Madam Speaker Purick took the Chair at 10 am.

MOTION
Proposed Censure of Chief Minister and Government

Ms LAWRIE (Opposition Leader): Madam Speaker, I move that this Assembly censures the Chief Minister and his CLP government for the lack of any ethical standards of leadership and behaviour, including:

- refusing to conduct a full and independent judicial inquiry into the actions of CLP slush fund Foundation 51 since its creation
- refusing to instigate an inquiry under the Inquiries Act into the granting of water licences since September 2012
- failing to ensure that serious allegations of criminal behaviour are immediately passed on to police for investigation.

It is extraordinary that when a member of parliament raises grave and serious allegations of a criminal nature the Chief Minister, the Police minister, brushes them aside. He is not aware, has not had those discussions and does not go to the gravity of the allegations. He is not concerned that his first law officer, the Attorney-General, has been accused of grave breaches of the Criminal Code Act. He is not concerned these allegations go to a magistrate of the Northern Territory, a member of the judiciary. These matters warrant investigation by the police.

The Attorney-General, who is also the Leader of Government Business, denied the member for Arnhem the opportunity to put the relevant information regarding these allegations on the public record by tabling documents. If there is nothing to hide, why would you refuse to allow documents to be tabled?

The first law officer of the Territory, as far as the Chief Minister is concerned, is allowed to cover up serious allegations of a criminal nature: inducement; bribery – this is extraordinary. This is a failure of leadership by the Chief Minister, who is also the Police minister.

These allegations must be investigated, and while they are being investigated the Attorney-General and the magistrate must stand aside. Allegations of a criminal nature in the public domain, as they are now, must be investigated and the Attorney-General needs to be stood down immediately. The magistrate should also immediately stand aside, otherwise all matters going to the Magistrates Court risk arguments of disqualification because the magistrate is accused of criminal behaviour.

Investigations need to occur and the police need to get on with their job without fear or favour, under the supervision of the Director of Public Prosecutions. This is bearing in mind it is the Attorney-General, the first law officer of the Northern Territory, who, ultimately, is required to be involved in appointing a judicial officer to investigate and conduct an inquiry into the allegations against the magistrate. You cannot hold that position, Attorney-General, when you are involved in the allegations.

You must stand aside to allow justice in the Territory to occur. Justice involves the investigation of serious criminal allegations, and it is then a matter, after investigation by the Director of Public Prosecutions, to determine whether or not charges will be laid. However, to allow justice to occur you need to step aside, because it is the Attorney-General who ultimately appoints a judge or former judge to form the inquiry into the allegations regarding a magistrate. You are inextricably involved in this; the allegations are about your behaviour as well, Attorney-General, and you must stand aside. Let justice prevail and let the investigations occur. I have not seen the evidence the member for Arnhem wanted to table in this parliament. I am not aware of details in that evidence.

I am astounded that this parliament has, through the CLP government, blocked that evidence from being tabled. If there is nothing to it, if this is just 'he said, she said', why would you block the evidence? What do you have to hide? We see a trend emerging in the CLP because it blocks everything.

The water allocation is of such significant concern to the Northern Territory. The Ooloo aquifer, which is now over allocated, will be the source of future agribusiness in the Northern Territory, yet it has been over allocated in a swift amount of time, before the aquifer’s allocation plan has been signed off. How can this occur? Why is it, time and time again, we see recipients of the Crown’s water resources – recipients of those vast water allocation licences are from the CLP. They are CLP members with lots of CLP connections. What is going on? In other jurisdictions they hold inquiries into these matters. That is what we are asking for, and if you have nothing to hide, why not have an inquiry? This is our future we are talking about. This is our resource being allocated before an allocation plan has been approved and signed off, allocated in such vast numbers it is now over the allocation model for that region.

Not only Labor holds these concerns. It is the Northern Land Council representing the traditional owners of the land, NAILSMA, AFANT – Amateur Fishermen’s Association – and the Environment Centre. Watching the 7:30 Report, it is the tourist
fishing business operators of the Daly region. The list of people who have grave concerns with the actions of the CLP government in water allocation in the Territory is as long as it is broad. It crosses a broad spectrum of small business people, traditional landowners and experts in science modelling. We know, through the Freedom of Information application process we followed around the Tina MacFarlane water allocations, that the minister had his hands all over it.

There was toing and froing of e-mails between the minister and the water controller, who also happens to be, by the way, the Chief Executive of the department. This has never been the case before, but is under the CLP. The water controller always was an independent, separate statutory officer. No, under the CLP the water controller is also the Chief Executive of the department. As we saw through freedom of information – in and out of the minister’s office, e-mails to and fro with the minister, hands all over the allocation to Tina MacFarlane.

We have not even commenced Freedom of Information applications around the latest allocations. Do you really think Territorians are so foolish as to think that is okay? Peter Maley, magistrate, has now become interested in agriculture in the Territory, happens to have landed on a station in the heart of the Ooloo aquifer and is about to be granted significant volumes of water. Territorians can, and are, joining the dots, and they are so disturbing as to warrant an inquiry. It is extraordinary.

The Chief Minister is just washing his hands of it saying, ‘I do not know. It has nothing to do with me.’ Rubbish, Chief Minister, you are the Police minister, so the allegations of criminal behaviour are everything to do with ensuring an adequate investigation occurs. Also, as Chief Minister you are responsible for the actions of your ministers. Why would you not support an inquiry into water allocations and, fundamentally, Foundation 51? The tentacles of that slush fund and the connections of the people who run it are right through this government. They are benefiting from decisions of this government. The water allocations to Peter Maley’s station are worth how much? CLP government, do you want to put a figure on it? He got them for free, but if he was to sell them – millions? Is there a figure? Have you done any analysis? Can you advise Territorians? It is extraordinary.

Graeme Lewis, director of the slush fund, has three senior government positions; you were not content to give him one. He is Chairman of the Land Development Corporation, holding the land resources of the Crown. Really? Have you no shame in the extent to which you will go to ensure the decision-makers are able to bring and yield benefits? It has been extraordinary.

In the early days of the CLP government discussion around Darwin said the silver circle was back; the actions of the CLP of old were back. After a few months it turned into discussions that it was worse than ever; the corruption of the past had come back with a vengeance, but it was worse. Of course, this government will not answer questions in Question Time.

This government will not have any transparency or accountability to it. This CLP government will do everything to block inquiries into Foundation 51, into water allocation, and is accepting the first law officer of the Territory, the Attorney-General, the recipient of serious and grave allegations, can continue without standing aside when that role is inextricably required for a fair inquiry process into a magistrate also subject to the allegations. It is little wonder people have completely lost faith and trust in this government.

You have an opportunity to clean this up and stop hiding the evidence you tried to hide today in this parliament. Stop hiding access to information around the allocation of water licences; open it up to an inquiry. Stop hiding the operations of Foundation 51 and its connection to the CLP and key decision-makers in highly influential and beneficial roles appointed across a range of government boards.

We deserve an accountable and transparent government. Instead, we have the tentacles and stench of corruption all through these grave matters raised in the parliament. You do your utmost to prevent debate on it and hide the evidence, but if you have nothing to hide, accept the inquiries. If you have nothing to hide from the allegations by the member for Arnhem, ensure there is a police investigation. If you have any understanding of the course of justice in the Northern Territory, the Attorney-General and magistrate Maley should stand aside.

These are grave and serious allegations. The member for Arnhem aired them in the parliament and they go to potential breaches of the Criminal Code Act. I will read them: section 58, Influencing Legislative Assembly member – penalty seven years’ imprisonment; section 59, Bribery of Legislative Assembly member – penalty seven years’ imprisonment; section 104, Compounding crimes – penalty seven years’ imprisonment; section 228, Blackmail and extortion – 14 years’ imprisonment; and section 286, Conspiracy to pervert justice – penalty 15 years’ imprisonment.
Attorney-General, you have a conflict of interest because of your involvement in these allegations. You need to stand aside. If you do not, the Chief Minister needs to insist you resign. If you do not, you need to be sacked as Attorney-General. The Attorney-General has to arrange for an inquiry using either a retired judge or a similar eminent person into the allegations surrounding magistrate Peter Maley.

An inquiry would report to the Executive Council. The Executive Council would use the findings for the basis of a decision to refer to the Administrator on whether there should be removal of a magistrate.

These are extremely grave allegations. Justice needs to prevail in the Territory. As a government, you need to do the right thing at some stage. Accept that an investigation by police will occur. Attorney-General, you cannot stand as Attorney-General while these allegations are hanging over your head, nor can magistrate Peter Maley practice as a magistrate; he needs to stand aside.

You cannot sweep this one under the carpet. It is there to be dealt with through the processes of justice in the Territory. You cannot be the first law and order officer presiding over the justice of the Territory while this is occurring.

We do not know, in opposition, the details and the nature of this, but we know these are serious allegations requiring a full and thorough investigation. It is ultimately for the DPP to decide whether or not there is sufficient evidence for charges to be laid, but the allegations exist and must be attended to. I have been shocked at everything I have heard regarding the operations of Foundation 51. I have been appalled at the allocation of water licences in the heart of the Northern Territory’s agribusiness area. I am truly, deeply sickened by the refusal of this government to accept and acknowledge, despite clear website links, its relationship with Foundation 51. Two clicks on Foundation 51 and you get to the happy smiling face of the Chief Minister. Go to it: www.foundation51.com. Two clicks, but he pretends it has nothing to do with him.

Territorians are not fools; they can see what is happening under this CLP government. If you maintain it is not, what are you hiding? Investigations are there to be done, the inquiries are there to be held and you can clear your name. Let justice prevail and stand aside as the Attorney-General while the investigations occur.

We are censuring the government because these things must be thoroughly investigated. They are of such serious and grave concern they require investigation. Be open, accountable and transparent with Territorians.

Mr ELFERINK (Attorney-General and Justice): Madam Speaker, I did not know the Opposition Leader had run out of evidence so early in the piece. Before this censure motion started I slipped onto your table a request to make a personal explanation, but I no longer require that as I now have the opportunity.

I have spent the last 10 minutes suppressing my irritation and anger because we see from the Leader of the Opposition a strategy she used on day one, and continues to use, which is straight up and down slander protected by this House. She tried it against the member for Daly, has mentioned it in relation to public servants and has named public servants in the committee process to roll out slander. She says she knows nothing about these allegations, but clearly she has colluded with the member for Arnhem to run this censure motion.

She must have been aware of what the member for Arnhem was going to ask, because she has a prepared censure motion. She is colluding with the member for Arnhem, and, I presume, others on that side of the House. That collusion is leading to a default position of the continued slander she is peddling. I will tell you why we refused to allow that letter to be tabled. I want that letter in circulation, but I want the member for Arnhem to do it outside because the contents of the letter, if it is the one she sent to the Speaker some months ago – I have a nod, we are talking about the same letter – so fundamentally and completely misrepresented the nature of the conversation between me and the member for Arnhem as to be defamatory. Let us be clear …

Ms Lawrie: Have you seen it?

Mr ELFERINK: Yes, I have seen it; I was shown it briefly by the Speaker. I did not have an opportunity to fully read it, but I read enough. I have said in the public domain that I have read enough to know the contents of the letter fundamentally misrepresented the nature of the conversation I had with the member for Arnhem. I am sure my recollection of that conversation will bear out that truth.

There is clearly collusion between the member for Arnhem and the Leader of the Opposition to run this line, saying whatever they like under the protection of this House, and I am sick of it. Privilege is a rare and precious right that is the preserve of politicians, and it is being used for slander and slander only.

I will defend myself in any environment, but in relation to that conversation, and every
conversation I had with the members for Arnhem, Arafura and Namatjira when they were members of the CLP, I have always sought to guide, counsel and assist each member in a polite and respectful way. I am certain my memory of that conversation will reflect that truth.

It was a conversation of about 20 minutes which finished on cordial, even friendly, terms. It finished, if memory serves me, with a small joke. Nevertheless, because the member for Arnhem has determined to set a path for herself, and had done so in advance of that conversation, with the assistance of the member for Namatjira, that conversation was fundamentally and completely misrepresented in a letter to the Speaker. It was snuck out to the media so I had to answer some questions. My response to the media was to ask the member for Arnhem, because I did not want the member for Arnhem using parliamentary privilege to besmirch my name.

If we come to the nature of this censure motion, and the third bullet point:

- failing to ensure that serious allegations of criminal behaviour are immediately passed on to the police for investigation.

This means the Leader of the Opposition was fully cognisant and aware, in advance of Question Time today, of the allegation the member for Arnhem would raise, despite the fact I heard no suggestion of criminality ...

Ms LAWRIE: A point of order, Madam Speaker! For clarification, I read the NT News this morning, as I am sure lots of Territorians did.

