have an estimate of how much it would have cost to establish the facility at that site?

**Mr CHAIRMAN:** Are you prepared to accept that question, minister?

**Dr BURNS:** Yes, Mr Chairman.

**Mr CHAIRMAN:** Then I allocate that question No 7.2.

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**Mr WOOD:** That is all the questions I have, Mr Chairman.

**Mr CHAIRMAN:** Are there any further questions in regard to Output 1.4, Land Management? That concludes consideration of Output 1.4.

#### Output 1.5 – Land Development

**Mr CHAIRMAN:** The committee will now proceed to Output 1.5, Land Development. Are there any questions?

**Dr LIM:** In regard to the Larapinta land release with the Lhere Artepe allotment. Now the government owns the second lot. How is that progressing? Has that been sold? Have headworks commenced in that second allotment belonging to the Northern Territory government?

**Dr BURNS:** As you are probably aware, member for Greatorex, the first set of 40 blocks in that subdivision was undertaken by Asland from the Lhere Artepe. That subdivision of 40 blocks is being completed and approximately three-quarters of the blocks have been sold.

The second development lease yielding 45 blocks was put up for auction on 20 May and was passed in when it failed to reach the reserve price. Frampton First National, the firm contracted to conduct the auction, now has sole agency rights until 19 July to sell the development lease at the reserve price of

\$902 000. Ultimately, the Larapinta Valley can yield between 300 and 400 lots, depending on the topographic and cultural constraints. That is the answer as I know it, member for Greatorex.

**Dr LIM:** Is that not an indication of the Northern Territory government playing the market? You are setting an artificial price for the land by setting the value of that vacant Crown land at \$900 000-plus. Nobody would touch it with a barge pole; that is why it was passed in. The fact that the Northern Territory government set a benchmark with the Lhere Artepe and provided them with 50% of value of the land is what has caused your impasse at the moment. Should you not release that land at market value, whatever the market will bear, instead of you setting up an artificial price?

**Dr BURNS:** It is an asset. I have had a fairly extensive tour of both the first and the second portion. There are many reasons why things do not sell, but we are certainly not going to give this asset away. Like any vendor, we are trying to get the maximum price for the asset that we have. Frampton has until 19 July, and that is the reserve price. If it does not sell at the reserve price we will look at what happens then.

**Dr LIM:** The market offer for that block was half of what your reserve price is, and that should tell you quite clearly that that land is not worth as much as the Northern Territory government has put it down for. Would you release the land at original bid, not at your reserve price?

**Dr BURNS:** I am advised that that reserve was given by the AVO. It was not an artificial price that came from government, this is an AVO figure. If it does not sell for the reserve we will just have to look at it. I am not going to trumpet here that we are going to have a bargain basement sale of the land. It is an asset. There was a time when some people were running around saying that there was not enough land in Alice Springs. We will work through the issues and try to get a reasonable outcome for the taxpayer of the Northern Territory and those who wish to buy land within Alice Springs.

**Dr LIM:** The AVO's valuation of that land was based on the adjacent land which the government set at an artificial level. That is the problem.

**Dr BURNS:** I am not a professional valuer. I would say that the AVO has quite an extensive methodology for determining prices, as any valuer does. Obviously, government - whether it is governments in the past in the Territory or this government - looks to the AVO for fairly solid judgments about the value of land, and will continue to do so.

**Dr LIM:** Are you going to get the AVO to have another look at the value of the land?

**Dr BURNS:** We do not know what the next step is. There could be someone in the wings there waiting to take the offer up.

**Dr LIM:** Someone like Warren Anderson with lots of money?

**Members** interjecting.

**Dr LIM:** You are not going to find somebody with that sort of money to spread around, except the Northern Territory government. Are you going to use the same system, the same process, for the Mt John Valley?

**Dr BURNS:** This is a new process which has occurred with native title in Alice Springs. With the first release, there has been uptake there, but not 100%. Buyers in Alice Springs, obviously, look at individual blocks of land, the outlook, and the area. Maybe they are very choosy buyers there.

**Dr LIM:** Minister, I live in Alice Springs. I have been there for nearly 25 years, and I know the land around there very well. I suggest to you that people are not buying land there because of the cost of it. They cannot afford it; it is well over \$100 000 per block. No first home buyer can afford it, no second home buyer can afford it. It is too expensive. Are you going to tell me now that you are going to do the same thing with Mt John Valley?

**Dr BURNS:** I am saying, member for Greatorex, that we are taking it step by step. It went out to auction; it was passed in. As you say, the final bid was well below the reserve. Frampton has it until 19 July; let us see what happens. I am not going to foreshadow what government might do in relation to the land until we reach that point.

**Dr LIM:** And the land shortage continues!

**Dr BURNS:** There is still a quarter of the other blocks which are left, as well.

**Dr LIM:** Which nobody wants to buy because they are expensive.

**Dr BURNS:** I suppose it comes down to the market in Alice Springs, and we will see what happens.

**Dr LIM:** People in Alice Springs are not as rich as people living in Darwin, I say to you. They cannot afford blocks at that ...

**Dr BURNS:** I did not catch that.

**Dr LIM:** I suggest to you that we cannot afford land at that price, and it is time the government relinquishes the other block at a reasonable price, and not set a level which is unreasonable, and no property developer will pick up on. Will you follow the example of what the late Les Loy did with the Larrakia people in securing land at Rosebery/Bellamack area?

**Dr BURNS:** That has been very successful ...

**Dr LIM:** Precisely, under the CLP government.

**Dr BURNS:** That is selling well. Alice Springs is, obviously, a different market, member for Greatorex. We are a flexible government, and we will look at it as a government.

**Dr LIM:** No further questions.

**Mr CHAIRMAN:** Member for Nelson, do you have anything?

**Mr WOOD:** Yes, a few questions. Minister, the Humpty Doo landfill site is to be closed down in February. As you know, it is on land belonging to your department, I believe. Has your department selected any alternative site for a new landfill site? Is your department assisting the Litchfield Shire Council in developing such a site to the standards required by the Department of Environment and Heritage?

**Dr BURNS:** Can you repeat the last part of the question, please?

**Mr WOOD:** Is your department also working with Litchfield Shire Council in developing such a site to the standards required by the Department of Environment and Heritage?

**Dr BURNS:** That is right, we are. I have met with the President of the Litchfield Shire and I am very keen that we work together to solve this issue. I am informed that, even over the last day or so, there has been a green fire at the Humpty Doo site, and that causes a lot of discomfort for residents around there. It is a concerning issue, member for Nelson, and we are trying to work through issues with the Litchfield Shire. However, I will come back to the fact that dumps and waste disposal are a function and responsibility of councils.

**Mr WOOD:** Minister, you know that Litchfield Shire Council does not own the land on any of its sites. It is your land, and one of your departments is closing it down. They basically want another site.

**Dr BURNS:** That is true, and we are supporting them to do that. The remediation of that site is an issue that I have discussed with the President of the Litchfield Shire. It is not going to be cheap, member for Nelson; there is a lot of expense involved. We are trying to work our ways through the issues. We are not going to penalise the council or the ratepayers of Litchfield. However, this has been hanging around for a long time, as you are probably well aware, and there needs to be solution. The situation we have now is unacceptable and the Department of Environment and Heritage have been very consistent in their reports back about the adverse effects of the way that dump currently operates and its effect on the environment surrounding it and local residents.

**Mr WOOD:** I take your point, minister. It has been around a long time. In fact, it was around when the first President of the Litchfield Shire Council, John Maley, he asked for Sunday Creek. I realise there might be some problems. That was asked, and asked, and asked, and asked for many years. It is very difficult to blame the council if, at no stage, the department would ever offer them some other land that they can put it there. The council always knew there were problems. There were problems with the Berry Springs tip. In fact, there was an insurance claim by a neighbour over the road against the tip burning. Litchfield Shire Council is very aware of the problems but it does not want to be forced in the situation where the

government wipes its hands and says take all the rubbish to Shoal Bay, because that would be a great penalty to ratepayers in Litchfield Shire because the cost of transport in Shoal Bay would be enormous. I would be pleased if you can guarantee the department is working to find another site.

**Dr BURNS:** Yes, they are focused on that; both Sunday Creek and the Howard Peninsula. However it is not a matter of choosing a site and banging a road in. There has to be all sorts of hydro-geological type investigations and technical surveys to ensure that the same thing does not happen with the new site as happened with this old site. I believe that Litchfield Shire does have some resources to address this issue. As an interim arrangement, if necessary, there may need to be a transport of the waste elsewhere. However, in the longer term, I can assure you that I, and the department, is focused in trying to assist them to find an alternative.

**Mr WOOD:** Is one of the sites the site that was originally looked at for the regional waste cycle?

**Dr BURNS:** Which site is that?

**Mr WOOD:** On the Howard Peninsula.

**Dr BURNS:** I am not sure about that. I will take advice.

**A witness:** We have looked at sites on Howard Peninsula; it is a large area of land. I am not sure if that coincides with what you looked at previously but, certainly, an area on Howard Peninsula is the other site that we have been discussing with the Litchfield Shire Council - that and Sunday Creek.

**Dr LIM:** I have a local member question, if I may?

**Mr CHAIRMAN:** As soon as the member for Nelson ...

**Dr LIM:** Are you done?

**Mr WOOD:** No, I have some more questions, but you want speak on that particular ...

**Dr LIM:** No.

**Mr WOOD:** I have a few more. Minister, you say in your annual report that you have successfully negotiated agreements with major fuel companies to decommission and rehabilitate the Stuart Park tank farm site. How much will the government be financing this rehabilitation? What amount will come from the companies? When is this process to start and finish? Where does it go in the budget?

**Dr BURNS:** The Darwin Industry Fuel Terminal under construction by Vopak Terminals Australia is scheduled to commence operations on 19 September 2005. The first fuel tanker is scheduled to discharge at the East Arm bulk liquids wharf on 19 August 2005, and will enable the final commissioning phase of the terminal. Completion of works being undertaken for the Darwin Port Corporation – that is, fire safety system and bulk liquid pipeline - is critical to this time line. Around mid-August, the final fuel tank will discharge at the Iron Ore Wharf and decommissioning of the pipelines in the Darwin City Waterfront redevelopment project area will commence immediately.

The government entered into an agreement with Shell, BP and Mobil to provide a financial incentive to relocate to the new Darwin Industry Fuel Terminal. This incentive relates to the decommissioning and demolition of the fuel storage facilities of Stuart Park and site remediation to a standard acceptable for the final land use proposal. A total of \$3m is allocated for this purpose in 2005-06, with 50% or \$1.5m payable on demolition, and the balance when remediation is complete. It is possible that the works will be completed in the 2005-06 financial year. The break-up of the amount between the fuel companies is commercial-in-confidence information.

**Mr WOOD:** But they are contributing to the rehabilitation?

**Dr BURNS:** It is my understanding that they are, member for Nelson.

**Mr WOOD:** Minister, your report says that the Darwin Industry Fuel Terminal that you mentioned will cost \$55m and be completed on 1 August 2005. Has this project been completed within budget and will it be finished on time?



**Dr BURNS:** Do you want to talk about that, Neville?

**Mr JONES:** Thanks, minister. As the minister just indicated, the first fuel tank is scheduled to discharge fuel at East Arm on 9 August. This is a private enterprise project. It is a project by the company Vopak. We are not privy to all of their internal details, but it seems to me that it is being completed on time and budget.

**Mr WOOD:** All right. So you do not have a contribution to it at all?

**Mr JONES:** No.

**Mr WOOD:** Except for the incentive to move there?

**Mr JONES:** The incentive payments are based on the reimbursement of a rebate on the wharfage over the wharf, so it is not actually the thing to disconnect as an incentive. The fuel companies, the freehold owners of the land – that is Shell, BP, Mobil and Caltex – will be required to decommission and rehabilitate that land. That is a separate exercise from the construction of the Darwin Industry Fuel Terminal by Vopak Terminals Australia, which is an independent terminal project.

**Dr BURNS:** As I understand it, member for Nelson - and I might stand correct on this and we may discuss it if and when we get into the port - this is not a subsidy *per se* by government, but, first, a decrease in income from the port, and that subsidy might then flow from the government to the fuel companies. However, I do not think it is forever. My understanding is that it is for a limited time. Is that right, Neville?

**Mr JONES:** The intention is that an amount of \$3m will be available as an incentive payment to those three companies. That amount was calculated on the basis that there would be a rebate of wharfage rates paid in the previous 18 months of the commencement date. Subsequent to that, for a period of four years, the wharfage rate – from memory, we are talking about \$4.25 a litre – is held at that level for the next four years. I think that is the current price so, in the event of any price increases, fuel imports for the next four years will be held at that cost level.

**Dr BURNS:** I also believe that government has contributed to the pipeline that is part of the wharf infrastructure that goes from the tanks to the wharf. I am not sure of the exact amount of that, but that has been part of capital expenditure in the port.

**Mr JONES:** That pipeline is, therefore, owned by the Darwin Port Corporation and the current three pipes that are on the rack are licensed to Vopak at a rate of around about \$50 000 per annum subject to indexation.

**Mr WOOD:** Thanks, minister. Just two more questions: how much will be spent on the Glyde Point industrial area in this financial year; and what will it be spent on?

**Dr BURNS:** I am advised that expenditure on environmental and engineering investigations and technical advice in 2004-05 was \$1.4m, with projected expenditure in 2005-06 of \$473 000. Maybe Neville Jones could expand on what those funds have been spent on.

**Mr JONES:** As the minister has said, a total of \$1.4m was spent on various baseline environmental studies and other technical and engineering studies. The actual the preliminary design stage of the Glyde Point estate and associated port is concluded, and there will be no more investment in that at this point in time. The \$473 000 projected expenditure is to compile all of the existing information that we have gathered and studied and produced into the form of a draft environmental impact statement.

**Mr WOOD:** Minister, when do you think the draft environmental impact statement will be out for release?

**Dr BURNS:** I am unsure about that. Neville Jones would have that date.

**Mr JONES:** Yes, subject to a Treasury approval, and we are going through the procurement now. We would expect to be in the market calling to commission consultants in July or August. Whilst I would not say that the environmental process is going to be completed, we would have a draft environmental impact statement by the end of the calendar year.

**Mr WOOD:** Minister, I have another question on development. How long does your department expect before Palmerston residential land development will have reached its limit? Have you an estimate on the life of Palmerston residential development?

**Dr BURNS:** In the developments there at present, I believe The Chase is in the last stage of their development now. I am not sure about future land releases. Did you want to talk about that, Rod?

**Mr APPEGATE:** Based on our current demographic analysis, we would estimate that there is 15-plus years there still available for infilling in the Palmerston area - 15 to 20 years.

**Mr WOOD:** To follow on from that, what planning is in place for development at Weddell? Has any money been allocated in the budget for that purpose? Does the government intend to have any public input and consultation into the development of Weddell?

**Mr JONES:** There is no money allocated at this stage for any work at Weddell. In terms of a planning exercise, there is a minor amount of work being done in-house. However, we would not expect to be accelerating that process for at least another four or five years. Given the commitments and the philosophies the government and the department operates, of course, there will be community consultation, but we are quite a few years away from the serious side of that.

**Mr WOOD:** Good to hear. Last question, minister. What is the present status of the forestry land in Howard Springs?

**Dr BURNS:** The forestry land?

**Mr WOOD:** What is its future? The issues have been going on for a long time. What is the status of it today? Is it going to be developed, is it going to be chopped down? Is it going to be used for oil?

**Dr BURNS:** It has cypress on it?

**Mr WOOD:** Is it going to be subdivided?

**Dr BURNS:** Are we talking about that special blue oil, are we, Gerry?

**Mr WOOD:** There is a lot of land there and, as you might know ...

**Dr BURNS:** A very valuable export.

**Mr WOOD:** As the member for Greatorex said, a lot of land now is becoming so dear that people cannot afford it. I wonder whether some land should be released in the rural area - Crown land for first home owners to live on rural blocks, not high density housing as someone once said. Some of that land is forestry land, and I want to know, what is the future? Has it been earmarked for subdivision?

**Dr BURNS:** I am advised there are no immediate plans. How many hectares are involved there?

**Mr WOOD:** There is a lot of land.

**Dr BURNS:** And it has all got cypress on it?

**Mr WOOD:** Not, not all of it has cypress, but there is land there that could be developed.

**Dr BURNS:** I am not aware of any; that is the first time ...

**Mr WOOD:** I do not know whether the government has some policy towards it. It was marked exclusive rural residential, which means it cannot be cleared, which is a funny thing when it has cypress pine on it. That is what it is zoned as. It is quite a substantial amount of land. I am basically asking whether the government has a policy for the future use of that land?

**Dr BURNS:** Not at this stage, I am advised, member for Nelson.

**Mr WOOD:** I will leave it at that then. Thank you.

**Mr CHAIRMAN:** Any other questions?

**Dr LIM:** Yes, a local member question. Minister, I am sure you are aware of Spencer Hill, the park that separates the Telegraph Station from the Old East Side of Alice Springs. Many people, particularly from the Old East Side, use that Spencer Hill park and track to walk through to the Telegraph Station on a daily basis. That park is full of litter at the moment; people are camping there. People living on the East Side now walking through the park have to negotiate all this rubbish and campers. A constituent rang the Office of Central Australia about the state of the park and asked for something to be done. He was told to ring up Parks and Wildlife; it is their problem. So he contacted Parks and Wildlife. They said, no, it is not their problem either; go and see the government. He eventually got a phone call from DIPE, who said they would go out there to assess the problem. They got back to him and said: 'Sorry, we are not going to do anything about it, the rubbish has been there too long and it is not our responsibility'. He has been going from one department after another and getting no result.

Because of people camping there, he was told by DIPE to go and talk to Tangentyere Council because they have to move them on. He went to Tangentyere Council and they said: 'Go to the police; it is their problem'. Every department handballs this problem. There used to be a sign put up by Parks and Wildlife which said: 'No camping, no fires, no drinking, no litter'. It has been used as a barbecue plate. Minister, are you going to do something about that park and clean it up?

**Dr BURNS:** I will take it on notice, member for Greatorex.

**Mr CHAIRMAN:** Would you like to repeat the question, member for Greatorex.

**Dr LIM:** If you want me to repeat the question, I will. Do you want me to do that?

**Mr CHAIRMAN:** For the sake of the record, if we could clarify ...

**Dr BURNS:** No, I have taken down the issue. Rather than a question on notice, the member for Greatorex has raised an issue with me and I will endeavour to try to find a solution to it.

**Mr CHAIRMAN:** And Spencer Hill.

**Dr LIM:** And Spencer Hill park, behind the house of the Her Worship the Mayor of Alice Springs.

**Mr CHAIRMAN:** Any further questions? That being the case, that concludes consideration of Output 1.5.

### **Output 1.6 – Darwin City Waterfront Redevelopment**

**Mr CHAIRMAN:** The committee will now consider Output 1.6, Darwin City Waterfront Redevelopment. Shadow, I think you have a number of questions here?

**Dr LIM:** Yes, I do. I want to go back to the very beginning when it started. First of all, on page 221 of Budget Paper No 3, I note that the output expense for the Darwin City Waterfront redevelopment has been decreased by \$0.84m due to lower development costs associated with the project. Can you elaborate on that, minister?

**Dr BURNS:** Yes, I can, member for Greatorex. Basically, what you are alluding to is that it has gone from \$7m in the 2004-05 estimate, to the 2005-06 Budget of \$6.157m?

**Dr LIM:** Correct.

**Dr BURNS:** Okay. There is additional funding in 2004-05. There was introduced funding of \$4.5m to fund the output: capitalisation of community infrastructure of \$1.9m; ancillary costs for the DCEC construction phase of \$419 000; increase in corporate overheads, \$49 000; notional overhead charges, \$40 000; and an EBA of \$6000.

There was additional funding in 2005-06: ancillary costs of the DCEC construction phase of \$2.7m; interest payable on finance lease which was \$2.7m; and the interest payable \$4.35m, which was offset by a reduction of funding for 2005-06, going to the obverse side of what I mentioned before; less the capitalisation of community infrastructure of \$1.457m; operational costs reduced in 2005-06; additional funds in 2004-05; consultants of minus-\$2.5m; and a productivity dividend of \$20 000, a smaller amount there. That is what the difference consists of.

**Dr LIM:** Coming back to the question I had earlier, have you had to meet any major additional costs which, effectively, increase the project costs and, therefore, with your reduction in the budget, reduce your cash available for the new project even more?

**Dr BURNS:** Not really. In the operational costs, consultants - which included a project director, legal and financial advisors during the bid assessment, technical support and ongoing engineering environmental support - in 2004-05 was \$4.28m, close to \$4.3m, down to \$2.978m in 2005-06. That was the major decrease there. The costs of consultants who were involved in the assessment of the bid, obviously, now that there has been a decision made about the successful proponent, are not ongoing.

**Dr LIM:** All right. There is also the \$7.3m that you have put for headworks to the site. Can you provide of what the headworks include?

**Dr BURNS:** The headworks of the site are: roads - McMinn Street upgrade and duplication of Bennett Street, \$4.5m; electrical - rearrange feeders to provide second point of supply, \$0.4m; water - new water main from the Esplanade, \$1m; and sewerage - a trunk sewer to boundary, \$0.4m. That makes \$6.3m and the other \$1m comes about through decontamination.

**Dr LIM:** Did you mention water there as well?

**Dr BURNS:** I did: a new water main from the Esplanade at \$1m.

**Dr LIM:** Okay. There is also \$6.16m for advice regarding the project. What did this advice include?

**Dr BURNS:** Whereabouts where you looking there? \$6.157m?

**Dr LIM:** Close enough.

**Dr BURNS:** Okay, that is made up of a total of consultants and I mentioned that already: project director, legal and financial advisers during the bid assessment, technical support and ongoing engineering and environmental support - employee expenses. That in 2005-06, member for Greatorex, was \$2.978m. Similarly, for 2005-06, employee expenses - which includes the project administrator and two office staff, increasing by a chief financial officer and communication manager - is \$520 000; admin expenses of \$500 000; overheads which includes DCIS charges and DIPE management overheads of \$88 000; nothing against the letter of credit; the letter of credit fees \$530 000; no legal fees; but DCEC pre-operating expenses are \$1.1m; and interest expense of \$435 000, which makes a total of \$6.157m.

**Dr LIM:** Were any of these what you call consultants engaged through certificates of exemption?

**Dr BURNS:** I would have to take advice on that, member for Greatorex. Do you want to take that question, CEO?

**Ms BUTTERWORTH:** Yes, most of the project people were actually engaged under certificates of exemption.

**Dr LIM:** Are you able to provide us with a list of that?

**Dr BURNS:** I do not see why not, member for Greatorex. A lot of this consultancy work is very specialised and that is why it would have been done under certificates of exemption. I think I did see a list somewhere. We will endeavour to try to get that to you as soon as we can.

**Dr LIM:** Thank you, minister. There is also a \$2.5m capital works provision for ongoing contamination apart from the \$1m you stated earlier. Will this be spent this year?

**Dr BURNS:** Where am I? There is a dredge establishment that was paid as an establishment fee to the consortium at financial close. Is that the \$2.5m you are referring to, member for Greatorex?

**Dr LIM:** It probably is.

**Dr BURNS:** This is to underwrite the dredging for the site.

**Dr LIM:** Do you believe that \$1m earmarked for treatment of the contamination site is going to be enough?

**Dr BURNS:** I think the Chief Minister said that there would be \$1m allocated in the next financial year, 2005-06, but there was a likelihood over the life of the project – from memory, just listening to her the other night – it is probably going to total somewhere around \$9m.

**Dr LIM:** You are the minister who is going to be looking after this aspect of it. I am just asking whether you believe that it is going to be sufficient.

**Dr BURNS:** I have received no advice to the contrary, member for Greatorex.

**Dr LIM:** Territorians will be very concerned about the open-ended guarantee that the Northern Territory government gave to the consortium, advising them that it will undertake all reparation work on the land and picking up the cost of the reparation of the land until such time as the developers are happy that the land is now habitable. That is an open-ended cheque.

**Dr BURNS:** Except there have been very extensive works and studies on what is required to remediate the land. It is not really an open-ended cheque. There is a lot of knowledge about what contamination is there. Contrary to what some people have asserted, there is some hydrocarbon contamination there, but it is by no means severe. There are some oxidated biological processes to break down hydrocarbons in the soil. There is some metallic contamination as well, as you would expect on that site. However, my advice is that neither of those is insurmountable.

**Dr LIM:** The Darwin City Council might take exception to your comment, minister, because they are estimating – in fact on the ABC, it said that a massive amount of contaminated soil is likely to be coming off the waterfront development for the next 15 years. Around 15 000 m<sup>3</sup> of soil, full of heavy metals and hydrocarbons, is expected to be removed every year. That is 15 years at 15 000 m<sup>3</sup>, and you are now going to dump that at Shoal Bay.

**Dr BURNS:** It just sounds ...

**Dr LIM:** You have not only the contaminated land that you have to look at, you are looking at the route along which the contaminated dirt is going to be carried through to Shoal Bay and then the treatment at Shoal Bay itself.

**Dr BURNS:** Member for Greatorex, there has been extensive consultation and negotiation with council on this issue, and there has been a lot of thought and science go into that. It does cross over, to some degree, with my colleague, the minister for Environment's portfolio. I invite Ms Butterworth to address some of the issues that you have raised because they are important issues.

**Ms BUTTERWORTH:** In Stage 1, there is an expectation that the contaminated soil will be about 5000 m<sup>3</sup>. The estimate for Stage 2, which is the rest of the development, is a further 5000 m<sup>3</sup>, so it is nothing like the numbers that you were talking about.

**Dr LIM:** These are Darwin City Council figures. They must have got their figures talking to you guys.

**Ms BUTTERWORTH:** There must be a misunderstanding if that is the case because the negotiations are occurring with Darwin City Council as recently as this week to try to resolve taking material to Shoal Bay. Those are the amounts that we are currently aware of.

**Dr BURNS:** The important thing to remember, member for Greatorex, is that there is an independent environmental auditor through this from the Victorian EPA. Everything that will be done and is being done is up to a very high standard. We are very cognisant of the environmental values of the harbour, of potential risks, and we are addressing those in a very scientific way.

**Dr LIM:** Am I not correct in saying that a full EIS was requested on the land, and the government's response was: 'We will do it as needs be as the project progresses'? We really do not know the full extent of the problem and the degree of decontamination that you would need to go through to make the land habitable.

**Dr BURNS:** No, my understanding of the EIS - and I think I was Environment minister at the time - is that, whilst there were three proponents coming forward with their proposals for the site and the development, the EIS was done to accommodate all the potential developments and proposals. What was said was that there could be some augmentation of that if necessary. The extent of contamination has

been quite well known throughout. Also, the other issue of unexploded ordinance is a very important and is being handled sensitively and properly, member for Greatorex.

**Dr LIM:** If we do not agree to the EIS, how can you substantiate what you know? It is intelligent guessing at best.

**Dr BURNS:** But it was a very extensive EIS, member for Greatorex. I am not sure if others would want to comment on the EIS. Do you want to comment on it?

**Mr JONES:** The EIS was a strategic assessment of creating the land platform on which the development would occur. A whole raft of conditions was imposed by the minister for the Environment in accepting that environmental impact statement. Those conditions then flow through on to all of the planning approvals at every stage, every step. For some of these things, the obligation has been transferred to the developers for the ongoing construction environmental management plans and operational management plans within a whole framework. This process allows for the ongoing discovery and development of solutions and approaches, all of which then get checked off for each of those processes. It would have been absolutely impossible to discover every single element in one hit, but the approvals and then the subsequent planning conditions provide a process by which all of those things are taken into account.

**Dr LIM:** This is a medical analogy: it is like a carbuncle, or a boil in common language, and not understanding the patient is dying of septicaemia. That is the problem. I am still yet to be convinced that your environment reparation is adequate. I believe you are going to fall well short of \$1m per year.

What provisions have you made for repair and maintenance of roads, other than the couple that you mentioned, Mitchell Street and Bennett Street? What other measures or provisions have you made to ensure that roads are maintained during and after the waterfront construction period? Are there any provisions in the forward estimates? If so, what are they?

**Dr BURNS:** It is not an insignificant amount that has been allocated for the upgrade of McMinn Street and duplication of Bennett Street - \$4.5m is not chicken feed. Would you like to comment on that, Neville?

**Mr JONES:** No.

**Dr LIM:** I am sure the trucks carrying the contaminated soil, plus any other materials for construction, to the wharf precinct are not only going to use McMinn and Bennett Streets. What about Tiger Brennan Drive? One of the blurbs that government put out was that there will be a truck driving down Tiger Brennan Drive every minute or two ...

**Dr BURNS:** You are aware that there is money in the forward estimates for the duplication of Tiger Brennan Drive. This is Commonwealth money. It might not be showing here. I am not sure whether Ernie wants to talk about this.

**Ms BUTTERWORTH:** The roads that will be used – it is predominantly the rock arm that will be required; that is, the heavy trucks that will be travelling down those roads. The trucks will all be within the statutory legal limits.

**Dr LIM:** Famous last words! I hear your intention, and that is great. I recall the containers being brought up by FreightLink into Alice Springs, and every one of those containers were well above maximum DIPE and road limits and nobody did a thing about it in Alice Springs. Why would they do anything about it in Darwin? I am stating a point of fact, minister.

**Dr BURNS:** People are breaking the law, member for Greatorex.

**Dr LIM:** Then why has DIPE not done anything about in Alice Springs?

**Dr BURNS:** Did you bring it to my attention?

**Dr LIM:** Everybody knew about it. It was in the media. Everybody knew about it and nothing was done. Why would I believe that you guys are going to do anything about it here in Darwin on Tiger Brennan Drive or any other road?

**Dr BURNS:** I should correct what I said about Tiger Brennan Drive before. There are passing lanes, not duplication, on Tiger Brennan Drive.

**Dr LIM:** There you go! So that makes it even worse then, doesn't it?

**Dr BURNS:** Oh, I do not know. Passing lanes are for passing.

**Dr LIM:** Well, passing lanes. But you are going to have all these trucks with heavy fill traversing Tiger Brennan Drive at one or two minutes per truck every day for quite a few years. What forward estimates have you provided to ensure that you maintain Tiger Brennan Drive for the rest of the Top Enders who use that road to come to work every day?

**Dr BURNS:** I am advised it is not 15 years, member for Greateorex, it is more like 12 months. However, I will certainly be monitoring that situation.

**Dr LIM:** You are not taking the dirt back out – the container of dirt at all out - over the next few years?

**Dr BURNS:** It may very well be that some of these works are carried on in the evening.

**Dr LIM:** In minibuses.

**Dr BURNS:** Beg pardon?

**Dr LIM:** In minibuses or something. The trucks are going to be carting along those roads every day for quite a few years.

**Dr BURNS:** No, I am told 12 months, member for Greateorex.

**Dr LIM:** Twelve months. So, where did I get this business about removing contaminated soil for the next 15 years by the Darwin City Council?

**Dr BURNS:** I do not know. The CEO advises me that there is 5000 m<sup>3</sup> of contaminated soil going out, which is not a lot. The bulk of the material will be piped across the harbour to bunds at the East Arm Port, member for Greateorex.

**Dr LIM:** Piped?

**Dr BURNS:** Yes.

**Dr LIM:** Liquid?

**Dr BURNS:** It will be dredged slurry.

**Dr LIM:** What agreements or agreement do you have with the city council for the maintenance of services, rubbish collection and that sort of stuff for the wharf precinct?

**Ms BUTTERWORTH:** Can I answer?

**Dr BURNS:** Yes.

**Ms BUTTERWORTH:** The council, at the moment, does not wish to take over the waterfront precinct, so an authority is going to be established which will run the area and do those council functions.

**Dr LIM:** Okay. What arrangements are there with Power and Water in regard to changes that will be needed to be made as a result of the waterfront project?

**Dr BURNS:** I have already mentioned some rearrangements of feeders. However, it will be similar to any other development, member for Greateorex. Possibly, that might be a question that you ask Power and Water when you have them here as a GOC.

**Dr LIM:** Has the department made any provision for the eventual clean-up cost? If so, can you give me details about that at all?

**Dr BURNS:** When you say clean-up cost ...

**Dr LIM:** After the project.

**Dr BURNS:** There will be a beautiful convention centre there.

**Dr LIM:** Yes? All part of the cost of the building of the project.

**Dr BURNS:** When you mean clean-up ...

**Dr LIM:** I mean before you guys went down to Alice Springs to open the convention centre, it did not have green grass and beautiful car parks. It had been cleaned up, too. Has all part of the project been costed in?

**Dr BURNS:** I am advised so, member for Greatorex.

**Dr LIM:** What do you intend to do with the contaminated soil once removed to Shoal Bay?

**Dr BURNS:** There are protocols, as I have mentioned before, and there are treatments, particularly for those soils that are contaminated by hydrocarbons. There is a biological process that involves oxidation - the tropical environment, humidity and ambient air temperature, helps with the breakdown of these monocyclic and polycyclic hydrocarbons, member for Greatorex.

**Dr LIM:** Thank you very much for that. I can pronounce those words too. How do you deal with those hydrocarbon contaminants? I understand that that area is subject to strong surge.

**Dr BURNS:** Member for Greatorex, there are a lot of things that get buried at Shoal Bay anyway. I am no expert on waste disposal, but there is household waste, all sorts of special waste, that is disposed of at Shoal Bay. I would imagine that is part of their protocols. In fact, as you are probably well aware, waste disposal is a very professional and technical operation these days.

**Dr LIM:** And sewage will be what, through an outflow system?

**Dr BURNS:** What do you mean 'sewerage'?

**Dr LIM:** For the wharf precinct area and then all the units you are going to build up there?

**Dr BURNS:** I mentioned a new trunk sewer to the boundary. All these things are part and parcel of any development.

**Dr LIM:** I am done.

**Mr CHAIRMAN:** Member for Nelson.

**Mr WOOD:** I did the fastest sprint I could but I found the letter from Darwin City Council. I just might ask the minister. It says here, this is a synopsis:

*The need for soil remediation facility is also critical for the Darwin waterfront proposal which requires the excavation, removal and rehabilitation of a significant volume of hydrocarbon contaminated soils over the 15 year life of this development ...*

And it goes on further to say, under project summary:

*It is proposed to use the biopile method to remediate some 15 000 m<sup>3</sup> in the of hydrocarbon contaminated soil from Stage 1 of Darwin waterfront during 2005, and approximately 5000 m<sup>3</sup> of contaminated soil annually thereafter for the following 10 to 15 years. Once remediated, the hydrocarbon levels below sensitivity guidelines the soil could be used as intermediate and final cover for the Shoal Bay landfill.*

So I think that that is what the member for Greatorex was referring to.