Madam SPEAKER: That is not a point of order. Sit down.

Mr ELFERINK: Then you must have known the contents of the letter last night ...

Ms Lawrie: I read the NT News today

Mr ELFERINK: You must have been aware of it when the news was published at 3 am. When is the NT News published? There is no reference to an individual in that article. The Leader of the Opposition is up to her eyeballs in this and is now starting to squirm.

It is clear the ‘Delia and Alison Show’ will be running in the Northern Territory, and they will plumb to no depth too low to satisfy their steps forward ...

Members interjecting.

Mr DEPUTY SPEAKER: A bit of order, please. Remember that one of you is already on a warning. Member for Johnston, you are now on one as well.

Mr ELFERINK: They will stop at no depth. There is not a mineshaft on this planet that could go low enough for the ‘Delia and Alison Show’ as it rolls out into the future. They will use every slander. I say to both the Leader of the Opposition and any other member: let us have this discussion outside the Chamber.

Mr GUNNER: A point of order, Mr Deputy Speaker! The member for Port Darwin knows you are meant to refer to members by their title.

Mr DEPUTY SPEAKER: It is a censure debate.

Mr GUNNER: That does not rule out the standing order applying to how you should refer to members in this Chamber. All it does is suspend the order of business to allow the censure motion to occur. You still must obey the standing orders.

Mr Elferink: Mr Deputy Speaker, for the sake of pax parlamentaria, I will refer to members ...

Mr DEPUTY SPEAKER: I will seek some clarification on that myself.

Mr Vowles: How about we get Kezia back.

Mr GILES: A point of order, Mr Deputy Speaker! The member for Johnston, on his way out of the Chamber, made an unparliamentary comment about you and the Speaker of the Chamber by reflecting you should be removed – not verbatim – and Kezia, the member for Goyder, be brought back. I ask you have the member for Johnston withdraw that comment and suggest he stops making similar comments throughout parliamentary debate on a regular basis.

Mr DEPUTY SPEAKER: Member for Johnston, just a minute. Chief Minister, I will hand over to the Speaker.

Madam SPEAKER: Honourable members, it is a censure debate and standing orders are suspended; however, I still expect a certain level of professionalism and integrity in the debate before us. I understand the Deputy Speaker was seeking advice from the Clerk and did not hear the comments. However, I warn members they should be referring to other members by their electorate, not by first names. Who is speaking?

Mr Elferink: I was, Madam Speaker.

Madam SPEAKER: Member for Port Darwin, you have the floor.

Mr ELFERINK: The model operated by the members opposite is: say anything, do anything;
Let me tell you what I know about that magistrate. He is a former Taminmin High School guy who got a law degree, lives in the Northern Territory, builds a reputation in this town as being a hard-working lawyer, builds a business which employs Territorians, engages in developing himself every step of the way and, through that development in the Northern Territory, comes to prominence. This is the tall poppy syndrome at its finest. Anybody who rises to prominence must automatically be attacked, particularly by the Labor Party. If you are not Labor and are prominent, you are a fair target.

Let us look at the nature of the assertions being made by the members opposite. ‘You are meeting with businesses’. Yes, we are. We meet with businesses every day we work as members of parliament. I meet with businesses. I am sure every person in this House meets with businesses, including members opposite. I do not doubt they have met with many businesses since being in opposition. I would like to know how many businesses they met with when they were in government, because I suspect they met with thousands.

According to the Leader of the Opposition, we have to live in a vacuous and splendid isolation where we have no contact with anybody whatsoever because that might be a conflict of interest. That is the assumption built into the arguments from the Leader of the Opposition. I will not live in splendid isolation from the community which I serve and represent, nor would I suggest any member of parliament do so. One of the most common criticisms we hear about politicians is they live in ivory castles. However, shock, horror, if you come down from one of those ivory castles and make connections with people, all of a sudden you are engaging in corrupt behaviour.

If organisations are associated with a political party they must be automatically corrupt. Where is the evidence? We have heard the allegations, but the Opposition Leader was unable to sustain a half hour censure motion because there is no evidence, only speculation.

Did the Leader of the Opposition meet with INPEX representatives when she was in government? Gosh, there might be a conspiracy theory in that. Look at the success INPEX has had. Clearly there is a conspiracy involved there, and I should hope so because it is a conspiracy to advance the true welfare of the people of the Northern Territory. I invite members to continue conspiring for the true welfare of the people of the Northern Territory ...

Mr Giles: Look at the Toga group.
Mr ELFERINK: The Toga Group is another one. I pick up on the interjection from the Chief Minister. What about the Toga Group – clear conspiracy there. Things happened, people were paid, people made money – this is what governments do.

Let us look at the evidence in the Opposition Leader’s contribution. What can she point to? The conversations she has had with the member for Arnhem or some speculative comments about Foundation 51?

Tell me about the Chifley Research Centre, Harold Nelson holdings and EMILY’s List. On the website, you will see a Northern Territory senator registered as a member of EMILY’s List who will have received donations from EMILY’s List. If you go into EMILYs List, I am sure you will find other female members of the Labor Party who have received donations, which is a criminal act according to the Leader of the Opposition, because they give money to women in parliament to influence policy. Yet ...

Ms Lawrie: Rubbish.

Mr ELFERINK: Yes, that is precisely what they do. I pick up on the denial from the Leader of the Opposition. That is what they do. Your members have been taking money from Labor-associated organisations outside the Labor Party. You have been receiving donations from EMILY’s List and they proudly put it on the website. This is part of the process of creating and developing a noise around government, because if you can create this noise you can create the odium, and if you throw enough mud it will stick. That is the philosophy; throw mud and make outrageous allegations of criminality without a skerrick of evidence.

The Opposition Leader said she has no idea about these criminal allegations, but she is more than happy to run a censure motion saying they are fact. I find it hypocritical that the Leader of the Opposition would build these pictures when she is involved in these organisations. Are you a member of EMILY’s List ...

Ms Lawrie: You are bizarre.

Mr ELFERINK: I ask the Leader of the Opposition, by way of interjection, have you taken money from EMILY’s List?

Ms Lawrie: Getting desperate, are you?

Mr ELFERINK: Have you taken money from – I will take that as a yes.

Look at this EMILY’s List website: Delia Lawrie, member for Karama and Opposition Leader of the Northern Territory takes money from EMILY’s List. Oh my God! How much did you take, Leader of the Opposition? How much did they pay you? What about Harold Nelson Holdings? How much have they paid to the Labor Party?

Mr Vowles: See you later, John.

Mr ELFERINK: The member for Johnston is claiming to be a member of EMILY’s List.

Mr Vowles: I am saying see you later, mate.

Mr ELFERINK: I think there is a requirement for some reassignment before you can do that, member for Johnston.

Mr VOWLES: A point of order, Madam Speaker! I do not know if I should use Standing Order 62: offensive or unbecoming words. I am happy to support women, but to say I am on EMILY’s List is a far stretch. I know he is struggling ...

Madam SPEAKER: Member for Johnston, it is not a point of order. Please be seated.

Mr ELFERINK: This is all about painting a picture. When I addressed these issues recently – by the way, Natasha Fyles and Lynne Walker are also members of EMILY’s List.

Mr VOWLES: A point of order, Madam Speaker! Standing Order 65. Can he refer to them by their electorate names, please?

Mr ELFERINK: Okay, for the sake of the member for Johnston, the members for Nightcliff and Nhulunbuy take money from EMILY’s List.

This is ‘throw the mud, make the odium stick’. I had never accused members opposite of anything untoward because they are on EMILY’s List, but they will. I had made no allegations about the members opposite doing anything wrong because of Harold Nelson Holdings, which is a direct conduit for money to the Labor Party. This is the way these things work ...

Mr Vatskalis: It is not a slush fund

Mr ELFERINK: By your definition it is a slush fund.

There are two Labor slush funds. Does the Chifley Research Centre share information with the Labor Party? I bet it does. It is not the Menzies Research Centre, it is the Chifley Research Centre and I bet it shares information with the Labor Party.

I wonder how much information Labor has received. It is all about creating odium. I am
fascinated that this passion the Leader of the Opposition has with slander as a political tool …

Ms Lawrie: Really?

Mr ELFERINK: Yes, really.

Ms Lawrie: If you have nothing to hide, have the inquiry.

Mr ELFERINK: Make your allegations about me outside; I will relish the moment.

This is what the Leader of the Opposition has chosen to do, and she has form. It now comes to the issue of water licences. I am not as across the water licences as the minister is. What I heard in the process was the minister quite deliberately kept himself at a distance from this issue. Why? To avoid exactly the allegations the Leader of the Opposition is now making.

The intriguing thing is that because she cannot directly target the minister she thinks nothing of having a go at the water controller …

Mr Westra van Holthe: Also the public servants who work for him.

Mr ELFERINK: The public servants as well, so there is a massive conspiracy throughout government. It is a wild and fanciful web, one which percolates its way right across government. There is a sinister, dark organisation that meets – maybe in the Freemason Lodge – and secretly runs the Northern Territory. The problem for governments in the Northern Territory, historically, has been that the Territory is not a big place. It has 250 000 and is growing. I am glad to report. However, it also has business and business connections.

The Labor Party has connections with local businesses. A quick look at the names of businesses that have donated to the Labor Party in the past will reveal it has close connections with business. We accept those businesses had connections with the Labor Party whilst it was in government. Some of those businesses did well, because one could allege the Labor Party had all these connections, but the allegations were not made.

To say in parliament, ‘There is complete impropriety here; there is criminal conduct’, and then not offer a single shred of evidence other than to say governments have contacts with businesses, which is somehow a vehicle to alleged corruption – to say me being a friend of Peter Maley is a vehicle to alleged corruption – to use any connection, no matter how tenuous in a small community to allege corruption is a bastardisation of the process of parliamentary privilege. It is designed to create as much noise as possible, but I urge observers, whether in the media or people watching, to ask what evidence there is to support any wrongdoing. There is no evidence because none exists. As far as I am concerned, the continued use of parliamentary privilege in such a reckless way will only diminish this House in the minds of the public …

Ms Lawrie: Your action diminishes this House.

Mr ELFERINK: Do you ever keep quiet? I am sure you have said as much during this debate as I have while on my feet.

The problem is – this is where I have been trying to suppress my irritation – that on a no-evidence basis she went after the member for Daly until corrected by a former staff member. She has made it very clear she is after that bloke as well. She has mentioned other public servants by name, and uses this as a political tool. She now has a close alliance with the member for Namatjira and …

Members: Rubbish.

Mr ELFERINK: Yes she does, evidenced by this close alliance. The frustration I have is some of this will get traction in people’s minds because it raises doubt. That is why I appeal to the media and all observers: let us see the evidence for these allegations. I am happy for that letter to find its way into the public domain, but I want to protect my reputation in front of the appropriate board of inquiry, which is a court of law.

Let us see if the member for Arnhem has the courage to make the allegation outside this House. Let us see if she has the courage to release that letter and say, ‘I stand by what is in this letter’. I suspect that will not occur because she knows the contents of that letter are untrue. They misrepresent the conversation I had with her so fundamentally as to be defamatory. For the Leader of the Opposition, on the basis of that, to launch an attack on my reputation and that of this government strikes me as desperate gutter politics. I urge this House not to go that low.

Mr HIGGINS (Daly): Madam Speaker, my statement is very simple. My challenge to the Leader of the Opposition, the member for Karama, Delia Lawrie; the member for Arnhem, Larisa Lee; the member for Fannie Bay, Michael Gunner; the member for Johnston; Ken Vowles; and the member for Wanguri, Nicole Manison, is simple: if you believe your claims to be true take them outside and make them public. If you do not have the courage to make them outside and name people, you do not believe these claims and are simply playing politics in a coward’s castle.
Ms LEE (Arnhem): Madam Speaker, I speak to the censure and seek leave to table all the documents in the best interests of the public.

Leave denied.

Ms LEE: I will speak to the censure and read into Hansard all this evidence.

Mr Tollner: Coward.

Mr McCarthy: A point of order, Madam Speaker!

Madam SPEAKER: Yes I heard it. Withdraw, member for Fong Lim.

Mr Tollner: What?

Madam SPEAKER: He withdrew the comment, member for Arnhem.

Ms LEE: Thank you. The member for Fong Lim just called me a coward.

Madam SPEAKER: He withdrew the comment, member for Arnhem.

Ms LEE: He withdrew it. I think the people of Gapuwiyak would like to know that — trying to stand over a woman, a cultural one too — the Madayin law.

’File note Sunday 23 February 2014 — a phone conversation with Peter Maley, magistrate. I missed a call from Peter Maley at 11.27 am in the morning. I returned his call at 11.37 am.’

That was during the weekend of Central Council in Alice Springs.