**Mr CHAIRMAN:** What letter is that?

**Mr WOODS:** It is the report to the Environment Infrastructure Committee of the Darwin City Council from the Director of Technical Services. The subject is the NT government proposal for Shoal Bay landfill biopile facility. Mr Chairman, they were basing that on a consultancy report by GH&D which I believe, I presume, they would have paid for.



**Dr BURNS:** Member for Nelson, my preliminary advice is that we have not received that letter. I can only reiterate the advice that I have from the department. We are talking about the biopile technique to get rid of the hydrocarbons. It says here:

*The quantity of soil to be treated in this way is likely to be in the order of 5000 m<sup>3</sup> for Stage 1 and a further 5000 m<sup>3</sup> for the remainder of the waterfront project.*

Therefore, the advice that I have seems contrary to the technical advice from council, which is saying it is going to be 5000 m<sup>3</sup> per annum.

**Dr LIM:** Perhaps they have done a more detailed EIS than you did?

**Dr BURNS:** Yes, Mr Jones.

**Mr JONES:** We think that those figures came from one of the very early studies that I mentioned earlier on. There has been constant definition and reinvestigation of this work because, obviously, the amount of contaminated soil to be removed is a significant cost factor and we needed to understand more about it. As time has gone on, the waterfront team has been able to get a better definition of exactly what is there. We have probably done half a dozen or more different sorts of studies into this. I can only assume that those figures were from around about the time that the EIS first became public. There has been a lot of work done since then.

As the minister and the CEO have mentioned, there are current negotiations with the Darwin City Council and they would be looking at the figures that the minister has just quoted, not the figures that, I guess, would be something like several months old.

**Dr LIM:** I find it peculiar that Darwin City Council would release that information only recently, like they did in the last couple of days. I would assume that the GH&D information is probably more current than you have there.

**Mr CHAIRMAN:** Member for Nelson, could I have the date of that letter you were reading from?

**Mr WOOD:** 1 June 2005. It was a letter to the Chief Executive Officer from Brendan Lawson, Project Administrator on 10 June 2005. From HLA Environmental Sciences, a letter to Matthew Tate, Project Manager, Land Development, NT Department of Infrastructure, Planning and Environment on 26 May 2005 regarding characteristics and estimated volumes of material for disposal. Then there was a GH&D report which is dated November 2004, *Specification for Biopile At Shoal Bay Landfill*. That was done for the Department of Infrastructure, Planning and Environment.

**Mr CHAIRMAN:** Would you be able to table those documents?

**Mr WOOD:** As long as I can have them back.

**Dr LIM:** Why don't you formally table the papers and then we could get a copy for everyone?

**Dr BURNS:** Mr Chairman, Ms Butterworth has some comments.

**Ms BUTTERWORTH:** I am not sure whether it is a part of this - and we will need to look at those documents to actually identify what the discrepancy is - but some of the soil will be able to be disposed of on site, as long as it is capped and is in areas where there is not residential building over the top of it. It may be that the reports that you have are relating to the total contaminated soil there, whereas what we have been talking about with 5000 is the amount we think we have to remove from the site. I will need to clarify that.

**Dr LIM:** That is fine, but my concern is still that you told people in Darwin: 'Buy a house or a flat in this block of units' that is built on soil that has been capped by a concrete slab. Suddenly, you find your prices start to plummet because of that. Where is the return then? It is a big zero.

**Ms BUTTERWORTH:** The whole process that we are going through is included in a remediation action plan, which will be approved when it is finalised by the independent auditor that the minister spoke of earlier. There will be no danger of things not being up to an appropriate standard because it will be independently audited before it is approved.

**Dr LIM:** I come back to my analogy of a carbuncle that is visible, and the person dies of septicaemia. Anyway, we will move on.

**Dr BURNS:** Anyway, member for Drysdale, I do not mind tabling the advice I have, which also mentions the quantity of:

*... 4000 m<sup>3</sup> of mixed ore material from the former minerals export area at Fort Hill be placed in an engineered cell at Shoal Bay facility in accordance with well established practice as used in other states. If determined by leach-ability studies currently being undertaken, the ore materials will be treated to stabilise them prior to the placement.*

This is all the advice that I have at 1 July 2005 ...

**Dr LIM:** I must be getting almost as belligerent as my former colleague the member for Drysdale for you to identify me as the member for Drysdale.

**Dr BURNS:** Oh, sorry!

**Dr LIM:** I am the member for Greatorex.

**Dr BURNS:** My apologies, member for Greatorex.

**Dr LIM:** Thank you.

**Mr CHAIRMAN:** Are there any more questions in regard to that output?

**Mr WOOD:** Yes, just quickly. Will your department or the Department of Environment and Heritage be looking at monitoring the pumping of the mud across the harbour to the ...

**Dr BURNS:** That is a question that is probably more aptly put to the minister for Environment who is appearing tomorrow.

**Mr WOOD:** Yes. The gravel and fill that is coming into the development, where is it coming from? Is it coming from the Thorngate Road area near Robertson Barracks, or is coming from the East Arm port area?

**Dr BURNS:** I do not have that level of detail, member for Nelson. I am not sure whether anyone else does. Do you, CEO?

**Ms BUTTERWORTH:** It has not yet been determined. They are currently doing some quality checks on the fill. Some of it may come from the business park, but we are not sure at this stage. They are determining whether it is the right quality fill.

**Mr WOOD:** I was at a planning meeting where it appeared as though the original site was Thorngate Road, in that area. So that was not determined at that stage?

**Ms BUTTERWORTH:** They are still checking quality of the fill.

**Mr WOOD:** Thank you.

**Mr CHAIRMAN:** Are there any further questions in regard to Output 1.6, Darwin City Waterfront Redevelopment? That concludes consideration of this Output Group. I note that questions on Output 2, Environment and Heritage will be addressed by Minister Scrymgeour on Wednesday 6 July 2005.

### **OUTPUT GROUP 3.0 – CONSERVATION AND NATURAL RESOURCE MANAGEMENT** **Output 3.1 – Policy and Planning**

**Mr CHAIRMAN:** The committee will now proceed to Output Group 3.0, Conservation and Natural Resource Management, Output 3.1, Policy and Planning. Are there any questions?

**Dr LIM:** Yes. Minister, there is a great concern in the Territory industry that our once-proud parks service has been reduced to a bandaid operation, so overwhelmed with emerging day-to-day operational priorities that interaction with tourists will be greatly reduced and, in some cases, non-existent. Can you

give your personal assurance that tourism is the major feature of a park, that staff rosters are set and adequately enforced to provide the services so important to our tourism industry?

**Dr BURNS:** Member for Greatorex, of course, tourism is a very important component of our parks service. Many people come to the Territory, and many Territorians visit our wonderful parks for intra-Territory tourism. However, our parks also serve many other purposes, including the maintenance of biodiversity and highlighting and showcasing cultural values. Therefore, it is not just tourism that parks are concerned with. Basically, I thought we might have got on to this one in the next output area. However, as I said earlier this evening, I have ensured that an extra \$1.2m per annum goes in to base funding for our parks service. These are people who are very dedicated. They often live in very remote areas and they have a real love and passion for their jobs. I am not sure whether Dr Ritchie wants to address some of the issues you have mentioned.

**Dr RITCHIE:** No, but if there are any specific questions.

**Dr LIM:** I still believe this is in the policy and planning section. The centralisation of planning functions in this mega-department does not appear to serve Parks and Wildlife well. When you talk to many officers - and I have been to many parks - and many times these officers feel as if they are being disowned by DIPE; that, in fact, Parks and Wildlife is now a poor second, third or fourth cousin in this mega-department. Which parks and reserves do not currently have a plan of management, and how do you intend to resource this outstanding matter?

**Dr BURNS:** We are working through plans of management through the Parks and Reserves systems. I will ask Dr Ritchie to comment on that. However, if I could emphasise that I am proud to be Minister for Parks and Wildlife for the very reasons I outlined before. Yes, I have detected some ambivalence by staff who feel that, with the amalgamation into a larger department, they have lost some identity. I encourage them. They are a very separate and distinct part of the government service. They have their own uniform, and a very special role to fulfill, and I encourage them to keep up the great work they do. I know it is certainly valued within government and by the public of the Northern Territory. I will ask Dr Ritchie to comment on the management plans that you mentioned.

**Dr RITCHIE:** Yes, member for Greatorex, on that theme, this was discussed at previous estimates hearings. Initially, members of the parks service did feel that being within a bigger department had, to an extent, overshadowed their identity. Over the last three years, we have worked to deal with that. There is an increased number of ranger staff and increased operational budget than there was then. We have undertaken several rounds of intensive consultation with rangers in the bush and have been progressively dealing with the problems of isolation and the sorts of things you are talking about - the way that work is restored. The results have been very heartening. The current round of staff surveys shows a much higher increase in the sense of both the purpose and direction in parks policy.

To come back to your original point on management plans, we are now in the process of commencing the joint management plans for 27 of the parks in the parks agenda.

**Dr LIM:** Minister, in your Framework for the Future, an initiative that promised significantly increased parks estate with concessions to be made to both government and land councils. How much work has been done on this initiative? What is the cost to date, and how much of that cost has been paid to the land councils in cash or in kind?

**Dr BURNS:** Are we talking about the master plan here, member for Greatorex?

**Dr LIM:** I think that is what it is, your Framework for the Future.

**Dr BURNS:** The master plan is being finalised and is there to aid the protection of the Territory's biodiversity. It will have budget implications for the future; it is a very important step forward. There is \$300 000 allocated for that purpose in the 2005-06 year. If I could just ask Dr Ritchie to elaborate?

**Dr RITCHIE:** The first part of your question was about adding parks to the reserve system?

**Dr LIM:** That is right. Your initiative promised to increase your park estate, no?

**Dr RITCHIE:** Yes, to answer the first part of that - and there are two aspects to this. One is potential increases which are strategic increases which will be driven by the Parks and Conservation Master Plan which the minister was just referring to. The second bit of that is new land coming into the parks estate as a

result of the negotiations with traditional owners coming out of the Framework for the Future bill. The lands that have come into the parks estate as a result of that is a section of Davenport Ranges at Hatches Creek, and the Jasper Gorge, which links the two bits of Gregory.

**Dr LIM:** Has this initiative cost anything to date?

**Dr RITCHIE:** The costs of that are the two areas of land that have come into the parks estate. There was an agreement to pay rent on those areas, and the amount that we are paying, I think, for those is around the \$30 000 per year.

**Dr LIM:** That is paid to the land council?

**Dr RITCHIE:** No, it gets paid to trusts set up for the traditional owners of that land.

**Dr LIM:** Held in trust - what? Held in trust by land council or what bodies?

**Dr RITCHIE:** The land councils, as you will remember from the amendments to the *Parks and Wildlife Act* earlier this year, have some specific functions now under the *Parks and Wildlife Act*. They, basically, mirror some of the functions in the *Aboriginal Land Rights (Northern Territory) Act*. One of those functions is to ensure that the correct traditional owners are identified and that they can set up those trusts and administer them in the way that they do.

**Dr LIM:** So the land councils are looking after the trusts?

**Dr RITCHIE:** Yes. The administration of it is they perform the trustee function under the *Aboriginal Land Rights (Northern Territory) Act*.

**Dr LIM:** Do they get a percentage of the fee for management or whatever?

**Dr RITCHIE:** I do not believe so, no.

**Dr LIM:** Can you give me a definite yes or no or ...

**Dr RITCHIE:** I believe that they do it as part of the statutory service, but we can find out.

**Dr LIM:** If you do not mind. I would like to know what the actual arrangements are: if somebody is making a trust and they know whether it has been paid or not for it, and who eventually becomes the beneficiary at the end of the day.

I believe it is still part of policy and planning: how much land will be added to the parks estate as a land council initiative, given that most of your initially identified concession from land councils appear to have been withdrawn; and where are those lands?

**Dr RITCHIE:** That was covered in my first. The exact number of hectares I would have to get back to you on. However, essentially, it is the area of land north of the Hatches Creek Road in the fork of the Davenports, and an area of land that encompasses Jasper Gorge linking the two parts of Gregory. In acreage, it is not a huge amount in adding to the percentage of the park's estate, but in strategic land it is important. The Jasper Gorge is important, and that area - from a park's point of view - is very important in just good management, because it actually brings the boundary of the park in that area up to a natural barrier on a road, so it is just a lot easier to manage it.

**Dr LIM:** This question might sound repetitive. How much land is to be transferred from government or land corporation ownership to titles to be held by land councils or traditional owners; and where are these owners?

**Dr BURNS:** Just to clarify, member for Grotorex, there will be no titles that will be held by land councils.

**Dr LIM:** Who holds the land titles?

**Dr BURNS:** The traditional owners through the land trusts and that will be leased back to the Territory.

**Dr LIM:** The land trust and not the land councils?

**Dr BURNS:** Maybe Dr Ritchie might want to comment on that, he is a bit of an expert in these areas.

**Dr RITCHIE:** Yes, the land councils have purely an administrative role and their function is to make sure the correct traditional owners within the meaning of the *Aboriginal Land Rights (Northern Territory) Act* are identified and that they have a role which is set out in the Land Rights Act for managing the trusts for the beneficiaries which are the traditional owners. So, the owners are the traditional owners.

**Dr LIM:** Given that you said just now that it is a minimal amount of land being added to the parks estate, what lands have been set aside for future acquisition - any?

**Dr BURNS:** Dr Ritchie.

**Dr RITCHIE:** The Parks and Conservation Master Plan sets out a philosophy and a strategic plan for acquisitions for the parks estate based around areas that are of high biodiversity value primarily, and overlaid with areas that of high value for tourism. Therefore, that plan which has been signed off by the various stakeholders working together makes some recommendations about areas that could be added but, at this stage, these are possibilities and there is a suite of options.

**Dr LIM:** Okay, I will accept that, thank you.

**Mr CHAIRMAN:** Are there any further questions in regard to that output?

**Mr WOOD:** Yes, Mr Chairman. I suppose you could ask a philosophical question on what you were just talking about, and I have raised it before. We are going to have a whole series of different types of land titles for all our parks in the Territory. Do you believe that we could ever get to a stage where we have one single land title for all our parks?

**Dr BURNS:** I will ask Dr Ritchie to give detail of this but, from my limited knowledge, member for Nelson, even before these changes took place there was a whole range of land ownership tenure arrangements anyway. It is a good question and possibly Dr Ritchie might be able to answer it more fully.

**Mr WOOD:** I understand that.

**Dr RITCHIE:** Member for Nelson, in the Territory there are several basic titles, but I think that in any foreseeable future inalienable freehold title under the Commonwealth *Aboriginal Land Rights (Northern Territory) Act* will remain and that other land held, as Crown land, will also remain, so that there will always be, in the broad sense, a mix in our parks between land that is owned by the Crown, owned by one of the corporations, and owned by traditional owners.

**Mr WOOD:** I suppose what I am getting at is that it would be nice to one day to say all the land we have for parks is owned by us. That will require, I presume, some changes to the *Aboriginal Land Rights (Northern Territory) Act* for that ever to have a chance to come into being?

**Dr RITCHIE:** It would be quite a dramatic change in land tenure in the Northern Territory, yes.

**Mr WOOD:** Another day and a cup of coffee we might talk about it. Through the Chair, I just have some other questions. Minister, what has happened to the draft Howard River Water Resource Strategy as in the 2003-04 report? Is this related to \$300 000 allocated in the *Regional Highlights* to maximise the sustainable use of groundwater resources in the Darwin rural area?

**Dr LIM:** We are still on 3.1, aren't we?

**Mr CHAIRMAN:** We are.

**Mr WOOD:** We are, because it is to do with policy and planning when you read the section in the act.

**Dr LIM:** It is all right, I am just asking.

**Mr WOOD:** It took a bit of time trying to get it in the right place.

**Dr BURNS:** It is a very important question, member for Nelson. I knew you were going to come to it. It is an issue that you have raised before about water resources, bore metering and water allocation in the Howard River region. The long and short of my understanding is yes, it has been a dry Wet this year, but in

the history and height of the aquifer in that region, at this stage there is no great cause for alarm regarding water allocation.

**Mr WOOD:** Minister, I did not want to get into that debate at the moment, as important as it is, but I was more or less referring to your annual report, which talked about a draft Howard River water resource strategy. What has happened to that? In the highlights - when I can find it - it talks about \$300 000 allocated to maximise sustainable use of groundwater resources in the Darwin rural area. I am asking: are those two things one and the same, or are they different? When will we see the results of those studies? I believe they are important, minister; that is what needs to be done.

**Dr RITCHIE:** Member for Nelson, yes, the plans are referring to the same thing. We have submitted a proposal leveraging National Water Initiative money, and that the plan will be completed within this calendar year.

**Mr WOOD:** Thank you. Minister, what does the funding for the Darwin Harbour Regional Plan of Management represent? Is the Darwin Harbour management group still operating? Who is on it? How many times have they met? How much is budgeted for it? What is the present status of the plan of management?

**Dr BURNS:** Until we find the exact place here, member for Nelson, they are still meeting. They meet regularly and I regularly attend their meetings. My recollection is that, in the 2005-06 financial year, \$300 000 has been allocated to support the work of the Darwin Harbour Advisory Committee.

Some of the Darwin Harbour Plan of Management requires a specific budget allocation in addition to the above resources, which is the \$120 000 to support the secretariat. The projects were: (1) developing a strategy for indigenous involvement; (2) identifying vulnerable marine and terrestrial habitats; (3) implementing a communication and education strategy; and (4) developing a conceptual model of the Darwin Harbour regions environment to prioritise research and monitoring and other management activities. That is where the \$300 000 goes, member for Nelson.