’He stated he had a discussion with Norman Fry and others about my intention to become an independent. He advised me to stay away from my colleague, the member for Namatjira, Alison Anderson MLA. ’Do not listen to her, let her go off on her own’ he stated. “Stay put with the CLP because something very good is coming your way soon”. He stated if I go Independent I won’t be protected by the CLP and everything will come out against me. He stated he loved me and that I’m a good person and good things will come to me if I stay with the CLP. He stated I would have my own cheque book. He stated Matt Conlan was basically a no-brainer and he wanted to catch up again.’


I missed a call from Mr Elferink, the member for Port Darwin, at 8.16 pm. I called him back at 8.50 pm. He stated he also heard rumours about me being upset with the party and wanting to walk out. He stated he heard the conversation that my colleague, Francis, member for Arafura MLA, had with Tollner, member for Fong Lim, during Central Council in Alice Springs on 21 March 2014 and 23 March 2014.

He stated that Francis was asked a question by the member for Fong Lim, Dave Tollner whether the rumours were true that the member for Namatjira, Alison Anderson, and myself, the member for Arnhem, were walking out of the party and that Francis, member for Arafura, stated yes, and he was also walking out.

I stated to the member for Port Darwin that we were upset about the bush being neglected and that more representatives from the bush need to be in Cabinet. He then asked whether I wanted a ministry and I said no.’

Mr Elferink: Not true.

Ms LEE: True, true.

’I continued to say the bush needed a stronger voice/representation and thought this was especially the case when implementing policies and legislation.’

I have a rough copy of my file notes of that night.

’I said the bush members are isolated in government and we needed to be respected more. We felt we were being left out. He stated if I leave I will lose all support from the CLP and the government — no protection from the CLP government. He stated he wanted to work more with me to help me play this game better on how to achieve these demands. He stated we needed to meet regularly and I need to lead and meet him halfway …’

which we did.

’He stated there was no use being angry or irritated with the government, it would not get me anywhere. He stated he would work with me closely and guide me to become a better MLA.’

Mr Elferink: That is wrong how?

Ms LEE: I had the phone records e-mailed of a conversation I had with Peter Maley and you. The timing is there. Would you accept this? I seek leave to table this and my file notes. I seek leave to table all relevant documents.

Mr ELFERINK: A point of order, Madam Speaker! She has sought leave to table her file
notes and her telephone records. I ask she be restricted to her file notes and telephone records, not the second component of her seeking leave, which was all relevant documents.

Leave granted.

Ms LEE: I sent an e-mail on Thursday 27 February 2014 at 10.30 am to Kezia Purick, Speaker of the House. On the cover of the e-mail note I put:

‘Dear Madam Speaker, for your information I am forwarding you this complaint. Thank you, Larisa Lee MLA’

As members of parliament we have to follow laws, and I thought approaching Madam Speaker would be the best way to do it.

In the letter I said, ‘Dear Madam Speaker, I write to lodge a formal complaint against what I regard as a clear breach of parliamentary privilege by Magistrate Peter Maley and, potentially, associated actions by the Attorney-General John Elferink.

I base my complaints on the definitions of parliamentary privileges that refer to the special rights and immunities which belong to members of the Legislative Assembly, and which are consider essential for the proper operations of the Assembly. These rights and immunities allow the Assembly to meet and carry out their proper constitutional roles for committees to operate effectively, and for members to discharge their responsibilities to their constituents and to carry out their duties and responsibilities without obstruction, fear, intimidation or bribery.

On Sunday 23 of February 2014 I received a telephone call from Mr Maley at 11.27 am and I returned this call at 11.37am.

Mr Maley stated he had a discussion with my advisor ..., who at the time was employed under the Chief Minister’s Office, Norman Fry, ‘and other members of the CLP about what he regarded, quite incorrectly, were my intentions about becoming an Independent member of parliament. He advised me not to communicate at all with my colleague, the member for Namatjira, Alison Anderson MLA, who he inferred should be let go on her own. I was also unaware that Ms Anderson was considering at this stage to become an Independent member of the Legislative Assembly.’

He stated, “Something very good is coming your way soon”. I would have my own cheque book. He further stated that if I were to become an Independent the Country Liberal government would attack me. He indicated that he wished to catch up again in the near future.

As Mr Maley is a magistrate and a member of the judiciary, I found this discussion most inappropriate. I could only conclude that he was acting on behalf of the Country Liberals executive in government. On the one hand I felt that I was being intimidated if I did not follow what he regarded as the established directions of the party. On the other hand, I believe there was a clear attempt to bribe me with an offer of a future senior government position and a high level of associated resources.

Further, on Sunday 23 February 2014, I missed a call from Attorney-General Elferink at 8.16 pm. I returned his call at 8.50 pm. The Attorney-General stated that he had heard rumours that I was upset with the Country Liberals government and that I intended to leave the party. He stated that he had overheard a conversation that Francis, the member for Arafura, had with minister Tollner, the member for Fong Lim. He stated that Francis was asked the question by minister Tollner whether rumours that Alison Anderson, the member for Namatjira, and myself, Larisa Lee member for Arnhem, were leaving the party. He indicated that Francis said yes to this question and stated that he was also leaving the party.

I explained that while we did not at this stage wish to leave the party, we were upset about the bush being neglected by the government and that we needed more bush representation in Cabinet. Attorney-General Elferink then asked me if I wanted a ministry. When I said no to the question, Attorney-General Elferink stated that if I were to leave the party I would lose all support and protection from the Country Liberal government ...

Mr Elferink: That is how politics works.

Ms LEE: So you should be honest.

‘Given the judicial links between the Attorney-General and magistrate Maley, and the published available information that Mr Maley had made a substantial donation to the election campaign of Mr Elferink, I felt that I was being intimidated in a potentially improper manner and the fact that I was rung by both individuals, who had similar points to make, that such telephone calls were not likely to be a simple coincidence.

Further, on 24 February 2014, I received a voice mail message from Mr Maley requesting that the telephone number of my brother, Preston Lee – Mr Maley – when a barrister had previously represented my brother in a family matter. I did not understand why Mr Maley, who was now a magistrate, was unable to discuss such matters
with my brother given his position as a magistrate – would wish to try to contact him at this time. I can only conclude that this request was associated with the telephone conversation he had with me the previous day, and that he was trying to further influence and pressure me through family members of my family. I regarded this telephone call as threatening and intimidating. I know of no reason why my brother would wish, at this stage, to talk to Mr Maley.

Any act which obstructs or impedes a member of the Legislative Assembly in the importance of their functions or which has a tendency, directly or indirectly, to produce such results needs to be treated as either contempt of the Legislative Assembly or a breach of parliamentary privileges. Provisions such as those to be found in Division 3 of the Criminal Code of the Northern Territory concerning offences against executive and legislative power are designed to deter people from interfering in the free exercise, by the parliament or its authority, or intimidating members or attempting to bribe members in order to influence them. I am particularly concerned about what I perceive as attempts to intimidate and bribe me and wish, given the potential serious legal implications of such approaches to me, that these matters be thoroughly examined, regards Larisa Lee, member for Arnhem 27 February 2014.

That was sent to Madam Speaker. I seek leave to table this letter.

Leave denied.

Ms LEE: This is from Madam Speaker, Kezia Purick, and was sent to me on Thursday 27 February 2014 at 5.31 pm, cc Michael Tatham. This was in reply to my letter, ‘Hello Larisa, attached is a copy of my letter in reply to your letter of complaint. Do you agree for me to release your letter to Mr Elferink as a person of complaint? If you agree could you advise me accordingly? Thank you and regards.’

The letter says, ‘Dear Ms Lee, I refer to your letter dated 27 February 2014 concerning a claim of a matter of privilege. Your letter raises very serious concerns. Should you wish to pursue your allegations they may only be addressed by way of proceeding in the Assembly seeking to refer the allegations to the Committee of Privileges. Both the Assembly and the committee, should the matter be referred, will expect substantial arguments to be made to support any allegations, and I anticipate a very robust debate would ensue. As Speaker, it is my responsibility to consider a matter raised with me in writing pursuant to Standing Order 83. On that basis I seek clarification that you have written to me seeking to reply upon that standing order. Is the intention of your correspondence to ask me to determine whether precedence should be given to the member raising the matter to move a motion which would take precedence over all other business at the next sitting of the Assembly?

Should you wish to clarify this process prior to responding to me I suggest you contact the Clerk to discuss procedures. The Clerk can be contacted on a confidential basis, and he will assist you in respect of understanding the procedural requirements of Standing Order 83. The Clerk can also provide advice and guidance on the operation of Standing Order 84 concerning a contempt motion should you so require.

If you decide that it is your intention to move a motion in the Assembly to refer the matter to the Committee of Privileges, then the next step for me is to consider the request pursuant to the rules of Standing Order 83, in conjunction with the order continuing effect, made by the Assembly on 23 May 2016. Once I have given such a request for consideration then I would respond in writing to advise whether the matter will have precedence over all other business on the next sitting day.

I await your advice in this regard. In order to assist you I have enclosed a copy of Standing Order 83 for your consideration, sincerely, Hon Kezia Purick MLA’

Again from Madam Speaker, Kezia Purick, on Friday 28 February 2014 at 11.44 am to me, cc to my electorate office and the Clerk, ‘Good morning Larisa, if I could get a response to my letter today please, because if you wish to proceed with the complaint as detailed in my letter I need to make arrangements for the next sittings and to inform Mr Elferink of the complaint. Thank you, regards’

The same letter I read out just before was attached to that.

From Linda Heidstra sent on Monday 3 March 2014 at 9.49 am to me – correspondence from minister Elferink, ‘Good morning Larisa, please find attached correspondence from minister Elferink. The original will be sent in the mail today.

That is the personal assistant to Hon John Elferink.

‘Dear Larisa, yesterday Kezia rang me about a letter that you have sent her as Speaker regarding my conduct and recommending that I be referred to the privileges committee. The letter which I have seen, but have yet to be given a copy of, arises from my phone call to you on Sunday night. I have a clear recollection of the call and I am surprised that you now allege that I bullied or
threatened you. The letter also asserts that I offered you inducements as part of a conspiracy between myself and Mr Maley to influence you in one fashion or another ..."

Mr GUNNER: A point of order, Madam Speaker! Pursuant to Standing Order 77, I seek an extension of time for the member to complete her remarks.

Motion agreed to.

Ms LEE:

‘I am sure your memory of our phone conversation last Sunday is as fresh as mine. I have a comprehensive recollection of that conversation. Frankly, I am very surprised at the letter you have written. There is no conceivable way that any interpretation of bullying or inducement could be construed from our last or even any conversation. It was a cordial conversation that ended in a cheerful tone, and fundamentally a genuine offer to appropriate assistance and personal support in making your role as a member easier and more fruitful.

As I recall, you agreed to take up my offer to help you promote issues of importance to you and your electorate with my ministerial colleagues. As always, when dealing with you I remain respectful, supportive and offer suitable counsel for you in my role, not only as the Leader of Government Business, but as your colleague and fellow party member.

During the conversation you acknowledged the efforts that I have gone to in the past to make certain that you felt like part of the team. To suddenly be confronted with a letter alleging some form of serious impropriety on my part and recommending a referral to the Privileges committee is, to say the least, disappointing.

This deliberate misrepresentation of our conversation and our relationship generally is hard to understand. It is even harder since my conversations with you have always been conducted in the most proper and appropriate fashion, motivated only by a sincere desire on my part to offer assistance.

Our relationship is important to me. I would like to move forward in the spirit of trust and respect. I remain available to you should you wish to discuss these matters further, yours sincerely, John Elferink.’

It is dated 16.10 pm on 28 February 2014.

From Larisa Lee on Tuesday 4 March 2014 at 2.06 pm to Kezia Purick, ‘Dear Madam Speaker, attached is my letter in response to your letter dated 24 February and your e-mail dated 27 February 2014.’

‘Dear Madam Speaker, thank you for your formal letter of 24 February 2014 reference 1433.3 and your covering note sent by e-mail of 27 February 2014.

I note that your letter to me is dated 24 February 2014 even though I did not send my letter of complaint to you until 27 February 2014. Following the matters raised in your correspondence I intend to seek further advice.

Thank you for bringing to my attention the opportunity to discuss the required procedure with the Clerk of the Legislative Assembly. I intend to take up this valuable suggestion with respect to your request in your covering e-mail of 27 February 2014 regarding the Attorney-General. I do not wish my letter to be released to Mr Elferink at this stage.

As soon as I have received the additional advice I am seeking I will write further to you, yours sincerely, Larisa Lee.’

It is dated 4 March 2014.

From Kezia Purick, Tuesday 4 March 2014 at 2.52 pm to me, ‘Thank you Larisa, I will let the Clerk know you will be in touch with him in due course on this matter, regards.

From me to Madam Speaker, Friday 7 March 2014 at 8.39 am, ‘Dear Madam Speaker, I requested confirmation that you had received my correspondence to you of 4 March 2014 in an e-mail to you on 6 March 2014. As I have not received an answer from you I would be most grateful if you could confirm receipt of this correspondence.’

From Kezia Purick, Friday 7 March 2014 at 9.50 am, Hello, I acknowledge receipt of your letter of 5 March from myself Wednesday 5 March 2014 at 9.01 am. Dear Madam Speaker, please find attached my letter concerning a letter to me from Attorney-General and Minister for Justice, John Elferink. I look forward to your response to these serious matters, regards.’

I will read out the letter, ‘Dear Madam Speaker, I have received a letter from the Attorney-General and Minister for Justice, John Elferink dated 28 February 2014 in which he states he has seen a copy of my letter to you of 27 February 2014.

You asked me in your e-mail covering note to me of 27 February 2014 whether I would approve release of my letter to Mr Elferink as a person of complaint. I advised in my correspondence to you on 4 March 2014 that following matters raised in
your correspondence dated 24 February 2014 that it was necessary for me to seek further advice. This included confidential advice from the Clerk on appropriate procedures.

With respect to your request in your covering e-mail of 27 February 2014 regarding releasing my letter of complaint of 27 February 2014 to Mr Elferink, I stated in my correspondence to you on 4 March 2014 that I do not wish my letter to be released. Given that I have replied to your initial request with respect to the release of my complaint within three working days, I cannot understand how my letter could have been seen by the Attorney-General. I would be most grateful if you could kindly please explain the situation to me as I was of the view that my correspondence to you would be treated with the utmost confidentiality and that this was a matter for discussion at this important time between myself and the Office of the Speaker.

I am most concerned that there appears to have been an important breakdown of appropriate process and confidentiality essential to the proper and impartial consideration of my complaint and to the proper functioning of the roles of the members within the Legislative Assembly. I sincerely trust that such a precedent has not been extended to magistrate Maley.

I intend to write to the Attorney-General expressing my concerns that he appears to have been a party to this situation. One would have thought, given his role as the Attorney-General, he would have a keen interest in protecting and preserving the rights and obligations of all members of parliament, yours sincerely, Larisa Lee, member for Arnhem, 5 March 2014.’

From Kezia Purick, Madam Speaker, sent on Wednesday 5 March 2014, at 2.12 pm, ‘Hello Larisa, I acknowledge receipt of your letter of today’s date being 5 March 2014, and a reply will be sent to you in due course.

From Madam Speaker, Kezia Purick, Saturday 8 March 2014, at 11.42 am, ‘Hello Larisa, here is a copy of my letter to you dated today’s date, regards, “Dear Ms Lee, thank you for your letter dated 5 March 2014 asking me about the status of your correspondence dated 27 February between us in my role as the Speaker.

Upon receipt of your letter I had an informal conversation with the Leader of Government Business, who is also the Chair of the Privileges committee, about a possible reference to his committee and the related procedural matters. During that meeting, the Leader of Government Business asked for a copy of your letter and I undertook to advise him whether a copy could be provided, thus I wrote to you seeking your approval to release the letter. I note you have requested the letter not to be released. I understand you have provided the signed original to the Clerk who has retained the letter on file, yours sincerely, Hon Kezia Purick.”

That was on 8 March 2014.

Mr Barrett: Madam Speaker, even though I have only been here for the proverbial five minutes, I am amazed by some of the things that happen in parliament.

Coming from a non-government background, I am concerned about the issue of privilege and what you are and are not allowed to say in this room. It has been a very steep learning curve for me and I am amazed at some of the things that have happened and, frankly, pretty disappointed with a lot of things that happen inside this room.

With regard to what has been said and what has been insinuated, it is appalling that individuals can, in this Chamber, make all kinds of crazy, outlandish accusations against people for whatever reason; I assume it is political or personal. In this case, individuals in this parliament are bringing into question the integrity of members of government. I find that disgusting, and my challenge to individuals bringing such allegations of illegal activity – I recommend they have the courage of their convictions and take it outside this Chamber. Make those allegations outside this room, where they can be looked at by third parties because that is what they really want. Be it on themselves for the things they say outside this room.

Ms Anderson: Madam Speaker, I support this censure motion because it is done in the best interest of the public. This government has always said it is about honesty, transparency and real leadership and it allows people to be honest and bring documentation before the House. Calling for people to go outside and say it is irrelevant. This is, as you call it, a coward’s castle and you used it on many occasions in opposition, and we will use it. You have used, in opposition, the names of bureaucrats and you are protecting them now.

The member for Blain, quite rightly, walks out because he knows he could not call the CLP. …

Madam Speaker: Member for Namatjira, withdraw that comment.

Ms Anderson: I withdraw. He did not ask the CLP whispering campaign – the team that was whispering bad things about him during his campaign, he did not say to them, ‘Go in front of the camera and say that about me’. He allowed that process to go on but is denying us the
process. We will use parliamentary privilege to make sure there is transparency. There is cover-up, and this is, quite rightly, a broad motion which allows journalists and members of the public to understand how you operate.

I will go on, after I put my colleague’s letters on record – because we cannot table them – and read what is left over from those articles. “I will make sure I talk about Foundation 51 because it is very important we link the Country Liberal Party to Foundation 51. There are certain questions you have to ask, such as whether members of Foundation 51 have been given jobs through the Country Liberal Party? What about Nightcliff Island? Did the person proposing that donate to Foundation 51? I believe so. We have to make sure all those things are out in the open so you are accountable, transparent and people can see how you operate.

This letter from my colleague the Attorney-General says, ‘Dear John, I refer to your letter to me of 28 February 2014. I am particularly concerned about your letter given that it indicates a clear breach of confidentiality required in consideration of such a complaint to the Speaker by a member of the Legislative Assembly concerning potential breaches of privilege.

Upon receipt of my correspondence of 27 February 2014 concerning a claim of matter of privilege the Speaker advised, amongst other things, that I contact the Clerk for further advice. She also asked me, in a covering e-mail note to her letter to me of 27 February 2014 whether it was necessary to secure additional confidential advice from the Clerk on procedural matters. I am therefore most concerned that you indicate in your letter to me of 28 February 2014 that Kezia rang me about a letter that you had sent her as the Speaker regarding my conduct.

Further, in paragraph two, you state, “The letter, which I have seen …”. I am of the view that the important requirement to maintain confidentiality in this matter falls primarily on the Office of the Speaker. However, as you currently hold the position of Attorney-General and the minister for Justice, one would have thought that you too would appreciate the gravity of this matter, and the utmost importance of confidentiality if the rights and obligations of members are to receive appropriate and due protection before the law of the Northern Territory.

I remain, therefore, most concerned that you have seen fit to become a party to this breach of confidentiality.

I look forward to an early response to my concerns, yours sincerely, Larisa Lee.’

There is an e-mail from the Attorney-General John Elferink to Larisa, ‘Dear Larisa, Thanks for your letter. If you have concerns, please contact me. I have offered polite and professional advice to you consistently since you entered parliament, something that you have acknowledged repeatedly. I do not know who is giving you advice now, but I do not believe that it is good advice. Whoever you turn to for guidance is your choice. In the meantime, my door remains open to you and I encourage dialogue on all matters, as I have always done.’

That was on 11 March 2014 at 11.44 am.

This one is to Larisa from Madam Speaker, Kezia Purick, dated Friday 14 March 2014 at 8.48 am, ‘Dear Madam Speaker, see attached response to a letter of 8 March 2014 regarding Larisa Lee.

“Dear Madam Speaker, thank you for your letter of 8 March 2014. I wrote to you on 4 March 2014 indicating that I did not wish to have my letter to you of 27 February 2014 released to Mr Elferink at this stage. I have asked you to acknowledge receipt of this correspondence to you on 4 March on a number of occasions. I note that you have not done this.

You state in your letter of 8 March 2014 that on receipt of my letter to you of 27 February 2014, you had an informal conversation with the Leader of Government Business about a possible reference to the Privileges committee on related procedural matters. I am most disturbed that such a conversation has taken place and regard it as clear breach of the level of confidentiality that needs to exist in such matters between the Speaker and members of parliament.

This is particularly the case given your advice to me that it was necessary to secure additional confidential advice from officers such as the Clerk with respect to procedural issues. For example, it is clearly my decision following such advice as to when this matter should be taken forward and in what particular manner it should be taken forward.

It is not matter of private, informal conversation between the Speaker and the Leader of Government Business. When necessary, it is my right and responsibility to make the Leader of Government Business aware of my concerns, not the position of the Speaker.
In addition, I fail to understand how the Leader of Government Business has such a different view of what occurred in this discussion with you to the extent that he wrote to me on 28 February 2014 stating he had seen a copy of my letter to you of 27 February 2014. I remain very concerned about the level of probity accorded my concerns from both the position of Speaker and the Leader of Government Business in this serious matter, yours sincerely, Larisa Lee, 14 March 2014.”

This letter is from Madam Speaker, Kezia Purick, ‘Good morning Larisa, attached is a letter of today’s date in reply to your letter of 14 March 2014. For your records, I acknowledge receipt of your letters of the following dates: 27 February 2014, 4 March 2014, 5 March 2014 and 14 March 2014, regards, Hon Kezia Purick MLA, member for Goyder.

“Dear Ms Lee, thank you for your further correspondence dated 14 March concerning my previous reply to you dated 8 March 2014. My letter of 8 March states I note you have requested the letter not to be released. I advise that I have not released a copy of the subject letter from you to me dated 27 February. The only copies of that letter are with me and the Clerk.

As previously advised, unless you seek agreement for precedence to move a motion at the earliest opportunity, I have no formal role under standing orders to intervene or investigate the matter you have raised.”

The next letter is from the member for Arnhem, Larisa Lee, dated Monday 31 March 2014 at 3.18 pm to Madam Speaker, Dear Madam Speaker, see attached response to your letter which I received on 17 March 2014 but dated 18 March 2014, regards, Larisa Lee.

“Dear Madam Speaker, I refer to your correspondence to me reference 14-33-12 which I received on 17 March 2014 dated 18 March 2014.

I note your advice that a copy of the subject letter dated 27 February 2014 from me to you has not been released by you. How then is it possible for the Attorney-General and Minister for Justice, John Elferink, to be in a position to write to me in correspondence dated 28 February 2014 in which he states that he has seen a copy of my letter to you of 27 February 2014?

If indeed Mr Elferink has seen a copy of this letter, then surely this involved the release of the letter to a third party without my permission. In a legal sense, the key issue is one of disclosure of the contents of a confidential document, whether there be a physical passing of a document to a third party, electronic transfer of such document or, indeed, displaying or reading the contents of the documents to a third party while maintaining possession of the original document.

I also note you state in your correspondence to me of 8 March 2014, reference 14-33-10, that upon receipt of the letter I had an informal conversation with the Leader of Government Business who is also the Chair of the Privileges committee about a possible reference to his committee and related procedural matters.

I regard this also as a serious breach of the confidentiality I had requested that you maintain. This is particularly the case given Mr Elferink occupies the position of Leader of Government Business and Chair of the Privileges committee. This also constitutes, in a legal sense, a potential disclosure of important contents as well as the overall thrust and concerns outlined in my letter of 27 February 2014. I am not, therefore, currently in a position where I can feel any comfort or assurance from your correspondence to me dated 18 March 2014, yours sincerely, Larisa Lee.”

There is an e-mail from Madam Speaker on Tuesday 1 April 2014 at 10.38 am, ‘Hello Larisa, I acknowledge receipt of your letter … electorate office and Speaker’s office … and the mobile number … on 31 March 2014 at 1.48 pm, Larisa Lee.’

‘Dear Madam Speaker, see attached response to your letter which I received on 17 March 2014 but dated 18 March 2014, regards, Larisa Lee.’

There are e-mails from the member for Arnhem, Larisa Lee, ‘Good afternoon John, my response to your e-mail of 11 March 2014.

“Dear John, I refer to your e-mail response to me of 11 March 2014. Matters raised in my correspondence to you of 11 March 2014 are most important as they involve a possible breach of confidence in an important matter of privilege that I have brought to the attention of the Speaker in formal correspondence.

I do not regard private conversation as the means of answering my concerns given the serious nature of this matter. It is because the matter is so important that I have seen the need to bring this to your attention through formal correspondence. The manner in which you perceive the advice you proffered me previously has no bearing on important matters raised in my correspondence to you of 11 March 2014. As outlined in your previous correspondence to me of 28 February 2014, Kezia rang me about a letter that you had sent her as Speaker regarding my conduct. You also stated in this correspondence, ‘The letter, which I have seen …’.
I would therefore be most grateful if you could please confirm me formally how such a breach of confidentiality could have occurred and how this is acceptable in any procedural sense involving what clearly should be a confidential exchange between myself and the Office of the Speaker, yours sincerely, Larisa Lee.”