**Mr WOOD:** Thank you, minister. What is your government's policy on goose and duck shooting? Has it changed? Is it likely to change? What has your government done in response to problems that were raised in parliament associated with shooters not filling out forms?

**Dr BURNS:** This is an important issue, member for Nelson; one that a number of recreational shooters and their peak bodies have raised with me. I have endeavoured to work through some of these issues. It was discovered that under the *Parks and Wildlife Act*, I believe, that it was not possible for gun shops to issue goose shooting licences.

One thing that I have asked the department to do is to find out how we might remedy that situation because a number of shooters told me that, basically, it was very hard for them to get their licence, etcetera. I suppose underscoring all of this is our desire to protect magpie geese as a resource, as an important part of our environment. However, also balanced against that is that I think there is a sustainable place for hunting geese. I am not a hunter myself, but I understand why people want to hunt and, as long as it is done within limits, it is acceptable. That is one thing I have asked them to do.

I have also put out feelers to look at other areas that recreational shooters may be able to use in terms of Crown land for shooting, also other issues, including bag limits and a whole range of issues which I am trying to work through which have been making it difficult for recreational hunters but, at the same time, balancing sustainability.

**Mr WOOD:** You have actually pre-empted the question I was about to ask. The question I was asking was: I believe last year shooters were threatened with losing their permits for five years unless they filled out a survey form. I believe you were going to look into it.

**Dr BURNS:** I have to say straight up that I thought it did not work. Certainly, some people filled them out. From memory, about 40% of people did not. It was not working out, and people were threatened with not being able to get a shooters licence. That regime was originally brought in because it was felt there needed to be a better handle on the number of geese shot so that models could be done. I have been informed by the department that there are other ways of obtaining numbers and the sustainability of geese. Also, on Aboriginal land there are quite a lot of Aboriginal hunters who hunt geese the way they have done for many years and it is an important food source for them. They might not necessarily be filling out hunting returns. It is about equity and commonsense.

**Mr WOOD:** Thank you, minister, for what you have said.

**Mr WARREN:** I have a question which my colleague, the member for Nelson, did not quite ask. What measures are being taken to monitor the groundwater and surface water resources, particularly in the Darwin rural area, especially considering that it is an issue of concern to people in the rural area?

**Dr LIM:** Mr Chairman, do you consider that as Output 3.3, Natural Resource Management?

**Mr WARREN:** Okay, 3.1, Policy and Planning, as it is to do with conservation and natural resource management. It is conservation and natural resource, groundwater resources.

**Dr BURNS:** It is an important question and it was certainly one that came up during the election campaign. There was some scaremongering - that is the only way to describe it - with people saying that government was going to meter all the bores and charge people in the rural areas for their water. Nothing could be further from the truth. Certainly, there needs to be more research done to properly model the aquifers in the rural areas. As I was alluding to earlier - I suppose I misheard the question from the member for Nelson - in the Howard River region there has been quite a lot of discussion regarding the level of the aquifer. I have been advised that, yes, the aquifer is lower than usual this year; however, it is not extraordinarily lower and there have been other years in recent history where the aquifer has been at the same level and, at the end of the Dry, there is still more than sufficient height left in the aquifer to sustain activities there.

There is no doubt that there is increasing development in the rural area, member for Goyder, and it behoves everyone to look at water as an important and finite resource and work together. What is being proposed under a national initiative, the Australian Water Fund, is that, on a voluntary basis, people can put meters on their bores so we can get a better handle on how much is being drawn out. People certainly will not be charged for that meter or for the water they use; this is part of a scientific study into the aquifer.

There were also some noises made about a potential threat from Power and Water bores and production bores there. I can assure this committee and the people living in the rural area that should Power and Water want to move and start establishing more production bores there, there will be a process which will involve the public. It will be an open and transparent process so people can see what is going on. It is understandable; you live out on a rural block and that water is precious. You need to have a tub and water the chooks and ...

**Mr WOOD:** And it tastes nice, too.

**Dr BURNS:** It tastes nice - nice sweet water. However, there needs to be a bit more science and less fear-mongering. I am not sure whether Mr Ian Smith wants to come to the table to make any further comment on this issue? Yes.

**Mr SMITH:** If I must.

**Dr BURNS:** Yes.

**Mr SMITH:** Mention was made about the water allocation planning process, and I just need to quickly correct Dr Ritchie's end of calendar year timetable - it will be end of financial year. It will roll out as part of the project that the minister has mentioned through the Australian Water Fund that we have to secure. That will see expenditure in the order of \$300 000 that was mentioned for much improved modelling of the aquifer system out there. That model will enable us to actually plug in the developments such as proposed by Power and Water to test their sustainability, but also to look at the ongoing in-fill and development of private bores.

The other key element I need to clarify, I guess, is that the metering that we are looking at introducing will also be designed through a consultative process with rural residents. At the moment, we are looking at no more than about 10% of properties taking part in that voluntary scheme.

**Dr BURNS:** Possibly, there is a role for the rural members, through their offices, to support this particular project and publicise it within their electorate, because it is a very important issue.

**Mr WARREN:** It certainly is. Just a supplementary question: you will be taking account of the requirements of the natural ecosystems into that as well?

**Dr BURNS:** Mr Smith.

**Mr SMITH:** Indeed, that is one of the primary interests. The Territory is locked into national agreements that, amongst other things, there is a requirement for environmental sustainability to be delivered through our water allocation plans and licensing. This particular project that we will see come to fruition and completion in the course of the year, is driven very much by maintaining environmental flows, as they are called, from the surface water/ground interactions in the rural area. I am speaking of Black Jungle Swamp, Howard Springs, Howard River, Malak Creek crocodile breeding area. Yes, we look forward to that project coming on.

**Dr BURNS:** Thanks, Mr Smith.

**Dr LIM:** Minister, regarding the Desert Knowledge Centre that was planned for Alice Springs. What was the funding allocation for the year gone 2004-05, and were all programs delivered?

**Dr BURNS:** I am not sure whether it is in this particular output area.

**Dr LIM:** The department of policy and planning.

**Dr BURNS:** It is a capital works item. Sarah Butterworth.

**Ms BUTTERWORTH:** It is not a DIPE-sponsored or a park-sponsored project; it is partly sponsored by DEET and partly by the Chief Minister's Department.

**Dr LIM:** You do not manage it at all?

**Ms BUTTERWORTH:** We do manage it, but it is a construction GBD project, and it is nothing to with parks.

**Dr BURNS:** In terms of the capital works to do with that, member for Greatorex, I do not mind tabling what I have here regarding the capital works. The Desert Knowledge Precinct Stage 2 headworks for the 2005-06 Budget is \$2.6m, with completion due in November 2005. Secondly, there is the construction of the Business and Innovation Centre with a budget of \$4.03m. Design and documentation tenders were advertised on the 31 May 2005 and closed on the 22 June 2005, with completion anticipated by October 2005. Construction tenders to be advertised in November 2005 with completion in July/August 2006. Construction of Desert Peoples Centre administration building with 2005-06 Budget of \$5.85m, with tenders anticipated to be called in August 2005. Finally, there is the construction of Desert People's learning themes building with the budget of \$1.586m, with tenders anticipated to be called in September 2005. I will table that for your benefit, member for Greatorex.

**Dr LIM:** Thank you. I appreciate that.

**Mr CHAIRMAN:** Are there any questions in regard to Output 3.1? That concludes consideration of Output 3.1.

### **Output 3.2 – Parks and Reserves Management**

**Mr CHAIRMAN:** The committee will now consider Output 3.2, Parks and Reserves Management. Are there any questions?

**Dr LIM:** Yes. Minister, when you were talking about the parks handover earlier, how much extra money has been allowed in budget for 2005-06 to meet these costs, including rental cost and grants to land councils? How much of this has been set aside specifically for land councils in the joint management proposal that you have?

**Dr BURNS:** Dr Ritchie.

**Dr RITCHIE:** Member for Greatorex, the total increase - which is an ongoing increase for joint management - is around \$3m per year. Of that, as I have said, around \$33 000 is paying for the rents for those two parks that have just recently come into the estate. Of the rest of that, there are no automatic payments to lands councils. Having said that, we have seen it as strategically important to have imbedded within the lands councils some officers dedicated to the joint management tasks, and so we are funding a



position in each of the lands councils which will be a dedicated joint management position to assist us with the developing joint management plans on those 27 parks.

In addition to that, we have been working closely with the lands councils over the last 12 months and, into the next year, we will be running what would loosely be termed capacity-building camps involving consultants with specialties in bringing indigenous groups from remote areas; educating them in the basics of how the government money structures work, how funding works, what parks do, and that sort of thing. Some of that is being facilitated through lands councils. Of that \$3m this year, the land councils facilitated work to the tune of around about \$700 000.

**Dr LIM:** What are the development and management costs for nominating the Western MacDonnell Ranges for world heritage listing? Where are these costs budgeted in your budget paper?

**Dr BURNS:** Member for Grotorex, I am advised that \$3m will be allocated during this term of government - oh, that is the visitor information centre. I had the wrong bit highlighted there. Its estimated cost is around \$150 000 to cover salaries and operational costs, to consult and prepare the required documents for national listing followed by world heritage listing. I am advised there is \$150 000.

**Dr LIM:** What is the time frame? Is it this year?

**Dr BURNS:** It is envisaged that this process will require a project officer for six months. I am not sure about the time frame for world heritage listing. Did you want to talk that, Dr Ritchie?

**Dr RITCHIE:** Member for Grotorex, yes, the process of world heritage listing is a fairly detailed and can be quite a lengthy one. What we are looking at, initially with that \$150 000, is to broadly consult the Alice Springs community, traditional owners, and to get the area defined and national listing. Then, from the national listing, it becomes a much more political process to then take it to international accrediting as a world heritage area, which could take several years.

**Dr LIM:** So, you are not likely to deliver during the term of this government?

**Dr RITCHIE:** A lot depends on other factors outside of our control. It is do-able, but we are talking several years.

**Dr LIM:** The next question is political, so I will ask the minister. Was this a term commitment by your government, or was it not?

**Dr BURNS:** I would have to go back through the paper work, member for Grotorex. The commitment was to nominate the West Macs for World Heritage listing. That was purely and simply the undertaking. I do not think there was an undertaking to do it during the term of government. What I was talking about regarding the term of government was \$3m will be allocated during this term of government to build the West MacDonnell Ranges Visitor Information Centre incorporating an indigenous commercial and cultural facility. That is a term commitment.

**Dr LIM:** What are the estimated costs of managing safari hunting of crocodiles? Where are these costs budgeted? What economic benefit will this program, which you have labelled minimalist, bring to the Territory?

**Dr BURNS:** Member for Grotorex! Crocodile hunting! Safari hunting! We are still waiting for the Commonwealth to get back to us. There seems to be a bit of nervousness. I did speak to Senator Ian Campbell at a ministerial conference here a couple of months ago, and he really did not want to know about it. He seems fazed by the animal rights movement. I am not sure - is it true that the Prime Minister is a member of the Humane Society? Senator Campbell seemed to be a bit spooked by this whole issue.

Really, until the Commonwealth bites the bullet and does the right thing - I know Dave Tollner has been advocating for this and Nigel Scullion. However, there are people there in the central part in Canberra who just don't want to go near it. As soon as we have the go ahead, there will be a trial for a year; that is what we have said. Basically, we move forward from there. I certainly have it on my agenda to once again to take it up with the Commonwealth because we have been waiting far too long for this decision, member for Grotorex.

**Dr LIM:** Can you show me where you have allocated the budget allocation for the program?

**Dr BURNS:** It is just coming out of existing resources. Mike Letnic, very fine officer in the Wildlife area, has been working very hard on this and developing this policy papers. However, until we get a concrete assurance from the Commonwealth and they sign off our Saltwater Crocodile Management Plan, we really cannot take a step forward. Dr Ritchie.

**Dr RITCHIE:** Member for Greatorex, it is covered in the area under the biodiversity conservation area. We have a program called Sustainable Use of Wildlife. Under that program, there is a couple of hundred thousand dollars in that program and this is one of the ...

**Dr LIM:** Would that be part of a program that you have in joint management with the parks estate with indigenous people?

**Dr RITCHIE:** It is separate from the joint management costings, as we see them as quite different. However, the sustainable use of wildlife, more generally on Aboriginal land, is something that seemed to be a priority for both - obviously indigenous economic development but also by getting a wider acceptance that valuing habitats for those species is important in its own right. Therefore, the idea of having sustainable use is a way of ensuring that the particular species are retained.

**Dr LIM:** Minister, I earlier talked about how Parks and Wildlife feel a little disowned; that staffing levels in some places are really at the barest minimum. Will the joint management of the new parks estate pose an extra burden on these people, which are clearly under-funded the way they are going at the moment? When you then say: 'I am going to add 2% efficiency dividend from you', how are you going to fund all these programs, keep the staff out there in the parks – not only the parks you are currently managing, plus all these new parks that are jointly managed?

**Dr BURNS:** As I said earlier, there has been an extra \$1.2m added into the base funding of the parks service. In relation to the roll-out of joint management, obviously, there will be extra cost imposts associated with that. I will let Dr Ritchie talk about that. If you could also talk about what that \$1.2m is going to do for the parks service, Dr Ritchie.

**Dr RITCHIE:** The \$1.2m is additional operational money, so it is not tied to positions. It is there to do exactly what we have been asked by our rangers in the field; to give them the headroom to be able to do things such as the sorts of jobs that fall underneath the minor new works program. For example, if a path washes away and they just want to get a local contractor in with some gravel to fix it, or to be able to make sure if there is a sudden outbreak of a particular weed to buy the weedkiller without having to go back through a whole process. That is the intention of that. That is on top of - as we are making clear to all our staff in the regions - the \$3m joint management program which is tied to specific areas, taken up with new staff positions, vehicles and other fixed costs.

**Dr LIM:** So the joint management of parks will now be separately funded with \$3m which will be used to employ more staff for Parks and Wildlife as well as indigenous workers ...

**Dr RITCHIE:** Building the capacity of indigenous workers and, of course, in any given year, we are employing probably between 10 and 25 new rangers coming on. In the whole system, we hope that there will be people from indigenous communities in the regions being in a position, as a result of the training that we are developing for them, to take those jobs and win them in their own right.

**Dr LIM:** That joint management is now well catered for. The current cohort of Parks and Wildlife rangers are still under-resourced. You are saying that you have \$1.2m for them to circumvent the due process so they can do it properly and get to work more efficiently. However, we are not looking at more bodies, are we?

**Dr RITCHIE:** The issue with operational areas is the erosion of operational money due to currently rising fixed costs. This \$1.2m is important to our parks staff and operations because it directly addresses that concern. It puts \$1.2m across the service, untied, into just bringing things back up to levels that they might have been several years ago.

**Dr LIM:** Okay. I am labouring on about whether there are more bodies available, because I know that park rangers are now lighting fires to burn off scrub, they are spraying, poisoning weeds. That should probably be done by people with better expertise. Perhaps staff are just doing things that are above and beyond their normal duty. Do you think it is time that Parks and Wildlife needs to be reviewed fully so that we know exactly what sort of staffing levels you require, so that the parks can be maintained properly by adequate staffing? You have work health and safety issues as well.

**Dr BURNS:** It is probably more appropriate that I answer this question. Staffing levels in any government department or section is something that is considered as part of the budget process. Departments put their bids in and these are considered. Certainly, on looking very closely at the parks service, it is a very important part of safeguarding our biodiversity, but it is also of crucial importance to our tourism industry. I have been trying to get around as much as I can to our parks, listening to what parks officers tell me on the ground, and going in and battling for them.

**Dr LIM:** Minister, I am trying to assist you in your role as the Minister for Parks and Wildlife by putting these comments to you so that your Cabinet will hear what you have to say when you plead with them. We know the staffing levels are down; that the budget is insufficient for the provision of overtime when work is unavoidable. Staff have to work, they are encouraged to time off in lieu of overtime, which only exacerbates the problem for the other staff who are left. I know that, because I am hearing these complaints. What are you doing to address the situation, is what I am asking. If I can help in any way by putting pressure on your Cabinet – hey, take it on!

**Dr BURNS:** All right, member for Greatorex. The figures that I have just been given, total staff are - and that excludes administrative staff, does it?

**A witness:** No, that is the total parks - this is output, which is Parks Management.

**Dr BURNS:** All right. *In toto*, in 2002-03 there were 173 staff; 2003-04, 188; and 2004-05, 203. There does seem to be a steady increase in the numbers in the service, member for Greatorex.

**Dr LIM:** Perhaps there are now more parks that need to be managed. I am getting complaints put to me, so either they are not telling the truth or they are being asked to do more in the Territory's parks. I also know that when staff go on leave, budget restrictions have resulted in higher duty allowance not being paid to the person in the park who is to take on that more senior role. That is not good for morale, you know that; particularly for the more junior officers. Whether that is legal or not within the public system, I do not know ...

**Dr BURNS:** It just does not seem ...

**Dr LIM:** I am sure that the Parks and Wildlife rangers would like to hear from the minister whether you will stop this practice. People who are on higher duties should be paid higher duties allowance; they should not be made to do things that are beyond their duty statement.

**Dr BURNS:** Member for Greatorex, I would hope that if people were shouldering higher duties they would be recompensed for that.