This was an e-mail from Linda on behalf of the Attorney-General. Mr John Elferink to Larisa Lee – my letter of response to Attorney-General, ‘Larisa, your correspondence is more about politics and positioning than anything else. Real politics is about the art of communication for the benefit of the people of the Territory. That is all that should matter. That means talking, listening and cooperating. This is something I try to do with all members of parliament often and across the political spectrum. Whoever is advising you is not thinking about communication and that is sad because every day wasted manoeuvring is a day wasted for the good of the Territory, but it is all your choice. Good luck.’

That is from the Attorney-General.

Lastly, this is a letter from Madam Speaker, ‘Dear Ms Lee, thank you for your letter dated 31 March 2014. I refer to my earlier response on the same subject. Given six sitting days have elapsed since your original correspondence and you did not seek precedence pursuant to Standing Order 83, nor did you give notice of a motion to refer the matter raised in your correspondence to the Committee of Privileges, I cannot see any further role for the Speaker.

Any dispute you may have with the Attorney-General or the government is a matter between you and them, sincerely, Kezia Purick.’

This is to Madam Speaker, ‘Dear Madam Speaker, I refer to your correspondence to me reference 14-33-12, which I received on 17 March 2014 dated 18 March 2014. I note you advise that a copy of the subject letter dated 27 February 2014 from me to you has not been released by you. How then is it possible for the Attorney-General, the Minister for Justice, John Elferink, to be in a position to write to me in correspondence dated 28 February 2014, in which he states that he has seen a copy of my letter to you of 27 February 2014?

If indeed Mr Elferink has seen a copy of this letter, then surely this involves the release of the letter to a third party without my permission. In a legal sense …’

I have already put that letter on the public record.

I want to talk about transparency, honesty, leadership and trust, which the Country Liberal Party has always talked about.

The member for Blain did not at any stage say to his party members when they were making allegations about him leading up to the Blain election, ‘We will see you in front of the cameras’. Certain journalists were given your background. It is not for me to judge you, but your party was doing that. If you have the guts to say in parliament the things you have to my colleague, make sure you hold your party members accountable and act like a man, if you are a man.

I want to talk about Foundation 51. People in Foundation 51 are being rewarded. One thing we want the Country Liberal Party to talk about in its openness, transparency and honesty is Nightcliff island. The contractor looking into Nightcliff island – or whatever they are doing – has that person donated money to Foundation 51? If so, have they declared it to the tax office or has the Country Liberal Party put it on its register?

Some of the things we have to put on record are what we were talking about last week. I would like confirmation that my points raised during the meeting, formally requesting that these people go through the proper processes – we are asking for an inquiry to determine the honesty and transparency of this government. If you can call an inquiry into Stella Maris and things that happened under the Labor Party, I am sure, with your honesty and transparency, you can call one for yourself.

I have several dot points and questions:

- Provide a complete and transparent makeup of the CLP’s banking and investment financial structure and the nominated signatories on the party’s account.
- Explain why the CLP accounts have not been audited in the past five years to date.
- Provide a time line of when the accounts will be in compliance and audited by a certified practising auditor/accountant.
- What is the correct legal structure and who are the directors or office bearers of Foundation 51?
- What is the purpose of Foundation 51?
- What is the current balance of Foundation 51?
- When was this account established?
- What is the objective of this account?
Mr Styles: Go to some of the breakfasts.

Mr VOWLES: …they are smashing my door down to tell me how bad this government is.

I heard the interjection from the member for Sanderson, but if I was you I would be door-knocking the electorate and meeting people. It will be a sad state of affairs in 2016, because yours will be the first seat to go.

Mr Styles: Thank you for that advice, member for Johnston.

Mr VOWLES: No problem, member for Sanderson. It is a sad state of affairs that we have to support the motion against the Chief Minister and a government on the nose because of its inability to care for Territorians, to show it cares for Territorians and do the right thing.

We fundamentally believe we have to do the right thing. I am sure, deep down – maybe long ago – some of the ideals on that side were to do the right thing for Territorians, not your mates or your children’s mates. This budget of securing our children’s future – it should be ‘Securing the Future for CLP Children’, because that is what we are seeing.

You found it too easy to have an inquiry into Stella Maris. We did that and will move forward. We are calling on this government to hold inquiries into water licensing and the slush fund of the CLP, Foundation 51. We have now heard serious allegations from the member for Arnhem, which I have – I do not often agree with the member for Blain, but in this Chamber, there are things we do not want to discuss. However, the reason we do is to get the truth out, hold the government to account and say, ‘This is not good enough’. Yes, we will name people. Yes, we will name departments. We will name people because it is the right thing to do. It is our job, as opposition, to do that and hold you to account.

A wise man once told me about government. He said, ‘Liberal governments will come in, the power will go through their veins and they will make silly decisions’. That is all the government has done for 18 months. You are part of this, member for Sanderson, Minister for Infrastructure. You are delivering nothing, doing nothing, and that is why we have to support the censure motion against the Chief Minister.

The only way the Chief Minister can clear the name of his government is to hold the inquiries which are the subject of this censure. There are too many doubts, too many common threads and mounting evidence for the Chief Minister to turn a blind eye and do nothing again. If he does not have an open and transparent inquiry into
Foundation 51 and the granting of water licenses to CLP cronies, the doubts will remain about this dodgy government. If he does not refer the action of magistrate Peter Maley and the Attorney-General to the police, it leaves them both in limbo. It is not tenable for the administration of justice in the Northern Territory for the first law officer and a magistrate to have allegations such as these hanging over their heads.

Sadly, after just 20 months in power there is a stench about this government that can only be cleansed by open and transparent inquiries.

This censure is about how the CLP does business. There is a common thread through everything we have heard today, and it is the CLP: the slush fund Foundation 51 – CLP; the water licence for cronies before the aquifer plan is complete – CLP. We now have the most serious of them all, an alleged attempt to bribe and intimidate a member of parliament – CLP. It gives me no pleasure to outline the case for two inquiries and a police investigation.

This should be a government still in its honeymoon phase, on top of its game. Instead, what do we see? Week after week we expose allegations of breaches of the Electoral Act, contracts, valuable licences for CLP mates and, now, alleged criminality.

Chief Minister, It has to stop. This is happening on your watch. To have any credibility at all you must act; you must show some leadership today. Each day this is allowed to fester you are diminished, your leadership is eroded and your democracy is the poorer.

I do not know why a magistrate would want a massive water licence in the Douglas Daly/Katherine region, but that is not the issue. Why would licences be granted before an aquifer plan was completed? Why has the government approved a maximum allocation of 62,886 ML from the Oolloo Dolostone Aquifer, which exceeds the limit proposed in the draft water plan for the aquifer? Why were the objections of the Amateur Fishermen’s Association of the Northern Territory and the Environment Centre NT disregarded? When did magistrate Maley purchase Blackbull Station? How did magistrate Maley know Blackbull Station would be worth acquiring? Did anyone in government tip off magistrate Maley that Blackbull Station would be worth acquiring? Is Blackbull Station paying a fee for the aquifer? Why were the objections of the Amateur Fishermen’s Association of the Northern Territory disregarded?

Your water allocation system is not transparent and smacks of cronyism. Surely you want the air cleared. If this was happening in New South Wales it would be before ICAC today. Magistrate Peter Maley’s name keeps popping up. He is a former CLP MLA who your Cabinet appointed, who thought it was fine to hand out how to votes for the CLP while a magistrate, in contravention of the Chief Justice of Australia’s code of conduct. We have learnt he is the magistrate who thinks it is fine to be a director of a CLP slush fund.

Chief Minister, this is the problem with appointing mates and not following due process; it comes back to bite. There needs to be a full inquiry into Foundation 51. Its other director, Graeme Lewis, is another mate. He is on three government boards, receiving nearly $200,000 of taxpayers’ money, and is a director of your party’s slush fund.

That is a conflict of interest writ large. He is Chair of the Land Development Corporation board and Chair of the Darwin Waterfront Corporation board. He is also the director of your CLP slush fund. Unfortunately, this could only happen in the Northern Territory under a CLP government.

He should be fired from these positions. Holding these positions and remaining the bagman for your party is untenable. We need to know who has come before the two boards in question. What have they been granted, and who are the donors to Foundation 51? Blind Freddy can see the conflict I am mapping out.

The member for Arnhem’s allegations are very serious indeed. We know a phone call was made by Peter Maley to the member for Arnhem. Peter Maley confirmed it in today’s NT News where he told journalist Ben Smee quote:

_\textit{I had a conversation with Ms Lee.}_

Why is a magistrate calling an MLA? The fact the phone call took place is reason enough to investigate further. If the member for Arnhem is right and an inducement was offered to her to remain a member of the CLP, it is a criminal matter. Section 59 of the Criminal Code Act – bribery of an MLA …

\textbf{Mr ELFERINK: } A point of order, Madam Speaker! If the ALP did not know about the allegations by the member for Arnhem, how can he have a prepared speech and read it out?

\textbf{Madam SPEAKER: } It is not a point of order.

\textbf{Mr VOWLES: } In response to that point of order, we multitask. While you were waffling on mate, I was writing my speech. That is what we do on this side.

\textbf{Members} interjecting.
Mr GUNNER: A point of order, Madam Speaker! I ask for the member for Johnston to be heard. I cannot hear him over the members for Fong Lim and Port Darwin.

Madam SPEAKER: Members, could you cease interjecting please. Member for Johnston, you have the call.

Mr VOWLES: If she was threatened in any way, if it was suggested to her she would no longer be protected politically if she left the CLP, that is blackmail – section 228 of the Criminal Code Act. I do not know what happened, but we know some things from what the member for Arnhem said today.

Peter Maley has already demonstrated his lack of judgment by thinking it was okay to be a director of a slush fund whilst still a magistrate. We know he lacks judgment. He has confirmed a call was made corroborating the member for Arnhem’s story. We heard further about that today. In his case, unfortunately, it was another lack of judgment. Why was he calling her? We have heard why today. It was not about going fishing or hunting; it was to keep the member for Arnhem in the CLP because they were nervous about the numbers in parliament and the outcome of the Blain by-election.

We heard a follow-up call was made by the Attorney-General with the implied threat that she would no longer be protected politically. Attorney-General, sadly, your position is untenable too. If you will not stand aside voluntarily, the Chief Minister must stand you aside pending a full police investigation. You are the first law officer of the Northern Territory and the implied threat is blackmail.

Madam Speaker, these are the most serious allegations. There is a stench about this government, and only two transparent inquiries and a police investigation will do.

Mr TOLLNER (Deputy Chief Minister): Madam Speaker, the member for Johnston is dead right, there is a stench, and it is of gutlessness. If the other side are so concerned, all they need to do is step outside. I am disappointed with what has happened today. This has been nothing but slander of the worst kind of people who cannot come into this House to defend themselves. A magistrate, for goodness sake! A person above disrepute! His wife handed out how to vote cards for the member for Fannie Bay. No one is beyond touch from the other side. It is disgusting and the place stinks because of the way you mob have gone into the gutter.

My challenge to the Leader of the Opposition and the members for Arnhem, Fannie Bay, Johnston and Wanguri, and any other of this ragtag mob who want to drag us all into disrepute, is simple: if you believe your claims to be true, take them to the front steps of parliament and make them public. If you do not have the courage to make these claims outside and name the people you have inside coward’s castle, you clearly do not believe these claims. You are muckraking and playing cheap political games.

Get out of coward’s castle, make your accusations outside and see how you fare. You will get your inquiry.

Mr WESTRA van HOLTHE (Primary Industry and Fisheries): Madam Speaker, I have listened carefully to the debate today and am disappointed the opposition has used this opportunity to bring this entire House into disrepute. It is outstanding.

What I often see from the opposition is a complete lack of courage; today’s effort is nothing different. My challenge, as with the other members on this side of the House, is for the Leader of the Opposition and the members for Arnhem, Fannie Bay, Johnston and Wanguri to take these claims outside coward’s castle and make them public. Why not do that?

You can stand on the front steps of Parliament House, repeat these claims, name the people you have in this House – a place often referred to as ‘coward’s castle’ – and you will get your inquiry. You are playing dirty, cheap politics and bringing this House into disrepute. You are a disgrace.

Mr STYLES (Transport): Madam Speaker, my challenge is also to those opposite, the members for Karama, Arnhem, Fannie Bay, Johnston and Wanguri. If you believe this is true, take it outside and make it public. If you do not have the courage to make these claims outside and name people, clearly you do not believe them and are simply playing politics in coward’s castle.

Mr CONLAN (Central Australia): Madam Speaker, I will not miss an opportunity. Let this be a lesson for those who dedicate their good time to the Labor Party, because when the opportunity strikes they will throw you under a bus. That is what they have done to the good people of the Northern Territory today. We are talking about Bethany Maley, for crying out loud. She served you with distinction and all you have done is throw her under a bus to suit your own political agenda. What a joke.

I repeat the lines today: if you have something to say and you firmly believe it, why not take it outside? What is wrong with that? If you firmly believe there is a problem, take it outside. You have no authority in this House, Leader of the Opposition. You have dragged the Territory
through the mud and through financial ruin. You pontificate, and the holier than thou, sanctimonious approach by you and the rest of this rabble on the other side – as for this liar right here – is unbelievable.

**Mr McCarthy:** A point of order, Madam Speaker!

**Madam Speaker:** Member for Groatrex, withdraw that comment, please.

**Mr Conlan:** I withdraw it, but we are in a censure motion and I think the word liar is okay.

**Madam Speaker:** Minister, please pause. Honourable members, it may be a censure motion but standing orders still prevail in all other aspects, which includes offensive words.

**Mr Conlan:** I withdraw, but I think I made my point abundantly clear. You will not hear me quote Nigel Adlam very often in this House, but he was right a couple of years ago when he said the member for Namatjira will rat on her mates for her own vanity. She has done it again today and will continue to do it. She has done it to you and is now doing it to us. You guys have attacked public servants, police, the Water Resources Division, and now you are attacking the good reputation of people of the Northern Territory.

You have no authority in this House whatsoever. You have trashed the Territory’s reputation and dragged the Territory’s finances to ruin. You are a disgrace, the whole lot of you. Take it outside if you have any guts.

**Mr Giles (Chief Minister):** Madam Speaker, my challenge is also to Delia Lawrie, Larisa Lee, Michael Gunner, Ken Vowles and Nicole Mansion, if you believe your claims to be true …

**Madam Speaker:** Chief Minister, please refer to members by their electorate names.

**Ms Lawrie:** Cannot get it right, can you?

**Mr Giles:** Thank you, I can get it right. You cannot …

**Madam Speaker:** Opposition Leader, I remind you that you are on a warning.

**Mr Giles:** You cannot even accept your name being presented this way. My challenge to the Leader of the Opposition, the member for Karama, and the members for Arnhem, Fannie Bay, Johnston and Wanguri is quite simple: if you believe your claims to be true, take them outside and make them public. If you do not have the courage to take them outside, then clearly you do not believe these claims to be true and you are simply playing politics in coward’s castle. If you are true to your word about elements of corruption and wanting inquiries – I challenge you, member for Barkly, you misled the Stella Maris inquiry …

**Mr McCarthy:** Will you call me Gerry Obeid outside? Bring your Hansard.

**Madam Speaker:** Member for Barkly!

**Mr Giles:** I ask you to step aside from your position for misleading an inquiry under the Inquiries Act, which has been proven to be true and correct. Should you believe the professional standards of politics and inquiries, I ask you to resign because you mislead the Stella Maris inquiry, which you admit and for which you were found guilty.

**Ms Finocchiaro (Drysdale):** Madam Speaker, may I ask you to step aside from your position for misleading an inquiry under the Inquiries Act, which has been proven to be true and correct. Should you believe the professional standards of politics and inquiries, I ask you to resign because you mislead the Stella Maris inquiry, which you admit and for which you were found guilty.

**Mrs Price (Community Services):** Madam Speaker, I will briefly contribute to this censure debate regarding, most seriously, allegations raised by the Leader of the Opposition, the member for Karama, and the members for Arnhem and Namatjira. Those in glass houses should not throw stones. Member for Karama, how quickly you forget the Tennant Creek Red Rooster incident where you inappropriately intervened in a court prosecution.

Member for Arnhem, how is the fuel card going? I also recall, as suggested by the member for Katherine, a meeting in your electorate regarding water and you refused. What a hypocrite!

Member for Namatjira, what is the name of the book written about you? It is the one Chris Burns used to quote from. Was it King Brown something?

What we have seen in this House today is an absolute disgrace; an abuse of this House and the principles of parliamentary privileges. If those opposite are aggrieved and confident of their information, why are they not on the front steps of parliament repeating it? It is because they are not confident. They continually tell this House of their concern for Aboriginal people. How is today’s use of parliamentary time advancing the cause of Aboriginal people? How is it addressing their needs and concerns? How is it building their roads, health clinics, the infrastructure they need or getting kids to school?
Ding Ding! In the next six hours more children will be beaten, abused, eating rubbish food, being neglected, not attending school and probably being sexually abused. Why is this happening? Why are they not out there fighting for their constituents?

Ding Ding! Another six Aboriginal women beaten because it is their culture. They are spending their money on grog instead of their kids. They know this stunt is nothing to do with Aboriginal people, truth or justice. This is all about muckraking, point scoring and defaming good men and women in this House. It is about using this place to advance their cause of destruction, racism and divisive politics.

This motion, along with their behaviour, should be condemned most strongly.

The Assembly divided:

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Ms Anderson  Mr Barrett  
Mr Gunner  Mr Chandler  
Mr Kurrupuwu  Mr Conlan  
Ms Lawrie  Mr Elferink  
Ms Lee  Ms Finocchiaro  
Mr McCarthy  Mr Giles  
Ms Manison  Mr Higgins  
Mr Vatskalis  Mrs Lambley  
Mr Vowles  Mrs Price  
Ms Walker  Mr Styles  
Mr Tollner  Mr Westra van Holthe

Motion negatived.

PETITION
Protecting Areas from Shale Oil and Gas Mining

Mr VATSKALIS (Casuarina)(by leave): Madam Speaker, I present an e-petition not conforming with standing orders from 1548 petitioners relating to exploring and extracting shale oil and gas, commonly known as fracking.

Motional agreed to; petition read.

To the Honourable Speaker and members of the Legislative Assembly

We, the undersigned petitioners, respectfully call on the Legislative Assembly to urgently establish moratoriums on exploring for and extracting shale oil and gas, and urgently establish an independent, scientific inquiry into the risks to human health, water and the environment posed by techniques such as hydraulic fracturing (fracking).

We further humbly ask that the Legislative Assembly urgently acts to strengthen Northern Territory mining and environment laws so that the following areas are permanently protected from shale oil and gas mining: sensitive environmental areas, especially national parks and other intact vegetation; precious Indigenous, cultural, heritage and recreational areas; vital water sources; residential areas; and food producing areas.

TABLED PAPER
Northern Territory’s Energy Future Committee Key Challenges and Opportunities Issues Paper

Mr HIGGINS (Daly): Madam Speaker, I table the Committee of the Northern Territory’s Energy Future’s Key Challenges and Opportunities Issues Paper associated with meeting the Northern Territory’s energy needs.

Given the wide-ranging nature of its terms of reference, the committee resolved to undertake a preliminary inquiry to establish baseline data regarding:

1. the NT’s current and potential energy capability
2. the anticipated future energy requirements
3. key factors associated with continuity of supply and energy security of the longer term

Acknowledging the technical nature of much of the inquiry and the high level of public interest in the issues it raises, the committee determined this approach had the capacity to provide the Assembly and the wider community with an understanding of the context and various facets of the matters under investigation, and assist in determining the focus and priority of the committee’s subsequent investigations.

As a preliminary inquiry, the committee was concerned to gain a clear understanding of the Northern Territory’s energy market, the operation of its electricity supply industry, the potential energy sources for electricity generation and to identify the key challenges and opportunities associated with meeting the Territory’s future energy needs. The committee received 24 submissions, and over the course of the inquiry held four hearings in Darwin with 13 organisations appearing. The committee also travelled to Perth for two days of private briefings with a further six industry stakeholders.

The Northern Territory has access to a significant pool of proven and potential offshore and onshore energy producing resources. In addition to its
considerable reserves of natural gas, the Territory is well placed to take advantage of technological developments in bioenergy, tidal power, low wind turbines, micro-hydro systems and geothermal power and to build on its already highly successful deployment of a range of solar technologies.

Ensuring the NT’s legislative regulatory and policy frameworks facilitate investment in, and development of, these resources, while maintaining the integrity of the Territory’s fragile environment and the amenity of its people, were widely acknowledged as particularly important considerations. In positioning the Territory for the future, the key challenges will be the implementation of a more decentralised energy supply system and development of an effective electricity market.

The distribution network and marketing mechanisms are the cores of energy provision. We need a network and market that will allow for the most effective and efficient energy supply across the diverse circumstances throughout the Territory, a network that can distribute power from a mix of resources and technologies available to the Territory, a network that can accommodate the trend towards customer independence from the grid, and a market that allows a range of power sources to fairly compete so the sources best for the Territory can thrive.

Gas will clearly be the primary source of our electricity for some time to come, but greater energy security and efficiency can be achieved if we provide the conditions for a diversity of power sources. For example, the Territory has a wealth of gas and solar. If the world price of gas goes up and the cost of accessing solar goes down, we may get a greater return for the Territory by exporting the gas and increasingly using solar for local energy needs.

Having established where we are now and where we need to be, the committee notes there is a range of exciting prospects and opportunities on the horizon. The committee looks forward to considering in more depth options and strategies for the Territory’s long-term energy security over the coming months.

On behalf of the committee I thank all those who provided submissions, attended hearings and indicated their willingness to work with the committee as it progresses its inquiries further.
experienced in the Northern Territory are not acceptable, they are also not unique. The experience in the Territory and around the world is that ICT projects are not easy. They are not just computer projects but business transformation projects. They require skills in business analysis, organisational change management and project management, as well as technical ICT expertise. Successfully delivering such projects requires effectively managing all these areas. This requires both the capacity to manage these different aspects of the project and robust governance arrangements to keep the project on track, manage the risk of failure and guide the project to achieve business benefits.

As is common with complex systems, not one single factor could be isolated as the cause of the problems that arose with these projects, but rather the compounding of a range of factors or the compounding effect of failure to adequately deal with the problem.

The issues identified with these projects led the committee to identify three themes that agencies need to address. The first theme is improving governance. Complex projects need good governance. There needs to be clear lines of communication and control, accountability for decision-making and high-level commitment to identifying and managing risks. There also needs to be a strategic approach to using information and communication technology at an all-of-government agency and project level.

The committee was pleased to see the government was taking action in this regard with the adoption of an ICT governance framework. Key elements of this framework include aligning ICT projects with strategic priorities through ministerial direction, industry engagement and, crucially, a stage gate process whereby major projects are to be subject to independent review at critical points before they can go any further.

While a good start, the committee is keen to ensure the framework is implemented and forms part of agencies’ normal practice. The committee was also concerned that there remains a significant need for guidance on best practice for agencies, and standards for the governance of medium and small ICT projects.

The second theme to emerge is the need to build agencies’ capability to manage ICT-enabled business change. Even when an agency contracts out the delivery of an ICT project it still requires specialist contract management and project management skills. On this point the committee draws the government’s attention to the skills framework for the information age which has been drawn on by the United Kingdom and the Australian, Victorian and New South Wales governments to help build their public sector capability.

The third theme was the need for the clear and consistent application of an appropriate project management methodology. This will best be achieved through the development of an all-of-government project management framework. Project management methodologies identify the common processes, deliverables and activities required for all projects independent of the unique outputs. They facilitate continuity in the face of staff turnover, and streamline and improve the execution, delivery and management of ICT enabled projects. The lack of a methodology, or the inconsistent use of different methodologies, significantly contributed to problems the committee observed.

An important issue that also emerged within these themes was a need to improve engagement with industry, particularly with the local ICT industry.

Technical expertise is required for the development of an ICT project, so it is essential that industry is engaged early in the procurement process to help agencies identify their requirements.

Vendor relations are recognised as one of the key determinants of project success. The adoption of a partnership approach characterised by clear communication, identification of mutual goals and a collaborative approach to problem solving is essential.

The committee also noted that contracting to large, multinational vendors has proved to be neither cost-effective nor efficient. Compared to local vendors, multinationals are less likely to understand how the Northern Territory government works and less likely to have the same level of commitment, as they are not dependent on the Northern Territory government for future projects.

In addition, contracts with large multinational vendors are more likely to result in a fly-in, fly-out mentality and a high turnover of staff. Consequently, it will be important to work more closely with local industry and to assist local vendors to build their knowledge and expertise. This will deliver long-term benefits, such as more cost-effective service agreements, an increase in the pool of local consultants and greater depth in the industry.

ICT provides a huge potential for improving government services and enabling agencies to operate more efficiently, but it also has the potential for huge losses. However, the significant cost associated with poor implementation of ICT
projects means inaction in addressing these issues is not an option.