**Dr LIM:** Maybe your CEO needs to look at the system and see whether, somewhere, something has fallen over, and the people who are doing higher duties are not being compensated for the work. Again, do not shoot the messenger. I am letting you know what is being said.

**Dr BURNS:** I am not shooting you, member for Greatorex. I think you would be a great union rep.

**Dr LIM:** Well, all my colleagues call me a socialist capitalist - there you go!

The Wilson Report on enforcement recommended significant extra resources to be allocated to this function. I am just repeating myself. Nothing appears to have been done so far. My suggestion is do not leave this area under-resourced. What happens in our parks is that, if you under-resource our rangers, then you are going to have lots of yahoos going there and breaking laws and all sorts of problems, and maybe the shooters will go shooting where they should not be shooting. You need to identify where the problem is and, if the funding is inadequate, your Treasurer seems to be free with his Treasurer's Advance. Go for it! May I continue, Mr Chairman?

**Mr CHAIRMAN:** Yes, certainly.

**Dr LIM:** You gave me some figures just now about how many rangers you had in the last three years. I will look through the *Hansard* to get those figures. Do you have any recruitment programs in place to get more over the next few years?

**Dr BURNS:** My understanding is that the service continually recruits. I know that there are some young men in the electorate of Johnston who have applied successfully to become rangers - a very proud day for

them. Basically, I believe that there is a continuous recruitment, but Dr Ritchie might be able to answer that.

**Dr RITCHIE:** Yes, member for Greatorex, there is a turnover of staff with a ranger force of around 170 uniformed rangers. Attracting people in at the base level which is T1/P1 level, we have a rolling recruitment program. As you might expect, we have applications far exceeding the number of jobs available, and the quality of the applicants is very high.

**Dr LIM:** With recruitment you always have attrition as well. Do you have any plans to increase your numbers for 2005-06?

**Dr RITCHIE:** From the numbers the minister just gave you, we would expect the figures to be in the vicinity of 195 to 200 for 2005-06.

**Dr LIM:** We look forward to seeing some figures on that. By Christmas you will have them in place?

**Dr RITCHIE:** There are people leaving and moving jobs, and we are recruiting all the time; therefore, keeping it about that level is our objective.

**Dr LIM:** I anticipate, minister, that over the coming years there will be more visitors in to our parks, therefore, it is important to make sure the parks are well resourced. Have you done any projections as to what the numbers are likely to be, and what sort of staff level you need to service the park visitors?

**Dr BURNS:** Certainly, parks are continually looking at visitations in their parks and assembling numbers. There are some hot spots, let us say, and Litchfield would have to be one and Nitmiluk is another. We are continually looking at staffing and infrastructure investments in all of those locations. Possibly, Dr Ritchie might want to elaborate further.

**Dr LIM:** The minister is trying to save his voice.

**Dr RITCHIE:** Looking at these figures - and we can give them to you - there are some areas of the parks visitation which are increasing steadily. The effect of the 11 September blip is over and parks are beginning to climb again. They are the parks you would expect; therefore, the high visitation parks have not changed. To answer your question, we are constantly reviewing the ranger course required to maintain a high-quality service and to provide for public safety in those high visitation parks. It is increasing and one of our most important priorities.

**Dr LIM:** Will you table that list?

**Dr RITCHIE:** I can do that now if you would like.

**Dr LIM:** Thank you. Does that list include the breakdown of visitor numbers to the parks?

**Dr RITCHIE:** What it has is the parks on one side, and it has the last four years.

**Dr LIM:** Okay. Minister, can you tell me how much it costs to run parks such as the Nitmiluk National Park, Gurig National Park, and the Litchfield National Park which you just mentioned, including the lease costs, lease payments, board of management fees, personnel, and all that?

**Dr BURNS:** That is a fairly complex question, member for Greatorex. Nitmiluk put out their annual report and all those numbers would be quite accessible within that. You mentioned Gurig, and they also have an annual report and show their financials. I am not sure what the other one you mentioned ...

**Dr LIM:** Litchfield.

**Dr BURNS:** Do you want to comment on Litchfield, Dr Ritchie?

**Dr RITCHIE:** Only to say that the way we divide our budget up is by regions rather than by parks. Therefore, to get those figures park by park, we would have to do some crunching of numbers a different way. However, it is possible to do it. We will have to take it on notice.

**Dr LIM:** Will you take the question on board, minister?

**Dr BURNS:** Yes.

**Mr CHAIRMAN:** Is the question going to cover all three parks, or just the ...

**Dr BURNS:** I have made it clear that the other two parks that the member for Greatorex has mentioned do have annual reports and would have that information. However, if he is looking specifically at Litchfield, it is an important park and I would be pleased to try to furnish that information to him.

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#### Question on Notice

**Mr CHAIRMAN:** Member for Greatorex, would you restate the question, please?

**Dr LIM:** How much does it cost to run the Litchfield National Park, including costs such as lease costs, lease payments, board of management fees, and personnel?

**Dr BURNS:** Except I do not think Litchfield has a board.

**Dr RITCHIE:** No.

**Dr BURNS:** There is no lease in there, but in the applicable elements of your question, member for Greatorex, I will take it on notice.

**Mr CHAIRMAN:** I will allocate that question No 7.3.

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**Mr CHAIRMAN:** Please continue.

**Dr LIM:** To a much more mundane park. Minister, can you provide details of how much the Leanyer water park cost to maintain in 2004-05 and what cost this will be in 2005-06?

**Dr BURNS:** Let me preface the answer, member for Greatorex, that Leanyer water park is a fantastic amenity for people. I have been there a number of times myself. I have used the water cannon; I have got my feet wet. The kids and the mums and the dads really love it. They come from far and wide, and it has certainly been a welcome addition on hot days in Darwin. It is free and it is a real family thing. I know the member for Nelson loves those things with the family emphasis, and I am pretty sure people can bring a cut lunch in there as well. There are barbecue facilities; it is a great amenity.

It is a complex question you have asked member for Greatorex, and I will pass to Dr Ritchie.

**Dr RITCHIE:** Minister, just forebear. I have this somewhere. Member for Greatorex, in fact, I will pass this to the minister who can ...

**Dr BURNS:** Just refresh my memory, member for Greatorex. Did you want to know the staffing that is there?

**Dr LIM:** The Leanyer water park: what does it cost to maintain in 2004-05 and what have you budgeted for in 2005-06?

**Dr BURNS:** Personnel expenses to date are in excess of \$400 000. Total budget allocation for 2004-05 was \$500 000, which was also to cover operational costs currently nearing \$400 000. Expenditure details are as follows as of 5 June 2005: personnel, \$402 383.64; operational, \$393 479.11; with major costs for R&M, \$119 694; security, \$143 552; water monitoring, \$26 841; power, \$50 736; and water and sewerage, \$11 372. That is the information that I have.

**Dr LIM:** Thank you. I do not know which part of that list you read out is dedicated to looking after water quality, not only just monitoring of it. Every so often, I understand the park closes down for reasons that you and I would understand – and it does not have to be in *Hansard*. How many times has Lake Leanyer been closed for health and hygiene reasons? During 2004-05, what was the average length of time that the park was closed whilst this clean-up process was carried out, and at what cost?

**Dr BURNS:** I am advised not more than 10 and not recently. I know there were a lot of problems ...

**Dr LIM:** Once a month, in other words.

**Dr BURNS:** I suppose at that frequency it may well be, member for Grotorex. The water park itself has a high use. Of course, there is a magnificent skate park facility. The government is investing a lot more there, member for Grotorex, for shade and all sorts of things. It is very popular.

**Dr LIM:** Well, that is good. That leads me to my next question: when do you intend to expand Lake Leanyer? Give us the time lines and the breakdown of the costs.

**Mr WOOD:** I have it here. I got the promise in the ...

**Dr LIM:** Have you?

**Dr BURNS:** Proposals for Lake Leanyer.

**Mr WOOD:** Do you want this one? I collect these; they are government promises.

**Mr CHAIRMAN:** Well, it is in your electorate, member for Nelson.

**Mr WOOD:** That is right, it is.

**Mr CHAIRMAN:** No cause for pork-barrelling by us.

**Dr LIM:** Are you tendering that, member for Nelson?

**Mr CHAIRMAN:** It is a press release.

**Dr BURNS:** *'A re-elected Labor government will spend \$5.2m on the expansion of Darwin's popular Leanyer Recreation Park', Chief Minister, Clare Martin said today. 'We have had fantastic feedback from all over Darwin, Palmerston and the rural area since we opened the park. We are going to proceed with Stage 2 of the project'.*

Cutting to the chase, apart from that, the Chief Minister outlined that, since Australia Day 2004, more than a 100 000 people have used the park which is managed by Parks and Wildlife. The proposals for Stage 2 include large water slides, a café-style kiosk, two connected skate bowls, a BMX moguls track, tennis facilities, more shaded seating areas and barbecues, extensive shading at the kiosk, skate parks and basketball/netball courts, upgrades to the music bowl including shade for the stage, and small amphitheatre and extensions to the car park. The figures given here: costings for the 2006-07 year, \$3m and the 2007-08 year, \$2.2m.

**Dr LIM:** Oh, for the joys of living in the tropics! That is terrific. I would just like to know what you are going to do. It is fortunate you are all living in the tropics so you can enjoy such a water park. You will freeze to the core in Alice Springs.

We were fairly light when we were talking about water hygiene. What was the cost of maintaining water hygiene at Lake Leanyer?

**Dr BURNS:** I read that out, didn't I? The water monitoring is \$26 841.

**Dr RITCHIE:** That figure the minister read out, which is nearly \$493 000, which is operational, includes the contract with an external provider to provide water at a particular quality. That is the chlorine, the testing and the whole process.

**Dr LIM:** I understand that the embankment is concrete and can get quite slippery at times. Has anybody been injured at the park?

**Dr BURNS:** I am not aware of injuries. Mr Binns, do you want to answer that one?

**Mr BINNS:** Bill Binns. We have had several injuries there, none associated with that; mainly playing injuries that have occurred. There has been no spate of injuries which would cause us to look at a particular piece of equipment.

**Dr LIM:** Okay. With the expansion of the park as you have just read out minister, obviously, that is not a DIPE project *per se*; you are just the agency that will provide services which agency that will ...

**Dr BURNS:** It is run by Parks and Wildlife, but the infrastructure side of it would be managed by DIPE. In those developments, there would be a consultation process with users to identify the best ways of moving forward with those.

**Dr LIM:** Once it is built, the \$5.1m that you read out would not cover the maintenance costs of the park. Is that an up-front development cost only?

**Dr BURNS:** I believe so, member for Greatorex.

**Dr LIM:** By 2008, you assume that you will have the budget figure for the ongoing operations of the park itself?

**Dr BURNS:** Yes, member for Greatorex.

**Dr LIM:** I have just been advised that Lake Leanyer Park was closed on Monday for hygiene reasons.

**Dr BURNS:** It is closed every Monday.

**Dr LIM:** For the same reason?

**Dr BURNS:** I do not know. We could go out there for a swim next month, hey? It is a standard thing.

**Dr LIM:** It is a standard thing. Okay, good, thank you very much.

**Mr CHAIRMAN:** I think the member for Nelson might have a couple.

**Mr WOOD:** Thank you, Mr Chairman.

**Mr CHAIRMAN:** We are still on Parks and Reserve Management.

**Mr WOOD:** I had Leanyer Recreation Park lined up, but I will bypass that.

Minister, why has it taken so long for the Buffalo Creek boat ramp to have permanent facilities approved at the secure parking area? Does the government intend to expand the car parking area, as it tends to get full quite regularly?

**Dr BURNS:** I am not aware of any intentions, at this stage, to expand it. It could be a question that you might ask the Minister for Primary Industry and Fisheries because, to a large extent, he has carriage of the fishing infrastructure spend which, from memory, is about \$500 000 per annum. He is continually getting feedback from recreational anglers about what infrastructure is required so, possibly, he might do that. However, when you are talking about the slow implementation of ...

**Mr WOOD:** There is a secure car parking area there which, I presume, is in the boundaries of the park which belongs to Parks and Wildlife. Am I correct?

**Dr BURNS:** The land tenure there is quite complicated. It is actually on Defence land, to be honest with you, member for Nelson.

**Mr WOOD:** I realise that, yes. I realise that Defence is the reason there have been some problems with getting approvals for the caretaker's cottage and the kiosk to have permanent status there. It should be directed to the ...

**Dr BURNS:** There have been problems with Defence. Did you want to speak about this, Mr Binns?

**Mr BINNS:** Yes, the issue is with Defence at the moment. Mainly, it is just a housekeeping issue. They are set up to defend the country and not look after blocks of land, so the issue of fixing permanent structures to the ground has thrown them a bit. It is with their lawyers at the moment. That is the only process left before the demountable for the caretaker is put in place. It is purely just for them to agree to fix the demountable to the ground.

**Mr WOOD:** The poor bloke in charge has been waiting an awful long time. This was approved ages ago, and he still cannot get permission to set up a permanent fixture there.

**Dr BURNS:** I get good reports of the caretaker and the his activities there.

**Mr WOOD:** Yes, he is a good bloke, but he cannot put his house down.

**Dr BURNS:** That is the problem with Defence, member for Nelson.

**Mr WOOD:** Minister, I take note of what was said; that Parks are funded in groups. How much money and how many staff are allocated for the running of the Howard Springs Recreation Reserve, Howard Springs Shooting Reserve, Shoal Bay Conservation Reserves, Tree Point Reserve and the Malacca Swamp? I hope that is the group that would be normally looked after as one.

**Mr BINNS:** I can answer that for the minister.

**Dr BURNS:** Bill Binns.

**Mr BINNS:** Those particular areas are run as two districts. On a mobile basis, there are two staff at Howard Springs, but they are supplemented by staff from the Shoal Bay contingent, the Fogg Dam contingent, and from Darwin Parks when needed. If there is a burning program on, or there are particular problems with shooters, or whatever, they are supplemented and moved around the place as they are needed.

**Mr WOOD:** It would be difficult to say how much is allocated for those parks, or is that more complex because they come from other places?

**Mr BINNS:** I cannot give it to you off the top of my head, but it is not complex.

**Mr WOOD:** Could I put it on notice, minister?

**Dr BURNS:** Yes.

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#### Question on Notice

**Mr CHAIRMAN:** Can you restate that question, please?

**Mr WOOD:** Minister, how much money has been allocated for the running of the Howard Springs Recreation Reserve, Howard Springs Shooting Reserve, Shoal Bay Conservation Reserve, Tree Point Reserve and Malacca Swamp?

**Mr CHAIRMAN:** Do you accept that question?

**Dr BURNS:** Yes, I do, Mr Chairman.

**Mr CHAIRMAN:** I will allocate that question No 7.4. Continue, member for Nelson.

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**Mr WOOD:** Minister, has there been any money allocated in this year's budget to look at the reasons why the community can no longer swim at Howard Springs Recreation Reserve? Have you any ideas on what possibly could be done to overcome the problem?

**Dr BURNS:** I know it is a favourite issue of yours, member for Nelson.

**Mr WOOD:** And people who use the pool - who used to use the pool.

**Dr BURNS:** Did you want to speak on this, Mr Binns?

**Mr BINNS:** We have spent quite a few resources there, met with you personally out there and discussed what the issues are – and the issues are fairly complex. We have done what we can as far as clearing and sanding and the obvious things which we can do to try to bring the bacteria levels in that pool



down. We have not been successful; we have had a couple of clear tests, but whilst waiting for the third, it has generally gone over.

At the moment, the test before the latest test was clear; however, the water stinks. You could not let people go in to it just by the smell and the look. It is not clear yet, but the test was clear. However, this week's test was not clear, therefore, we are at our wits end. We are looking now to start a group together, including the local people, to try to look at solutions. We all have to face the fact that one of the solutions may be that we cannot have swimming there in its current state.

The local senior ranger has, in fact, started up a new walks and talks program out there which is very popular. All he is doing is using the rainforest, the fish and the water to give people an experience. A lot of people do go there for a picnic; they do not actually use the water. Berry Springs is now copping it from the swimming groups as they are mainly migrating to Berry Springs.

**Mr WOOD:** Minister, last year, your department assisted in rebuilding an erosion wall along the beach at Tree Point. I thought you would like that. Could you say how much it cost, and if you are going to complete the task? The reason I ask that is because you have invested so much money into it, if it all gets washed away now, that money will go, literally, down the drain. Do you ...

**Dr BURNS:** The figure that comes to mind is \$44 000. Is that right, Bill?

**Mr BINNS:** I would say if you added in everyone else's time, it would be much more than that, in cash.

**Dr BURNS:** Where did that figure come from, member for Nelson?

**Mr WOOD:** What figure?

**Dr BURNS:** The \$44 000?

**Mr WOOD:** From Bill Binns; he just told you.

**Dr BURNS:** No, I suggested it was \$44 000.

**Mr WOOD:** I am asking the estimates question, so you should be able to tell me how much it cost. However, what I was concerned about is that you have spent the money and it appears that the money will, basically, go down the drain if there is nothing to make it more secure. I know it is a difficult problem ...

**Dr BURNS:** It is all to do with land tenure and who owns what and natural forces. If we step in everywhere – and we did step in there and maybe that was a mistake to begin with. However, there are places along rivers and beachfronts which do have erosion problems and, if government steps in, in each one of those, the list would be endless. Did you want to speak to this as well, Bill?

**Mr BINNS:** No. David?

**Dr RITCHIE:** Member for Nelson, as you know, having attended an on-site meeting with the landowners, the point was accepted by all the parties there that that area is an area which is eroding naturally. We have care, control and responsibility for the foreshore dune area, and the landowners adjoining that had removed all the vegetation from their blocks and they are now suffering increased erosion as a result of their activities over the last 25 years. As good neighbours, we assisted them on several occasions with their own projects which they had initiated, including the current retaining wall made of truck tyres. The \$44 000 which Mr Binns referred to is an aggregate of money spent by Parks and Wildlife Service as good neighbours over a period of several years.

We made it clear at that meeting that our good neighbour arrangement extended, on this occasion, to repairing some damage which had been done in the last Wet Season - which we have done, but that any further work in that area would have to be funded by the landowners themselves. That was the arrangement as we left it.

**Mr WOOD:** Minister, again on that area, one of the regular complaints is the protection of the beach at Gunn Point. I know it is not within the Tree Point Reserve; however, is it Parks and Wildlife's job to patrol that beach and to make sure vehicles do not use the beach or the dunes in that area?

**Dr BURNS:** I am not sure of the answer to that question.

**Mr BINNS:** It is certainly not our responsibility to patrol the beach at Gunn Point. We have no legislation in the parks that would allow us to do that. However, on park it is our responsibility, especially if they are using the dunes. Again, it is a resource issue for any business. You could sit out there for a week and not catch anyone. It is not a permanently staffed park and, therefore, it is done on random patrols or if a particular land management program needs to be carried out in that area. They are the times that we are there. Randomly, the duck and goose patrols go through there as well. However, it is just a chance if we catch someone along there.

**Mr WOOD:** Minister, you have built two houses at Nathan River Station for rangers who will manage the proposed Limmen National Park. What is the status of the park in light of your government's Framework for the Future, and are there any rangers stationed at Nathan River?

**Dr BURNS:** That is a complex issue. My understanding is that it is with the Northern Territory Land Corporation. I will let Dr Ritchie elaborate.

**Dr RITCHIE:** Yes, member for Nelson, there has been no change, effectively. The Parks and Reserve Framework for the Future Bill offered the area of St Vidgeon, Nathan River and Billengarrah originally. They were removed from the offer at the committee stage before that bill was passed. The status remains as it was before then; that all those pastoral leases owned by the Northern Territory Land Corporation and the Parks and Wildlife Service has a management agreement with the land corporation to manage them as parks for visitors.

We have had several capital works items, including upgrading the facilities of the car park near the ramp at Limmen River, at Butterfly Springs and at Lost City; hence the need for a greater range of presence. In fact, there are three rangers at those houses at the moment.

**Mr WOOD:** Thank you. Minister, what is the government proposing to do to ensure that it meets its 2001 election commitment to declare Bynoe Harbour a marine park?

**Dr BURNS:** That might be back an output area, but I will try to answer it.

**Mr CHAIRMAN:** If it has been closed off, minister, no, you cannot. Is it in Policy and Planning?

**Dr BURNS:** Yes.

**Mr CHAIRMAN:** Then I am sorry ...

**Mr WOOD:** Well, Parks and Reserves Management.

**Dr BURNS:** I had it further back, anyway, member for Nelson.

**Mr WOOD:** I did not have your book, minister.

**Dr BURNS:** It is back in Policy and Planning, but I suppose I can shift it ...

**Mr CHAIRMAN:** No, I do not want to get into the situation. We have a convention whereby once an output is closed off, it is closed off. If we start making exceptions ...

**Mr WOOD:** Excuse me.

**Mr CHAIRMAN:** I am not prepared to make a precedent of it.

**Mr WOOD:** Hang on. I will read what it is in the budget, Mr Chairman. Output 3.2 is Parks and Reserves Management: 'manage a representative system of parks and conservation enabling the provision of quality tourist facilities and nature-based recreation facilities'. This was meant to be a park. All I am asking is: where is it?

**Dr BURNS:** It is still in the Policy and Planning area, member for Nelson, but I am more than happy to have a conversation with you about it elsewhere. You do not want to cross the ...

**Mr WOOD:** Yes, all right. No, I would not ever want to cross the member for Sanderson.

**Mr CHAIRMAN:** No. You are crossing the Chair. You are crossing the conventions that we have set.

**Mr WOOD:** Oh, well ...

**Mr CHAIRMAN:** No, Mr Wood. It is important that we realise what the processes are here for.

**Mr WOOD:** It is all right. Yes, I agree with the minister. I will talk to the minister. Can we move on?

**Mr CHAIRMAN:** Yes.

**Mr WOOD:** You are breaking my heart. I have finished. Thank you, Mr Chairman.

**Dr LIM:** Mr Chairman, if I may have your indulgence, I did overlook one question.

**Mr CHAIRMAN:** Certainly, member for Greatorex. I have no problems with that.

**Dr LIM:** It is to do with park management, and Dr Ritchie might wish to respond to this. We spoke about the Davenport Ranges and this being incorporated into the parks estate. In the master plan, do these parks that have recently been added have a program of capital infrastructure works in the next 12 months?

**Dr RITCHIE:** The Davenport park, as you know, is a very remote park. There is no plan for any major capital works on that park in the next 12 months.

**Dr LIM:** With the anticipated continual absorption of additional other parks into the estate, are there any programs or infrastructure in the development of these parks at all; any forethought as to what is going to happen to any of the parks?

**Dr RITCHIE:** Yes. There is a rolling through the capital works program, from which Parks develops its capital works program. It is a program that responds largely to visitor needs to build visitor infrastructure. In fact, that is the primary driver.

**Dr LIM:** The funding for such developments is now built into your current budget?

**Dr RITCHIE:** There has always been a capital works budget for parks, and there is now a three-year roll-on program.

**Mr CHAIRMAN:** Are there any more questions in regard to Output 3.2, Parks and Reserves Management? That being the case, that concludes consideration of Output 3.2.

### **Output 3.3 - Natural Resource Management**

**Mr CHAIRMAN:** I will now call for questions on Output 3.3, Natural Resource Management. Are there any questions?

**Dr LIM:** Yes, Mr Chairman. The question would probably be better asked by the member for Nelson, but I will ask a couple of questions first if I may. Minister, are you able to detail the funding allocated to each program for 2004-05 compared to what is going to come for the next 12 months, 2005-06?

**Dr BURNS:** The figure I have for weed management 2005-06 is \$2.2m. I have to check on what the expenditure was for 2004-05 with Dr Ritchie. The 2004-05 estimate was \$1.892m and the 2005-06 estimate is \$2.170m, so there is an increase in there according to that.

**Dr LIM:** Minister, you may not be aware but, many years ago, I was the chair of the environment committee which looked at the *Mimosa pigra* infestation throughout the Top End of the Territory. We published quite a useful document at that time. There were some strong recommendations made about the control of *Mimosa pigra* then. What sort of funding allocations are made for *Mimosa pigra* for this year?

**Dr BURNS:** I ask Dr Ritchie to answer that, please.

**Dr RITCHIE:** The figure which is very close to the budget on *Mimosa pigra* is nearly \$700 000, so it is about - sorry, I am understating it considerably. It is \$1.7m.

**Dr LIM:** That sounded about what I recall in our recommendation - it was around that figure back then. Is that for staffing, or is it more about poisons that are being used to prevent *Mimosa pigra*?

**Mr BINNS:** That figure is the total. The personnel budget is around \$1.4m and the operational is about \$350 000.

**Dr LIM:** Which appears to me not much. Are we now relying entirely on biological controls, or are we also using weedicides or herbicides?

**Mr BINNS:** The biological controls are still a long way from being the solution to *Mimosa pigra*. The shift in response to that earlier work that you referred to is to be more tactical about dealing with it and to start to work from tops of catchments down, and not to continually work down on the bottom of the catchments. That is the major change.

**Dr LIM:** Are we containing the *Mimosa*, or it is still spreading?

**Mr BINNS:** It is being contained in some areas, and there have been some notable successes out on the Cooper Creek Plain just west of Mt Borradaile, for instance. However, in other areas, it will be a long-term plan. At the Adelaide, for instance, we are working from the top down.

**Dr LIM:** I can remember the projections when we thought that it used to double its biomass every - I cannot remember the exact figures. You are not able to contain it, obviously? It is still spreading and increasing in its biomass?

**Mr BINNS:** In some areas it is; in other areas it is being contained.

**Dr LIM:** Overall?

**Mr BINNS:** New infestations - notably the ones on top of the sensitive areas like the Arafura Swamp - have been contained. In other areas, it is still expanding. That is all I can say at the moment.

**Dr LIM:** We recommended a program of wash-downs. Are those wash-down programs still being undertaken?

**Mr BINNS:** There are a number of recommended procedures for the landowners involved in land clearing, and for government vehicles moving from *Mimosa* infected areas to other areas. Those, to a large extent, are being followed. However, at the moment, there is both *Mimosa* and some of the African grasses which have increasingly become issues in and around the Darwin area. There is a new full weed assessment that is being done, and a more strategic approach being developed. It is not a story that we are completely on top of, but it is improving.

**Dr LIM:** With regards to herbicides, there was a strong subsidy program for landowners to purchase herbicides. Is that program continuing?

**Dr BURNS:** If I could just answer that, member for Greatorex. That subsidy was discontinued *per se*, because it was felt that there was an inequitable distribution of those who were taking up that subsidy. That is not to say those who were taking up the subsidy were not doing a great job in *Mimosa* control, but it just was not spread widely enough across infested areas. Therefore, it was discontinued. My recollection is that the majority of that former subsidy is now used to control weed infestations on Crown land. That is certainly a complaint by neighbours of Crown land. They say: 'We live next door to Crown land and all these weeds jump the fence. Why doesn't the Crown control the weeds?' That is my recollection of what it was about. Did you want to elaborate on that, Dr Ritchie?

**Dr RITCHIE:** No, minister, that is correct. That budget allocation is now targeted at preventing - we are talking about strategic weed prevention on Crown land.

**Dr LIM:** Another program that was recommended was the harvesting of, against cropping, of *Mimosa pigra* for use extracting tannins, etcetera. Has that program taken off at all?

**Dr BURNS:** There was a proposal, member for Greatorex, to harvest *Mimosa pigra*, burn it, and use it as fuel to generate power. However, for various reasons which I cannot really recall, that project fell in a bit of a heap. One of the problems was that the very harvesting of *Mimosa* itself would cause further spread of *Mimosa*. As you are probably well aware, there is a very fine seed that is in *Mimosa pigra* and it grows very easily. I do not think the mobile power station was really effective. Do you know anything more about that?

**Dr RITCHIE:** No, it was not commercially viable.

**Dr BURNS:** It was not commercially viable, member for Greatorex.

**Dr LIM:** Turning to the Bushfires Council, that is part of the Fire Management and Natural Resource Management. Can you tell how many staff are employed currently by Bushfires Council?

**Dr BURNS:** I might ask Dr Ritchie to answer that question. The member for Greatorex is asking how many staff we employ.

**Dr RITCHIE:** Twenty-three.

**Dr BURNS:** Twenty-three.

**Dr LIM:** Twenty-three. This is across the Territory?

**Dr BURNS:** As you would be aware, member for Greatorex, the funding for brigades was increased by \$260 000 per annum in 2004-05. So, not only have we provided personal protective clothing for our volunteers, which was very welcome by them, but also given them more operational funding. We have also up the ante in vehicle replacement. There is still more to do there, member for Greatorex; we need to look at the truck replacement program and those bigger units. Certainly, when I went out to the Milne Bushfire Brigade during the election campaign, I received a very warm welcome there. It is very gratifying to work with the volunteers because they do a fantastic job and they are a great bunch of people.

**Dr LIM:** And I could not support your comments more. The positions that you mentioned, 23 are all filled positions?

**Dr BURNS:** I am advised, yes, member for Greatorex.

**Dr LIM:** I am moving away from the Bushfires Council now to water. Darwin Dam, I am advised, is 6 m below the spillway; that is the level of the water at the moment. Thus, the water supply for Darwin and Palmerston is being supplemented with water drawn from McMinn's bore field. Is that the case?

**Dr BURNS:** Member for Greatorex, that is more an issue for Power and Water. I am aware that it has been a fairly dry Wet this year and that the level of the dam is down. However, I am not aware of any increased supplementation of the water supply through the bores. I am advised not. Certainly, it is an important issue that you have raised. Given the fact that of global warming and the El Niño effect, we could be in for a couple of years of dry weather in the Wet Season. I have asked Power and Water - you might take this up with them on Thursday - to look at the whole facilitation or augmentation of water supply to Darwin, accelerating some of the proposals for the building of dams.

**Dr LIM:** I will surely do that. However, I put the question to you because it is about whether the government would proceed to the planning for the expansion of Darwin and, therefore, the need for more water and, perhaps, developing another dam somewhere in the environs of Darwin and Palmerston down to as far as you need to go to get another dam.

**Dr BURNS:** That is what I mentioned to you. It is something that I have been discussing with Power and Water. Obviously, DIPE are major players in this. You have raised a very important issue and we need to think strategically. A lot of people think because we live in the tropics and have a Wet Season that we have an inexhaustible water supply. The fact is we have growing population, growing industry, growing economy and we have to think about the future dry years. We do not know what is happening with global warming, so we need to adopt a precautionary approach, member for Greatorex.

**Dr LIM:** I am a conservationist at heart. Minister, your Labor candidate for Greatorex, on behalf of the Chief Minister, announced that the Labor Party was going to fund a substantial amount of money to find an alternative water source for the Alice Springs golf course. I understand the amount is something like \$150 000. Can you outline what the government proposes to do to ensure that the golf course gets a secure water supply?

**Dr BURNS:** As you are well aware, member for Greatorex - I am not sure if you are a golfer or not, but I know that you probably spend a bit of time in that area - there are problems with salinity in the water supply in the bores of the golf course. It has been an ongoing issue for many years. I have been approached by the club - and very fine members they are, as well.

My recollection of it - I do not have any notes here in front of me – is government is looking at facilitating the planning of more salt-resistant couches on the greens to help them, and more testing of the water, looking at blending of the water to help them water their greens and maintain the fine golf course that has got a national and, dare I even say, international reputation.

I am not sure whether any officers here have anything to add, but we are right behind the golf course in Alice Springs. I am not a golfer myself, but it is a very pleasant venue and I know it is very popular. It is a great tourist attraction for Alice Springs as well. Wherever we can, we will certainly support Alice Springs.

**Dr LIM:** More than that, minister, the Alice Springs golf course is, in fact, the 56<sup>th</sup> best golf course in Australia and in the top 10 arid zone golf courses in the world. It needs to be cared for and the Alice Springs community will care for it greatly, especially the voters around the golf course, who live at the Golf Course Estate. Their property values would greatly deteriorate if the golf course went back to its natural desert environment. Therefore, water supply for the golf course is quite significant and important.

I am not aware what the government is doing, nor does the golf club understand what the government is doing, except that you promised \$150 000. To do what? What time line? What are the proposals? The golf club itself and the people living around the golf course deserve to know.

**Dr BURNS:** I am advised that whilst DIPE has an involvement it is primarily a Power and Water issue. I have outlined some of the things that the government would propose to do, that I am aware of, to support the golf course.

**Dr LIM:** It is not a Power and Water issue; it is a government promise.

**Dr BURNS:** But Power and Water are the providers of water. There are issues about salinity of water of the bores. Power and Water are the ones that test water for salinity; they are expert in this area. There is the whole issue of blending of water and irrigation.

That is the other thing that has been raised with me by the golf course about having more water-efficient water irrigation systems. Some of the problems that they have had with the irrigation system include the salinity actually chewing away at some of the rubber grommets, member for Greatorex. We really have to support the golf course.

**Dr LIM:** Minister, I do not want to labour this, but you are showing your ignorance in the situation. In fact, the water quality testing, the bore testing, all the information relating to those issues is provided by the golf club to Power and Water. Power and Water does not provide them with that information; it is the other way around.

**Dr BURNS:** But Power and Water ...

**Dr LIM:** I am asking you, as the minister who is responsible for the water resource, to explain how the government intends to spend the \$150 000 to assist the golf club, and what time lines and processes are already in place to do that?

**Dr BURNS:** I am digging deep here, member for Greatorex.

**Dr LIM:** Are you? Good.

**Dr BURNS:** I have one thing here - assessment of water supply options for the Alice Springs Golf Course to manage the salinity problems associated with the greens and fairways, maximise utilisation of the town basin, overcome the salinisation problem in the area. I may have more detail here. I am trying to be helpful, however, as you can see, there is a lot to get across as a minister. Unfortunately, I do not have Alice Springs ...

**Dr LIM:** There you go, you just demonstrated ...

**Dr BURNS:** I have already told you in broad terms what we are going to do.

**Dr LIM:** That is gobbledegook. It just goes to show that this government has forsaken Alice Springs over the last four years, and you continue to do that.

**Dr BURNS:** Member for Greatorex, I take great exception. I have been at that golf course a number of times. I have met with the members. I have met with Power and Water on the issue ...

**Dr Lim:** And you do not even remember what is going on there.

**Dr BURNS:** I am very tuned in on this issue; however, there are technical issues in there. The government has promised to help the Alice Springs golf club, and we will help them.

**Dr LIM:** All I want you to do is demonstrate a commitment to Alice Springs by showing them what you are going to do with it. It is no good just making a promise to spend \$150 000 to help them find water. That is a nothing promise. A promise needs to be followed through with something concrete.

**Dr BURNS:** We will follow through on it, member for Greatorex.

**Dr LIM:** I look forward to you providing me with a time line as to what you will do to ensure the golf course gets its water.