The Northern Territory cannot afford another debacle like the AMS project. The committee therefore commends its recommendations to the government for its consideration and will be returning to this issue to ensure the principles contained in the ICT governance framework are translated into improved ICT project management throughout government agencies.

I thank those who assisted the committee with its inquiry by making submissions and giving evidence at hearings. The committee was impressed by the response of local industry representatives who made submissions and appeared at hearings.

It was apparent there was a considerable depth of expertise available locally, and a strong desire on behalf of industry for closer collaboration and engagement with agencies to enable industry to better respond to the government’s needs.

I also thank those agencies that were the subject of the committee’s inquiry. The committee was pleased by the assistance and openness they provided.

As always, the Auditor-General was of great assistance to the committee and we extend our thanks. This might be the last inquiry the committee completes before Frank finishes his term as Auditor-General, and I want to extend our appreciation for the advice he has provided to the committee.

I also thank my fellow committee members for their continued constructive and enthusiastic approach to the work of the committee.

MOTION

Ms FINOCCHIARO (Drysdale): Madam Speaker, I move that the report be printed.

Motion agreed to.

MOTION

Ms FINOCCHIARO (Drysdale): Madam Speaker, I move that the report be noted and seek leave to continue my remarks at a later time.

Leave granted.

STATEMENT BY SPEAKER
Comments Reflecting on the Chair

Madam SPEAKER: Honourable members, before we move into business of the Assembly, during the motion of censure this morning the Chief Minister raised a point of order while the Deputy Speaker was in conference with the Clerk.

The Chief Minister advised that the member for Johnston had made comments reflecting upon the Chair.

The Deputy Speaker did not hear the comments alleged to have been made when he was seeking the advice from the Clerk and I shortly, thereafter, resumed the Chair.

Since then, I have received advice from Hansard and a copy of what was said as picked up by the microphones. Hansard advises that the microphones picked up the following words uttered by the member for Johnston:

*How about we get Kezia back.*

Honourable members, this Assembly does not permit reflections on the occupant of the Chair, regardless of who the person is sitting in the Chair.

SUSPENSION OF MEMBER
Member for Johnston

Madam SPEAKER: The member for Johnston was on a warning already. Pursuant to Standing Order 240A, I order the member for Johnston to withdraw from the Chamber for one hour.

I advise all members that I will not have any hesitation in naming a member who reflects upon the Chair, regardless of who is in the Chair, if this happens in the future.

MOTION
Resolution to Establish the Estimates Committee

Mr ELFERINK (Leader of Government Business): Madam Speaker, I move that the Legislative Assembly resolves to establish the Estimates Committee pursuant to the terms circulated. For the sake of brevity, I shall not read out the 10 pages that have been circulated. I understand the pages have been circulated faithfully and everybody is in possession of an identical copy so there is no reason to go into this at length.

Estimates this year looks substantially different to last year, largely at the request of members of the
opposition. The reason for this is because, astonishingly, last year when we gave it all the latitude in the world to run estimates for whatever time it saw fit, hold the Treasurer — how long was the Treasurer there for last year?

Mr Tollner: Eighteen hours.

Mr ELFERINK: He was there for 18 hours last year. For some reason it felt that was an improper way to run estimates. I think the Chief Minister was there for 16 or 17 …

Mr Tollner: Nineteen hours.

Mr ELFERINK: He was there for 19 hours. I thank the honourable Treasurer for that. Between the two of them they had the best part of 35 or 36 hours of government time and in that time did not land a single punch. The failure to achieve …

Ms Walker: You removed the time limitations.

Mr ELFERINK: I pick up on the interjection from the member for Nhulunbuy. We removed the time limitations so you could examine the budget in any way you saw fit.

They were so incensed that was wrong they demanded they be fettered. We will fetter them in the way they demand. We will go back to the old system which they said was the better way to go. Why?

This is their chance to examine the Northern Territory budget in a fettered fashion. They are fettered and this motion is about allowing the new Estimates Committee to operate in the fettered fashion they want. This will be a fettered …

Mr Wood: You are not talking about pheasants being fettered.

Mr ELFERINK: You are starting to get it, aren’t you?

Mr Wood: Yes, I am.

Mr ELFERINK: This will be a fettered estimates in the eyes of the opposition.

However, for those members who remember how estimates ran under the Labor Party – it is back in spades. In essence there will be a couple of sticking points. One of these is the number of seats, being six. One is for the Independent, two for opposition members and three for government. This is as close as possible to the ratio of seats in this House. This means the 13 members of government will enjoy three seats at a ratio of close to 4:1. The four Independents will enjoy one seat, and the opposition will enjoy two seats at the table. How those seats are organised amongst members is up to the membership and the Chair of the committee.

That will be the structure of the Estimates Committee process for the review of the Territory budget. I look forward to telling Territorians what a good and productive budget it is.

I understand there is some concern about the GOC section of estimates. The opposition has been notified that due to the changes in arrangements surrounding the GOCs there is not much point, without the presence of a Statement of Corporate Intent, to bringing them in. That will be brought forward in August. I am sure the Treasurer will make arrangements to accommodate that when the new GOC arrangements are in place.

There is not a great deal more I can add without talking about what was on the circulated minutes. If any issues needing to be dealt with come up during debate today I am happy to deal with them in my wrap.

Mr GUNNER (Fannie Bay): Madam Speaker, the Leader of Government Business is almost correct. We have almost returned to an Estimates Committee similar to that run under the ALP. The government, and the member for Port Darwin, seem to think we have an issue with the way the Estimates Committee was run under the ALP government.

Under the Estimates Committee I chaired we had seven seats. At the last Estimates Committee the CLP took away one of those seats. We said it was an issue at the time and would cause problems. We saw problems during the last Estimates Committee, including at one stage the failure to have a quorum. We said there should be seven last year and say it again this year. However, there has now been a change to the makeup of this parliament. We have a new political party in this parliament, the Palmer United Party. The effect of the CLP decision to remain as six seats instead of seven, as it was under the ALP government, is to deny the Palmer United …

Mr TOLLNER: A point of order, Madam Speaker! There is no party in this parliament called the Palmer United Party. There are a number of Independents, the opposition Labor Party and the Country Liberals, but …

Madam SPEAKER: No, it is not a point of order.

Mr GUNNER: Three members of this parliament belong to the Palmer United Party, and the effect of the changes the CLP has made to the Estimates Committee process is to deny the Palmer United Party the opportunity to ask questions during the estimates process. We say
there should be seven seats. We said this last year and say it again this year. The consequence this year, more than last year, is to deny three members of parliament access to the Estimates Committee process.

They are members of this Chamber and should have a seat at that table. Last year the CLP decided to take away a seat at the Estimates Committee table. I am happy to table the estimates terms of reference under the ALP government: seven members comprising the Chair, two government members, three opposition members and one Independent member. Back then there was only one Independent member, but we had seven seats at that estimates table. Last year the CLP took it back to six and we said that was an issue. This year we also say it is an issue. There should be seven seats at the Estimates Committee process and this year one should be for the three members of this parliament who belong to the Palmer United Party.

This is a denial of democracy. They should be able to ask questions of ministers in the Estimates Committee process. The CLP says if members of this parliament belonging to the Palmer United Party want to ask questions the member for Nelson has to vacate his seat. That is a mistake; you should not do that. Two permanent members of the Public Accounts Committee are Labor and one permanent member is an Independent. They should have seats at the Estimates Committee table.

Under the ALP there was one additional seat for the shadow minister, and we flagged that as an issue last year when the seat went missing. That was why we had quorum issues and, in fact, the Public Accounts Committee – sorry, it was the Government Owned Corporations Scrutiny Committee – had to suspend for a while to allow Public Accounts Committee members to attend that session because we had our two shadow ministerial spokespeople for Power and Water there. We had the shadow treasurer, as the shadow shareholding minister, and the shadow Power and Water minister, who should be asking questions at that point in time. However, we had a real issue because the CLP took away one of the seats. This year the CLP wants to maintain six seats again.

There is no reason why we need six. We had seven under an ALP government. The CLP should have seven and that would allow questions to be asked of the CLP government by all members of this Chamber in the best, most practical way. Again, there should be seven members at estimates. We said it last year, we say it again this year, and the CLP should allow the three members of the Palmer United Party access to estimates. What do they have to hide? The members for Namatjira, Arnhem and Arafura should have a seat at that table. It is a mistake for the CLP to deny a seventh seat at estimates.

The other thing we have an issue with, and it is absent from debate today, is scrutiny of the Government Owned Corporations. We believe there should be scrutiny. We took the then opposition’s concerns so seriously – the CLP – and the member for Nelson’s that at the end of our time in government we had the shareholding minister for Power and Water and the Minister for Essential Services appearing at the Estimates Committee.

Under the CLP last year, despite the fact it said this would be a good idea, ministers did not appear to answer questions. This year, not only are ministers not appearing, the Power and Water Corporation is not turning up. That is what they decided to do. In June this year there will be no time to ask questions of the Power and Water Corporation. Not only are the ministers not appearing, Power and Water is not. That is a mistake. There is no reason why Power and Water should not attend. The separation does not take effect until 1 July. Power and Water should be present and our shadow minister will be commenting on this, and our member on the Public Accounts Committee will talk about the fact Power and Water should answer questions. There are questions they should be answering in June this year, so again the CLP is hiding.

Last year the minister did not turn up. The Treasurer would have been great at the Government Owned Corporations Scrutiny Committee but he did not appear. The Minister for Essential Services should have been there. The CLP wanted them there under Labor and they were.

Those are our two issues with this Estimates Committee process. There should be a seventh seat and Power and Water should attend.

We would support any amendment to this motion for a seat at that table for parliamentarians representing the Palmer United Party.

Ms MANISON (Wanguri): Madam Speaker, I support the comments made by the member for Fannie Bay, particularly in relation to scrutiny of the government owned corporations before the Estimates Committee in June.

I was quite alarmed to see no appearance listed for the government owned corporations on the Thursday morning, the last day of estimates, when traditionally they are. It is an opportunity for members of parliament to ask questions about the government owned corporations and scrutinise what is happening. In the past we have seen the
Chairperson of Power and Water Corporation and senior management with expertise, both operationally and into the finances of the organisation, appear. We have also had ministers appear in the past, but that was under Labor, not the new government.

We know there have been huge changes to Power and Water with the structural separation that has passed through these sittings. There are now three government owned corporations with the monopoly Power and Water Corporation, which is pretty much going forward as is except without the new Power Generation Corporation and the new Power Retail Corporation.

It needs to be scrutinised thoroughly. We have tried to get to the bottom of costs through the Public Accounts Committee. We have heard NewCo is budgeting about $6.8m for this financial year and next financial year.

Power and Water said they had expended $2.2m this year alone and could not give us figures for next year. One thing that was clear was when presented with these figures we were told they were to be revised after the passage of legislation. Clearly, that would need to be looked at very carefully because my guess is those figures will go up dramatically, especially after 1 July 2014.

There are many questions we want to ask, that Territorians want to ask. Many commitments have been made to Territorians by this government around structural separation and what it will lead to. People want to find out more about the finances, what is happening operationally, where the big capital spends are, the repairs and maintenance, and what is happening with the community service obligations. Most importantly, what is happening with tariffs going forward? There many questions to be asked.

We hear they are moving scrutiny of government owned corporations to August. Will that happen? I cannot see how we can go forward with this estimates process and not have the Power and Water Corporation, the monopoly corporation GOC, before the Estimates Committee, which has been the process in past estimates. I cannot see how, when everybody knew the split was coming and the government was determined to do it – why are we not prepared to go forward at estimates with the Power and Water Corporation? That is a real shame. Some big questions need to be asked around the structural separation and what is going on with Power and Water and the new GOC. We will look forward to, hopefully, asking those questions in August. It is a shame we cannot do it in June.

Mr TOLLNER (Treasurer): Madam Speaker, there are two things I would like to respond to. The four Independents all have access to the estimates process along with Labor members. There are three seats allocated to that side of the Chamber; you can swap and change as much as you like, it does not bother us. Wheel in the members for Namatjira, Nelson, Arafura or Arnhem any time you like. It is up to you guys how you run the estimates process. You have three seats and can have whoever you like in them; it is no skin off our nose. We will answer any question you like. You can get on your high horse about how you automatically have two seats and will always have them. I think that is rather selfish. They can put whoever they like in those seats.

I am sure the member for Fannie Bay will vacate his seat for a shadow minister from time to time – other Labor Party members – and good on him, that is his right. He can also vacate his seat for the member for Namatjira, we have no problem with it.