**Mr CHAIRMAN:** Is that a question on notice, member for Greatorex.

**Dr LIM:** I do not think we need to. I will keep reminding the minister, I can assure you.

**Mr CHAIRMAN:** Are there any further questions on that output?

**Dr LIM:** I seek your instruction, Mr Chairman. Is gas part of this Natural Resource Management?

**Mr CHAIRMAN:** There seems to be a consensus there, member for Greatorex.

**Dr LIM:** Well, why not?

**Dr BURNS:** If you are talking about questions relating to future gas supplies for the Territory for the generation of power in the Territory, that is definitely a question you should direct towards Power and Water when they appear before this committee as a GOC.

**Dr LIM:** Except that they are not into the discovery of gas, or the purchase ...

**Dr BURNS:** They are certainly integrally involved in the purchase of gas. It is a very important issue, member for Greatorex.

**Dr LIM:** I will pass, Mr Chairman.

**Mr WOOD:** Two quick questions. Minister, when will the Invasive Species Summit that is tackling Territory invaders occur? Where are the costs of that in the budget?

**Dr BURNS:** Where are these invaders coming from, member for Nelson?

**Mr WOOD:** Africa - gamba grass, and South America, I presume the cane toads ...

**Mr CHAIRMAN:** That is Queensland.

**Mr WOOD:** Via Queensland.

**Dr BURNS:** You have raised the very important issue of weeds ...

**Mr WOOD:** You were going to have a summit to discuss those. I want to know when that summit will occur, how much will it cost, and is it in the budget?

**Dr BURNS:** Member for Nelson, if I could just speak on the issue of weeds and ...

**Mr WOOD:** Not for too long, I know all about them.

**Dr BURNS:** No. There is no doubt that I have flagged with you previously that there needs to be, from government, a renewed focus on weeds. There have certainly been problems associated with the transfer of Weeds Branch from DBIRD over to DIPE. I have also flagged to you and the department also, that it is

timely for a review of the Weeds Branch and what is required in our effort on weeds, particularly coming into the next budget round, and also given the fact that the Commonwealth has flagged that they are going to have substantial funds to invest in the fight against weeds. It is a timely issue. Regarding the exact time for the summit, I really do not have a date here with me tonight. Have you a date in mind at all, member for Nelson?

**Mr WOOD:** Probably in the Wet Season when all three invaders are probably doing very well. Anyway, I look forward to the summit, if it is going to occur. Perhaps we can do something about tackling them.

**Dr BURNS:** Apart from the other issues that I have mentioned, there are legislative matters to be taken into account. Some of these things have to be declared as weeds or some sort of threatening species. There will be some resistance in amongst the pastoral industry in relation to that. I would like to try to move forward on this particular issue in a cooperative way. I have met with the Pastoral Lands Board and I have addressed the annual general meeting of the Cattleman's Association. In both venues, I flagged the fact that there was a lot of disquiet in the community about these exotic grasses and the way that they do jump the fence and cause a problem, generally, in the environment and for adjoining landowners. I have not been backward in putting forward a point of view that might not be, necessarily, popular with some pastoralists. However, we all have to work together responsibly to address this issue, and I am prepared to do that.

**Mr WOOD:** Thank you, minister. I gather you have been looking at Pastoral Land Clearing Guidelines to see if they were consistent with Territory-wide clearing controls. Have you finished that review? Do you find that the Pastoral Land Clearing Guidelines are consistent with your new Territory-wide clearing guidelines?

**Dr BURNS:** Generally speaking, member for Nelson, I believe that they are consistent. The Pastoral Lands Board is applying those guidelines. Possibly, Dr Ritchie might want to speak further on this issue.

**Dr RITCHIE:** Yes, member for Nelson, the review of the *Pastoral Lands Act* has, as one of its desired outcomes, to bring the process for authorising land clearing on pastoral leases into line with the rehabilitation regime applying to other tenures. As the minister said, the Pastoral Lands Board is already using the guidelines in assessing applications that come before it at the moment, and it is anticipated that an equivalent to those guidelines will be embedded in some form in the new *Pastoral Lands Act*.

**Mr WOOD:** Will that mean that pastoral properties will only be able to clear with Development Consent Authority approval?

**Dr RITCHIE:** As is already the case.

**Mr WOOD:** So it is not just done within the Pastoral Lands Board?

**Dr RITCHIE:** No, that is right.

**Mr WOOD:** Thank you, Mr Chairman. That is all the questions I have.

**Mr CHAIRMAN:** Are there any more questions under Output 3.3? That being the case, that concludes consideration of Output 3.3.

#### **Output 3.4 – Biodiversity Conservations**

**Mr CHAIRMAN:** The committee will now consider Output 3.4, Biodiversity Conservations. Are there any questions?

**Dr LIM:** Yes, a couple of quick questions, minister, if I may. Just to clarify for me because this is a new category, with biodiversity conservation, you are talking about the Territory Wildlife Park and the Alice Springs Desert Park or more?

**Dr BURNS:** No, this is a bit more than that. It is effective land, water and biodiversity management resulting from improved understanding of these natural resources and possible threats to them; effective management of parks and reserves, enabling the conservation of biodiversity and the provision of nature based recreation and tourism facilities; and the development of policy in partnerships with land managers and the community to encourage adoption of best practice natural resource management. Dr Ritchie.



**Dr RITCHIE:** Member for Greatorex, biodiversity conservation was put together, and the best way of looking at it is it is a combination of the biodiversity scientists – both the flora and fauna – combined with what was called the Wildlife Division of Parks and Wildlife. It combines the scientists who look at the animal wildlife, scientists who look at plants, the herbarium and the old wildlife management group.

**Dr LIM:** Would you, therefore, include the Olive Pink Botanical Gardens in this?

**Dr BURNS:** No. It does include cane toads though.

**Dr LIM:** Why not the Olive Pink Botanical Gardens which is biodiverse and very much arid zone based?

**Dr RITCHIE:** Member for Greatorex, at the same time as that, we also created a group called the Bioparks Group and that includes the GBD - so it has both the Wildlife Park and the Desert Park – and also the Darwin Botanical Gardens. In the fullness of time, we expect the Olive Pink Reserve to come across too but, at the moment, that is still managed by the Department of Community Development, Sport and Cultural Affairs.

**Mr CHAIRMAN:** Are there any other questions?

**Mr WOOD:** Minister, you completed a projected examining the harvesting impacts of didgeridoo cutters in the Katherine region. What was the result of that project and do you intend to carry out the projects in other regions?

**Dr BURNS:** Dr Ritchie.

**Dr RITCHIE:** I can only answer that in broad terms, that the results of that work will be carried out in other areas. It does have some conclusions that suggest that that kind of harvest can become unsustainable in certain areas. It also foreshadowed the potential loss of habitat for whole range of vertebrates. At this stage, we do not have another follow-up plan in train.

**Mr WOOD:** When you completed that project, does that mean you had to examine the number of trees that were being chopped down by those people?

**Dr RITCHIE:** As I said, I can only answer it in generalities. If you need details of that particular research, we would have to get it for you.

**Mr WOOD:** I will ring the minister's office and get it. Minister, with the rapid onslaught of the cane toad, does your department look like it may soften its approach to the public being able to check threatened species of wildlife at home? In other words, relax some of the rules that apply to people keeping native animals? You talk about some people having the quoll, but would it be better to relax the rules about keeping native wildlife instead of letting of these species basically be wiped out by the cane toad?

**Dr BURNS:** Member for Nelson, some of these species require very specialised care. It was my pleasure at the Power and Water Environmental Excellence Award to meet a couple of families who do a fantastic job. They are actually, as you know, exporting their knowledge to other wildlife parks throughout Australia about breeding and raising quolls. From what I could glean from these people, they have spent a lot of time and effort to actually keep quolls which you well know are very excitable animals. They have an extremely high metabolic rate and a very short life span. I am not sure if we would be putting quolls in danger by giving them to inexperienced people to look after.

**Mr WOOD:** No, I am not saying inexperienced. I am just asking whether the rules that would enable people to look after the wildlife be relaxed?

**Dr BURNS:** Possibly, Dr Ritchie might help in answering your query. It is a good query, member for Nelson, because we need to protect the quoll.

**Mr WOOD:** It comes from the people who are in business; it does not come from me.

**Dr RITCHIE:** Member for Nelson, people can apply at the moment. Of the restrictions on keeping native animals, quolls are much less than for keeping crocodiles or King Browns, obviously. The issue about whether it is a good thing for protecting biodiversity is another matter altogether. The science on that, just for the record, is that it probably does not. That is not to say that it is not a good thing for people to have wildlife as pets. However, for wildlife such as quolls that are kept and bred as pets, there is a genetic

drift reasonably quickly that makes them much less likely to then be able to be reintroduced in the wild. Therefore, it is not a strategy for helping to preserve a gene pool or whatever to help maintain a wild population.

**Mr WOOD:** Through you, minister, I suppose I am not going to ask that people keep them as pets. What I am saying is that could you use the community to help the Northern Territory retain some of those species, which will be most at threat from cane toads? After all, there may be some problems looking after those animals, but if they are all dead, there ain't no problem any more; they are just not there. If we made an attempt to allow people to manage some of these animals if it was possible, wouldn't that be better than nothing?

**Dr BURNS:** Once again, member for Nelson, I am advised that people can apply for permits. You are not really suggesting that it is open slather; there should be some sort of ...

**Mr WOOD:** Absolutely. You have to have some control.

**Dr BURNS:** Do you know of anyone who has been knocked back?

**Mr WOOD:** No. There are a couple of people who have spoken to me who are in the wildlife business who say that there are times when it is very difficult to get a permit to have wildlife because of the restrictions. I ask whether those restrictions should be relaxed somewhat simply because some of these species will not exist if we do not look after them.

**Dr BURNS:** I am more than happy to have a look at any of those people want to contact me or Dr Ritchie. It is a good thing, but we want experienced people, member for Nelson.

**Mr WOOD:** I understand that, minister, but if we wait around too long, we will not have them; that is all I am saying. Cane toads will be in the Darwin region next year. I imagine that is a fair bet and, with that, will go a lot of species.

**Dr BURNS:** Absolutely, so let us see if we can facilitate it.

**Mr WOOD:** Thank you, minister. One other thing relating to cane toads: is there somewhere in the budget that shows the \$30 cane toad trap subsidy? It is a good idea, by the way.

**Dr BURNS:** It was an election commitment, so it is not in the budget. It will be.

**Mr WOOD:** It will be this year before the cane toads arrive?

**Dr BURNS:** I believe so, member for Nelson.

**Mr WOOD:** That would be very good, minister. I hope so. Thank you, Mr Chairman.

**Mr CHAIRMAN** Are there any other questions in regard to Output 3.4? That concludes consideration of Output 3.4.

### Output 3.5 – Natural Systems

**Mr CHAIRMAN:** The committee will now proceed to Output 3.5, Natural Systems. Are there any questions?

**Mr WOOD:** One. Minister, your department successfully drilled and tested a high yield bore for Top Kat Fruits Pty Ltd to enable a multimillion dollar horticultural development to proceed in the Venn area of the Katherine region. Just for my information, where is the Venn region? Who drilled the bore? Was it the government or was it private? How much did it cost? Did this major horticultural development require clearing approval within the Katherine region?

**Dr BURNS:** We welcome Mr Gilmour to the table.

**Mr GILMOUR:** John Gilmour, Senior Director, Natural Systems. The Venn block is in the Katherine area. I think your question related to the testing of the bore.

**Mr WOOD:** I took it from the report - that was word for word. It said your department 'successfully drilled and tested a high yield bore' for Top Kat Fruits Pty Ltd. I suppose my basic question is, why did the department drill a bore for a private horticultural development and not a private driller?

**Mr GILMOUR:** That was a request from the Department of Business to do that as part of an investigation of the area. We tested that as part of our investigations of all the water resources of the Northern Territory. We also have the only, what we call bore testing equipment, in the Northern Territory which can be used to determine the yields of bores after they have been put into production.

**Mr WOOD:** Would I say that perhaps the government - or the maybe the company, I am not sure - or someone has used the excuse that they would like to test the yield of the bore, and done that, and then handed over a bore ...

**Dr BURNS:** Member for Nelson, from what I can gather, this question - and it is an important question you are asking - actually covers a number of portfolio areas. I would like to take this question on notice and reply to you formally about it.

**Mr WOOD:** That will be fine.

**Dr BURNS:** Because I do not think it is really fair on an officer ...

**Mr WOOD:** I should not have been asking an officer. I should have been asking you, minister. I apologise for that.

**Dr BURNS:** Yes, so I am prepared to take this question on notice and reply formally.

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#### Question on Notice

**Mr CHAIRMAN:** Would you like to restate that question please, member for Nelson?

**Mr WOOD:** All right. Minister, your department successfully drilled and tested a high yield bore for Top Kat Fruits Pty Ltd to enable a multimillion dollar horticultural development to proceed in the Venn area of the Katherine region. Who drilled the bore; was it government or private? How much did it cost? Were there any land clearing approvals required for this horticultural development?

**Mr CHAIRMAN:** Do you accept the question, minister?

**Dr BURNS:** Yes I do, Mr Chairman.

**Mr CHAIRMAN:** I allocate No 7.5 for that question. Please continue.

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**Mr WOOD:** That is the only question I have.

**Mr CHAIRMAN:** If there are no further questions in regard to 3.5, that concludes consideration of this output group.

#### OUTPUT GROUP 4.0 - TRANSPORT Output 4.1 - Transport, Policy and Planning.

**Mr CHAIRMAN:** I now call for questions on Output Group 4.0, Transport, Output 4.1, Transport, Policy and Planning. Are there any questions?

**Dr LIM:** Very quickly, minister, because we are running out of time. What is your current policy on the commercial passenger vehicle industry? Do you still have a cap on taxi numbers or is that off?

**Dr BURNS:** Yes, there is cap on taxi numbers, member for Greatorex.

**Dr LIM:** Recently, I saw an advertisement that advertised for several taxi licences. So is a cap not a fixed cap? Do you adjust the cap according to time? What do you do?

**Dr BURNS:** For a variety of reasons, people give up their licences; they leave the industry and those licences become vacant. I have instituted, on a quarterly basis, that those licences that become vacant go through a ballot process that is open and transparent to all those who are properly accredited, of course, both in Alice Springs and Darwin. When those come up, there is a ballot and people have the opportunity to put in. That means that, hopefully, all the licences are taken up at any one time. There will always be a couple outstanding.

There was a criticism from industry that government was sitting on licences, that these licences were being handed back and no one really knew whether they were getting put back into circulation. People felt that the process was not transparent or rapid enough. There is a drawing of the ballot which is open to the public. I am not sure - who draws the ballot? Mr Chris Bigg.

**Mr BIGG:** The ballot is drawn by Racing and Gaming. There is an audit process associated with the ballot and it is done to a plan.

**Dr BURNS:** I hope that answers your question, member for Greatorex.

**Dr LIM:** Thank you.

**Mr CHAIRMAN:** Are there any other questions? If that is the case, then that concludes consideration of Output 4.1.

#### **Output 4.2 - Transport Safety**

**Mr CHAIRMAN:** The committee will now consider Output Group 4.2, Transport Safety. Are there any questions?

**Dr LIM:** Yes. Regarding rail safety audit inspections, minister, I am advised that there are significant issues about rail safety, that the Rail Safety Unit or group has not been adequately resourced to do the audits as well as it should be, and the railway line is an accident waiting to happen.

**Dr BURNS:** Mr Bigg.

**Mr CHAIRMAN:** Can you just identify yourself to Hansard, please.

**Mr BIGG:** Chris Bigg. Dr Lim, that is not the case at all. The Rail Safety Unit has been functioning well. There are two professional officers and one administrative staff. They have been doing the accreditations that are required. The way that accreditations occur in Australia, because the credited operators operate invariably in more than one jurisdiction, is that they do them together. No, I would not agree with that statement at all.

**Dr LIM:** Are the officers for the Rail Safety Unit sent interstate for instruction and upgrading their skills so that they can maintain their skills in the Territory? It is a small group in the Territory, as you said - two officers and secretarial support. Do they get interstate input into what they are doing and what they are learning?

**Mr BIGG:** For the accreditations they have undertaken, there is a lead jurisdiction that is appointed - which could be the Northern Territory, New South Wales, or South Australia - and they coordinate the work of the other jurisdictions. They divide the work up, simply because it is pointless having an accreditation separately in each of the jurisdictions. They do it together and use the one process. The Northern Territory has been active in that, and will continue to be active in the future.

**Dr LIM:** The accreditation process is to accredit the Rail Safety Unit to inspect. What does that accreditation process ...

**Mr BIGG:** No, the accreditation process is the process by which all the jurisdictions work together to accredit a particular owner or operator. An owner is someone who actually maintains or owns the rail or operates a part of the communications system. An operator is defined as someone who operates rolling stock on that rail. As you understand, in Australia, often they are different entities.

**Dr LIM:** That is fine, thank you.

**Mr CHAIRMAN:** Are there any other questions?

**Mr WOOD:** Just one question, and I hope I have the right department. Minister, you would have known about that bus accident in Coolalinga. I think the member for Karama has made some comment about the possibility of having seat belts in buses. What is the government doing in regards to reviewing that possibility?

**Dr BURNS:** Member for Nelson, that is an issue that is on the national agenda regarding belts on buses - particularly school buses. I said at the time - and I appreciate the member for Karama's concern; her children were involved in that accident. However, I do not think it would be right for anyone to say: 'We will retrofit every school bus in the Northern Territory'. There are safety and engineering issues involved. Basically, there is a study occurring at a national level and, like a lot of safety elements, there is agreement at national level – whether it is components of vehicle safety and vehicle design - similarly with buses. That is an issue that I am watching very closely at a national level. It is a very important issue. I am not sure if Mr Bigg wants to add to that?

**Mr BIGG:** Yes. The work that is occurring at the national level is being led by New South Wales and Queensland. You may remember that, several years ago, Queensland had a school bus that rolled off the edge of a mountain. The two issues there are seat belts and rollover strength capacity in the bus.

The work that is being led by both Queensland and New South Wales at the moment, looks as though they are going to categorise routes into three categories: steep, windy and dangerous ones, the ones that are going over mountain passes and things like that; high traffic/high speed areas is the second category; and the third category is all other routes. It appears, at the moment, as though the national recommendations will be that the only buses that have seat belts in them are the first category; that is, the steep, winding, dangerous routes. That is the way it looks as though it is going at the moment, but the work is yet to be finalised.

**Mr WOOD:** A clarification: if I want to talk about the public bus service, that comes into a category later on? Am I right there – would that come in to ...

**Mr BIGG:** That would come into the Darwin Bus Service.

**Mr WOOD:** Yes, I will leave it until then.

**Mr CHAIRMAN:** If there are no more questions, that concludes consideration of Output 4.2.

#### **Output 4.3 - Public Transport**

**Mr CHAIRMAN:** I will call for questions on Output 4.3, Public Transport?

**Dr LIM:** Minister, I note in your Budget Paper on page 229, you talk the number of passengers carried on public transport and school services. Can you give me a break down of what it costs for passenger travel on the school bus service and the public transport service for last year, and for the anticipated this year?

**Dr BURNS:** Yes, Mr Bigg.

**Mr BIGG:** Obviously, it varies from region to region. We have all sorts of breakdowns here. However, there are approximately 3.5 million passengers carried on the urban services, and \$13.15m will be spent in 2005-06 - that is a fairly easy piece of arithmetic to do. For school services, they will cost \$5.9m in 2005-06, and I think there is 1.4 million from memory ...

**Dr LIM:** 1.2 million.

**Mr BIGG:** Is it? Okay, 1.2 million passengers - so that is a fairly easy piece of arithmetic also. We also have special needs buses and they, obviously, are very high cost per individual, and that is \$1.44m next year. Then there are the various events which we have; for example, the Arafura Games, V8 Supercars, etcetera.

**Dr LIM:** That is the \$1.44m?

**Mr BIGG:** Yes.

**Dr LIM:** Does that include kids to special schools and all that as well?

**Mr BIGG:** No, that is only the dedicated school buses.

**Dr LIM:** Thank you. I will leave the rest for the Darwin Bus Service.

**Mr WOOD:** Mr Chairman, should changes to the bus routes come in this section?

**Mr CHAIRMAN:** Yes.

**Mr WOOD:** Minister, you know the question I am planning as you have announced that there will be an increased rural bus services. Have you yet decided where those new standard routes will be? Do you have an idea of what the extra cost will be? Is it shown in the budget?

**Dr BURNS:** As I said to you, member for Nelson, the rural public service will be expanded, on Saturday and school holidays, to include the western side of the Stuart Highway, the Gulnare Road and Virginia Road areas. Greater coverage of the Coolalinga and Humpty Doo areas will also be a feature of this service expansion. These variations will connect to urban services provided from the Palmerston interchange. In addition, a service from Palmerston to the rural area in the morning, returning in the afternoon, will be added to the network. These variations will be introduced over the coming months, and rural bus services will not be affected by them. I can report that the bus schedulers are looking at all the contact points. I am not sure when we will have the final integration. Do you want to answer the member for Nelson's question, Kate, please?

**Ms McTAGGART:** I am not sure I can answer it with a specific date. The scheduler is looking at a range of options, and how best we can schedule services to make best fit, get best value for money, and provide a good coverage of services. Those computations are still occurring. Of course, there needs to be consultation with intending and existing passengers, so that will need to be factored in as well.

**Dr BURNS:** But do not worry, member for Nelson, I came through for you on the Freds Pass Show.

**Mr WOOD:** Yes, you did. Well, I have to say some nice things about you soon.

**Dr BURNS:** Oh, good.

**Mr WOOD:** I will say that now: I thank the minister very much for what he did with the Freds Pass Show. It was appreciated by quite a lot of people.

**Dr BURNS:** We have given our word, it is just a matter of doing it.

**Mr WOOD:** Yes, but minister, whilst I believe government should provide a public bus service, will you not believe that if you do not advertise it and promote it and say to people that it is there, it is regular, and the benefits of public transport, then the whole thing will fall away because people will not catch the bus? Are you going to spend money, as a government, to tell people the benefits of public transport? Public transport, without that, will always be a low-use service.

**Dr BURNS:** I believe that we have a budget for that already, but possibly Kate might want to talk more about that.

**Ms McTAGGART:** Yes, we do look at new and innovative ways of promoting the service and, in particular, events. We have taken a different approach in the last few months by advertising on the net; it is a very high use. We have increased patronage through those methods. We are looking at a range of options for advertising in different ways – again, to get best value for money.

**Mr WOOD:** Minister, I was wondering whether you might look at – it was a method I saw on Adelaide trains where Channel 7 were allowed to put Channel 7 on the side of their train, and I think they gave them in return advertisements for people to use public transport. I am just saying maybe we could look at ways of using other means to advertise. With the high price of fuel today, we really should be pushing the benefit: a good, public airconditioned bus service from the rural area or from anywhere else. I hope we can be innovative and really push that issue because so many people must go from the rural area into one spot and back out the next day. Surely, we can take some of those cars off the road.

**Mr CHAIRMAN:** Some of them to Parliament House, member for Nelson.

**Mr WOOD:** That is right, but I do not come here very often.

**Mr NATT:** Minister, could you please outline the security measures that the government is taking to ensure the safety of bus drivers and passengers on the Buslink and Darwin Bus Service buses?

**Dr BURNS:** Thank you, member for Drysdale. This is an important issue. Just a couple of weeks ago, I met with quite a large delegation of bus drivers. There is no doubt that bus drivers do a fantastic job, but they are often exposed to bad behaviour on our bus services, particularly on the weekends and after people have had a few drinks and that sort of thing. There have been some quite concerning incidents where bus drivers have been beaten up or suffered some sort of injury as a result of what some bad mannered passengers have done.

We have been gradually extending closed circuit television on buses; 17 Buslink buses and 25 Darwin Bus Service buses, 42 in total, have closed circuit TV systems. That is 78% of the fleet, with the remainder to have systems installed by 2005. It is a very interesting system, member for Drysdale. It actually records and can provide evidence for police if someone does transgress. Basically, it can be downloaded. It costs about \$15 000 each to fit.

We also have closed circuit television at interchanges. At the city interchange, there are 10 cameras, Casuarina interchange 14 cameras, and Palmerston interchange 15 cameras. They are linked to individual computer systems. That is \$25 000 per interchange to do that.

We also have static guards on Thursday, Friday and Saturday nights from 6.30 to 11.30 at the city interchange and at Casuarina interchange on Thursday, Friday and Saturday nights from 6.30 to 11.30, and at Palmerston interchange. There is an escort at Mindil Beach and other security services. Static guards at interchanges can work extended hours where necessary. We are also trying to encourage police to use our bus services and some of the patrols do jump on the buses.

There is bus shelter lighting, but there is more to do. I have undertaken to the bus drivers that we are going to look at trying to further beef up their security. The security mob felt that there was a bit of lag time in the alarm system that calls out the police should they get into trouble. There were different systems used by different companies. We are also looking at static, armoured protection around the drivers. We are going to trial that as well.

We do value our drivers and we are trying to protect them. I am glad to report to you, member for Drysdale, on that. I did tell the drivers that I would meet with them in a couple of weeks and review progress. They are concerned about it; I am concerned about it. I believe any reasonable member of the public would be concerned about it. They do a great job and we have to look after them.

**Mr CHAIRMAN:** Are there any other questions in regard to that particular output? That concludes consideration of Output 4.3.

#### **Output 4.4 - Transport Facilities**

**Mr CHAIRMAN:** The committee will now consider Output 4.4, Transport Facilities. Are there any questions?

**Dr LIM:** Yes. Minister, your department has carriage of the infrastructure and associated works at the Palmerston Recreation Centre. How much has been allocated to complete the project this year and how much would it cost to ...

**Mr WOOD:** Is that transport?

**Mr CHAIRMAN:** I will get clarification for you.

**Dr LIM:** Isn't this infrastructure.

**Mr WOOD:** No, no, 4.4, Transport Facilities.

**Mr CHAIRMAN:** We have not got down to that one yet, member for Greatorex.

**Mr WOOD:** I have a quick question on 4.4. Mr Chairman. This one is about the bus shelters. Thank you once again, minister, for the bus shelters. We have them now as far as Freds Pass, and I must thank Shorelands for doing it free of charge. I am not sure if all the bus shelters have been moved from Marjorie Street, but they are on the way. The only thing I would ask about that is that, you will note in the annual

report it says your department installed six bus shelters in 2003-04. I understand they are in the urban area. The question really is: why does the department put them in the urban area, install them for free, and not do that in the rural area? We have to do it in conjunction with the Lions, the council, the local member and whatever. Why are there two rules for the provision of bus shelters?

**Dr BURNS:** You are bringing around a quantum shift here in thinking, member for Nelson.

**Mr WOOD:** No, I am looking to the future here.

**Dr BURNS:** There has been a bit of history to this and, I suppose, a bit ad hoc-ery about where some bus stops on some bus routes have been in the rural area. However, as we are all aware, the rural area is developing, there is more population and things are changing. I was glad to have those supplied. You have asked a reasonable question, so I will ask Mr Bigg to answer it and look to the future.

**Mr BIGG:** There is \$150 000 a year allocated for the urban network for bus shelters. Depending on the site, there are 10 to 15 new bus shelters a year that you are able to either install or replace old bus shelters that need to be replaced. For bus shelters as opposed to a bus stop, they are installed on the basis of patronage picked up and dropped off there. That is the basis on which it is decided whether it is a bus shelter or a bus stop.

When services extend further into the rural area, if there are bus stops that have the patronage that justify a bus shelter, then they will get one on that program.

**Mr WOOD:** Do you think it would be a good time for the department, the council, maybe school councils and the community to sit down and decide where we are going with bus routes in the rural area? Should we designate certain places as standard bus stops, and where we should put our bus shelters? I believe it has come to the stage where ad hoc-ery should go out the door and start to look at a more organised approach.

**Dr BURNS:** Yes, I agree. But do not forget, the member for Sanderson is still chasing me over a bus shelter in his electorate as well. A lot of people want bus shelters. You have missed out over the years, so we have to take that into account, member for Nelson.

**Mr WOOD:** Oh well, we have been renting one for a little while.

**Mr CHAIRMAN:** I look forward to the time that you use that bus shelter and come to work on the bus, member for Nelson. Are there any further questions under Output 4.4? That concludes consideration of this output group.

## **OUTPUT GROUP 5.0 – INFRASTRUCTURE DEVELOPMENT**

### **Output 5.1 – Infrastructure Development**

**Mr CHAIRMAN:** I now call for questions on Output Group 5.0, Infrastructure Development, Output 5.1, Infrastructure Development. Are there any questions?

**Dr LIM:** Yes, Mr Chairman. Minister, I said before that you had carriage of the infrastructure and associated works at the Palmerston Recreational Centre. How much has been allocated to complete the project this year; and how much will the project cost to complete?

**Dr BURNS:** Sorry, I was a bit distracted there, member for Greatorex. Just the last.

**Dr LIM:** How much has been allocated to complete the project this year; and how much will it cost to complete? I can further add the Chief Minister's commitment was to have it completed by the end of 2005. Will this commitment still be met, or has the time line changed?

**Dr BURNS:** As you would be aware, member for Greatorex, there was \$1.8m put towards headworks last year to establish the project. Cabinet has approved a program for the full \$9m of the project. It is approximately \$8.9m, but I will call it \$9m. The 2005-06 Budget provides for \$5m cash for the project. A variation to the program, and cash, can always be sought throughout the year. To be frank with you, member for Greatorex, it would be unlikely that the project would be completed during the 2005 calendar year, but the money is there for the 2005-06 financial year.

**Dr LIM:** To be completed by?



**Dr BURNS:** August 2006, I am advised, member for Greatorex.

**Dr LIM:** Any idea who will be administering this centre when it is completed?

**Dr BURNS:** That is a CDSCA matter, I would say. Hand it over to the council.

**Dr LIM:** Hand it over to the council? Okay. The Palmerston High School. You have promised it for years. Is it part of your construction timetable, or what is the new forecast? Palmerston Secondary College.

**Dr BURNS:** Would you repeat that, please, CEO?

**Ms BUTTERWORTH:** Yes, the item has been on the program for a couple of years and it is still on the program.

**Dr LIM:** Still on the program?

**Ms BUTTERWORTH:** There has been a lot of work done on the development phase with DEET, but the brief has not yet been quite finalised.

**Dr LIM:** Thank you.

**Mr CHAIRMAN:** Are there any further questions?

**Mr WOOD:** I do not know whether this gets confused with road network management, but I will ask ...

**Dr LIM:** No, it is not road network.

**Mr WOOD:** I am not sure where infrastructure begins and ends. The overpass at Tiger Brennan Drive, the bicycle path that the local member for Goyder has promised, and the Victoria River Bridge. They are not in order of priority, although I will always put the bicycle path up there ...

**Dr BURNS:** There is a real mixture of programs that is in the next ...

**Ms BUTTERWORTH:** It is in the next one.

**Mr WOOD:** It is in the next one. Aah, look at that! I just thought I would sneak it in. Okay, I will wait. I probably will not hear it again, but anyway ...

**Mr CHAIRMAN:** Are there any more questions under this particular output? That being the case, that concludes consideration of this output group.

## **OUTPUT GROUP 6.0 – TERRITORY ROADS**

### **Output 6.1 – Road Network Management**

**Mr CHAIRMAN:** The committee will now consider Output Group 6.0, Territory Roads, Output 6.1, Road Network Management. Are there any questions?

**Dr LIM:** Yes. Minister, I recall you making a promise that you were going to remove some traffic lights. How many sets of traffic lights have you removed since you made your promise to do so? Detail the locations and what has replaced them.

**Dr BURNS:** Member for Greatorex, my exact words were – it was taken out of context by the media - that I did not want to see any further unnecessary proliferation of traffic lights, which was immediately translated by the media and the headline on the front page was: 'He is going to get rid of traffic lights'. I did take up the challenge to look at unnecessary traffic lights and further proliferation. The first thing I did was to scotch the traffic light at the end of the Stuart Highway, at Duke Street just before you get on the Daly Street Bridge. I did not think that was a very good proposal at all, and I thought you would have traffic backing up over the Daly Street Bridge one way and the other way, so that one was off the list. There was another one at the port that, in consultation with the transport industry, did not get up. If you are asking me how many I actually got rid of, I suppose, on the road network, there is a proposal to take out one set of lights on the inbound lane along Tulagi Road with what is known as a seagull ...

**Mr WOOD:** Half, half.

**Dr BURNS:** You might call it half, member for Nelson but, to me, it is something different. I did spend a lot of time on this, member for Greatorex. Consultants came up from Sydney; Cardno Willing is their name.

**Dr LIM:** Did they tell you which lights to switch off?

**Dr BURNS:** What is that?

**Dr LIM:** Did they tell you which lights to switch off?

**Dr BURNS:** No, no, we visited each one of the 22 sets of traffic lights from out there at the Arnhem Highway, right through to Darwin, and then back again up Tiger Brennan Drive. We did look at each one. Certainly, you could get rid of a whole lot of traffic lights at about \$6m a pop, but I suppose there are competing priorities - hospitals, park services and all the rest of it.

**Mr Mills:** You mean, no.

**Dr BURNS:** No, no, I said Tulagi Road. The other thing that I am doing is ...

**Dr LIM:** It is still there is. Or haven't you stopped yet?

**Dr BURNS:** Oh, it is on the works list, isn't it, Ernie? The other one that I really want to hammer away at is the issue that the member for Nelson raised of getting grade separation on the intersection when Tiger Brennan Drive is extended to Roystonia Avenue and the Stuart Highway. With grade separation there, we could do away with lots of traffic lights. I need the cooperation of the federal government; that is a \$27.3m project - half from the Territory, half from the Commonwealth. With an extra \$10m, I am advised, with grade separation, we could do away with lots of traffic lights. The short answer to your question, member for Greatorex: I was not as successful in that crusade as I had hoped.

**Mr CHAIRMAN:** Minister, I – sorry, member for Greatorex.

**Dr LIM:** You are cutting me off.

**Mr WOOD:** He was going to ask about the \$15 consultancy for ...

**Mr CHAIRMAN:** On that wonderful excursion around all the traffic lights, on behalf of the committee, I would like to thank the minister attending today, and also those officers who provided advice to the minister. Thank you.

**Dr BURNS:** I would like to thank the members of the committee. I thought it was a good session, with some very interesting issues raised. We will certainly be getting back to people who put questions on notice. I particularly thank the CEO and staff of DIPE; they all do a fantastic job. There is a lot of work involved in this. As always, the committee asked questions that we were not prepared for, but that is estimates. Thank you, everyone from DIPE, a great effort and I deeply appreciate it.

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The committee suspended.

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