With regard to the Power and Water Corporation, the issue is the Statement of Corporate Intent. It has not been done yet and Power and Water is currently going through a transition period. It is right in the middle of the structural separation and, for that reason, we have asked for that part of the estimates process to happen in August. I am more than happy, in my role as Treasurer and Shareholding minister of the Power and Water Corporation, to take on any questions in the estimates process. Furthermore, if the Public Accounts Committee would like a public hearing at any time with the board of the Power and Water Corporation and me, I am more than happy to accommodate and turn up at any time. We have nothing to hide on this matter.

We are doing the right thing, are proud of it and keen to, in any forum, bang the drum and explain to Territorians – particularly parliamentarians – what is happening with the Power and Water Corporation and answer any questions the Public Accounts Committee or the Estimates Committee have in relation to Power and Water.

I appreciate everyone is jumping up and down saying you have been gagged and there is no consideration. However, in the issues you raised – one being the number of seats – you can swap and change at any time you like. We do not care who asks questions.

In relation to the Power and Water Corporation, I am happy to answer questions in public or private hearings at any time. If you want briefings from my office, Treasury, the Chief Minister’s department or Power and Water Corporation staff, you are more than welcome. The door is always open. I am happy to take questions in a public or
private way, even just a briefing. The ball is in your court guys; go as hard as you can.

We are proud of our record in government and are prepared to answer any questions you guys might stump up.

Mr WOOD (Nelson): Madam Speaker, it is a funny world when the once opposition is back in government. What it said in opposition is not what it says in government. What is good for the goose is not good for the gander, because we had seven people on the Estimates Committee when you were in opposition...

Mr Tollner: You are not a member of government, Gerry.

Mr WOOD: Big deal. What is wrong with applying the same rules when in government? I will keep it simple. You argued the case and there were seven people, so what is wrong? Is it a big deal ...

Mr Tollner: You are in opposition, you were in government.

Mr WOOD: No, I am asking the questions, wait until we get to Question Time. What is wrong with doing what you did? Why would you not do the same thing?

Is it not fair that you had seven people on the Estimates Committee? Why does the government not do the same in government as in opposition? It is a simple question.

We can do what the minister said and swap around. The seventh position is not a voting one, but it allows a bit of flexibility at the front table. If the government will not agree to it, I am happy to work with Labor and PUP to give them ample opportunity to ask questions, but what harm does it do? Rather than sitting on our high heels in government – sometimes this place reeks of arrogance. ‘We are in government. You can complain all you like, put as good an argument as you like, and you can get you know what.’ Unfortunately that is sometimes the feeling you get.

It is not a big deal. I will not cry if you do not agree with it, but after sitting in this seat for so many years and hearing the complaints from the opposition – when it gets into government it forgets all that. It says, ‘We are in now, what we said before was irrelevant. We did not really mean it and wanted to stir you up. You did as we asked because you had a minority government. Now we are in government, too bad.’

My issue with GOC – Power and Water – is I was concerned the government was moving it. For me it is not only about the Statement of Corporate Intent, it is about last year’s annual report.

The government brings out an annual report, and part of the discussion in estimates is about what Power and Water spent. I do not know how it will work in practice if you do it in August. How will it be broken up when we get to estimates? Will we break it up into the internal breakup ...

Ms Manison: Into Power and Water Corporation, generation ...

Mr Wood: No, the internal breakup into departments ...

Mr Elferink: Into their separate GOCs.

Mr WOOD: Yes, will we have that? Can we still talk about the old Power and Water and the new Power and Water, which will just cover sewerage and water? There are many complications to having it later. I am happy for that if it can work and means we have information in front of us. I would also like to make sure – I heard the minister say he is happy to answer questions.

I remember listening to debate about the Council of Territory Cooperation. As you know, member for Port Darwin, it was about ministers attending Council of Territory Cooperation meetings, and there was a lot of debate for many years. Eventually the government said yes, as long as it is about particular topics and ministers were not asked about way off topics.

It would be good, but I am not sure it is a requirement. However, at least the member for Fong Lim said he would answer questions, which I appreciate. I hope he will attend that meeting. If it is to be later there needs to be some discussion between you and the Opposition Whip to work out how it will work in practice. It will be complicated in August.

I want to make sure we can ask questions about the past because it is still money spent. We can also look at future budgets and ask questions about that.

I will not go back to last year; last year was last year. I am interested in getting on with the process of the Estimates Committee. If the government is fair dinkum – if it complained bitterly about something when in opposition and got what it wanted – seven seats – can someone explain the logic around it being in government and not applying the same rules. I will leave it at that.

Ms ANDERSON (Namatjira): Madam Speaker, I ask the government to take into consideration that we are three members of the Palmer United Party.
If standing orders and the government do not take us into consideration is its business. We know, as government, it can change standing orders to recognise us as a formal party in the Northern Territory. This would enable us to have a seat on the Estimates Committee. It is not taking into consideration the huge land mass we represent as three members of the bush, as the members for Arnhem, Arafura and Namatjira.

We have concerns and need to be part of that process, even if the government allows us that through a non-voting right. We should have our own seat there. We should not be taking time away from two members of the Labor Party, nor from the member for Nelson, because they have huge constituencies as well. Members of the Territory public give us all this information to ask questions and scrutinise government during the estimates process. Through transparency and honesty, the government should reconsider giving the PUP one non-voting seat on estimates. That would not harm the estimates process at all. It would show Territorians the government is about honesty and transparency, and give our constituents the faith they had 18 months ago in the Country Liberal Party when they voted them in.

We represent the poorest Territorians and we need to make sure, in the estimates process, that we scrutinise government properly on whether their service delivery is adequate to the remote bush and whether these things in the budget are true. Is it roads’ money for bush communities or is it roads’ money for beef roads? Is it Commonwealth money? All that scrutiny is very important and we have been contacted by members of the Darwin population. Ordinary members have given us questions to ask of certain ministers and we want to ask them through the estimates process.

Estimates is about scrutiny, honesty and transparency. We want to be part of that process on behalf of Territorians, and mostly on behalf of the poorest Territorians. We represent a huge landmass and urge the government to give us a seat as a non-voting member on the Estimates Committee. That takes nothing away from the government. If there is any dissent at estimates we are no part of it and the government should not be frightened of anything. Thank you, Madam Speaker.

Mr McCarthy (Barkly): Madam Speaker I would like to move an amendment and sincerely suggest, if this government has one shred of accountability left, it agrees to this amendment. In the interests of your government and the people of the Northern Territory, you should agree to this. You need to be buying back credibility. This is not a big ask. This is about transparency, democracy and, at the end of the day, bipartisan support for a process that answers questions for Territorians. It should be viewed as an open and accountable exercise and as equal.

Madam Speaker, I move an amendment to the terms of reference so point seven would read:

Members of the Assembly who are not members of the committee may participate in public hearings of the committee, provided that at any time participating members are limited to seven members, comprising the Chair, two government members and four non-government members.

Madam Speaker: Member for Port Darwin, would you like to talk to the amendment in summation?

Mr Elferink: We can deal with that question now or we can …

Madam Speaker: Member for Barkly, you need that in writing and signed before it can be moved.

Mr Elferink: That is a good point. Have you not done that? Is there another speaker?

Madam Speaker: No.

Mr Elferink: Perhaps while he is writing and signing it that question can be drafted, I can do a wrap and then we can deal with the two questions at the end so it is clear.

Whilst I appreciate the amendment is being dealt with in the corner, we will not be supporting it. I remember giving enormous latitude last year because – I pick up on what the member for Nelson had to say about, ‘You guys said all this stuff in opposition and did not do it. Now the government shoe is on your foot you are not doing what you promised.’ We did what we promised. We created almost a laissez-faire estimates process and it was …

Mr Wood: I did not argue that, I argued the numbers.

Mr Elferink: No, you said we did not do as we promised. That is not true, member for Nelson. We created an estimates process so open and free they could organise it any way they wanted. They held the Treasurer for the best part of two working days and the Chief Minister for 19 hours …

Mr Wood: I did not mention the time; I mentioned the number of people.

Mr Elferink: Yes, but the point is …
Mr Wood: They are not connected.

Mr ELFERINK: I pick up on the interjection from the member for Nelson. He says, ‘There’s a qualifying statement to my comments about the promises you made’. We promised an open system and the complaints were loud and clear from the members opposite. The advice last year was to set parameters. We have set parameters and are now hearing complaints. If you do not set parameters you are complained about, if you set parameters you are complained about. You are damned in the eyes of these people if you do and damned if you don’t. No, we will not be accepting the amendment.

The other issue I want to deal with is preparation for the estimates process. Like last year, we will not be spending $1.2m, $3m or $4m of taxpayers’ money having public servants running around like the proverbial blue back-sided flies putting together piles and piles of paperwork trying to anticipate questions. The challenge for all members who want to ask questions is to get questions in now; send them in advance. The more detailed and specific the questions the better. If you do not do that, fine, we will try to answer the questions as best we can, because the vast majority of questions – easily 95% - are dealt with by the minister, the CEO and maybe one or two other public servants, usually the CFO of the department.

We will not have what happened under the former government, with rank upon rank of public servants sitting for hours in case a question came down the pipeline about how many paperclips were in the cabinet on the fourth floor of Admiralty House. If you want that information, by all means …

Mr Wood: I remember you asking questions about how many square metres of carpet were on a floor.

Mr ELFERINK: If you want to know that send us …

Mr Wood: No, it was a waste of time, a bit like the little leaf on the top of Power and Water.

Madam SPEAKER: Order, member for Nelson!

Mr ELFERINK: If you want to know about the leaf on Power and Water, which, at the time, was alleged to be a serious breach of copyright, after a pre-existing breach of copyright – the problem is you and I go back too far, Gerry. If you want to know any of those things, send us the question in advance and we will get the answer. We will not try to second guess what question might be asked and then fill up folders of potential answers, the vast majority of which are never referred to. It is a huge waste of government resources, and we will not be doing it. Get your questions in early. If you want to know even the most inane thing, we will make every effort to answer it fulsomely. The best way to get those answers is to give us prior notice. If you do not we will answer the question, in every likelihood, on the floor of the Estimates Committee. If it is not possible to answer the question immediately we will take it on notice, as we have always done, and get a fulsome answer very quickly. Generally, questions on notice are answered within the hour.

I will address what the Treasurer said in relation to the Statements of Corporate Intent and answer, to some degree, the comments from the member for Nelson. The member for Nelson mentioned looking at GOCs, which will be afforded in August. The Statements of Corporate Intent do not exist, and the member for Nelson referred to the annual reports. The annual report for the current financial year will not be available by the time we get to the June Estimates Committee because it will not be prepared until about August/September this year. The only annual report the member for Nelson could ask questions of would be from the previous financial year, which was tabled in this House in about October last year …

Mr Wood: This is the first chance to question that report.

Mr ELFERINK: Once again, I disagree. The member for Nelson is also a member of the PAC, which can self-refer, question and ask the Auditor-General to look into these things. The PAC can also summon ministers. The PAC asked me to attend about a year ago, and I remember arriving at the PAC saying I had been summoned. Members of the PAC were quick to say, ‘No, you have not been summoned; we have asked you to come along.’ My response to that was, ‘If a committee of the parliament, the representative body of the people of the Northern Territory, asks to see a minister, my attitude is that it is a summons’. I appeared and took that very seriously.

Nothing prevents the PAC, or any other committee, making the same request of a minister. The member for Nelson may well remember, during the Council of Territory Cooperation, I made much of the fact ministers were absent. It took forever to get ministers to appear, and I believe it was because the member for Nelson agreed. I have since stayed true to that philosophy, because when I was asked to attend a committee I went immediately. If memory serves me, I changed an appointment to get there because I saw the priority of that request.
Once again, to suggest the boot is on the other foot and there is a different attitude — no, we are fulfilling the requests and demands made late last year. It may not be to the letter or number, but it is substantially what was requested last year; we are giving what was asked for.

In relation to some of the other comments, I have pretty much covered the field. Suffice to say we will not be accepting the amendment and we look forward to getting to the estimates process so Territorians and all members of parliament get an opportunity to look at the budget of the Northern Territory. We as a government will demonstrate to the people of the Territory that this is a good, sound, debt-reducing budget, and it looks to the families, children and future of the Territory.

Mr WOOD (Nelson): Madam Speaker, I remind the minister that although it might be good for some, pensioners and older people do not think it is good.

I want to take up some of the issues the member for Port Darwin raised about this amendment. There is nothing like a good political argument to twist things around a bit. When I was arguing the case about whether we should have seven seats on the Estimates Committee, that is all I spoke about. I did not speak about hours or whether you should wear blue ties. I said what was good for the goose was good for the gander. It was seven when you were in opposition and is now six. You do not agree, saying it is a wholesome approach — the principle is making it open and transparent and do not worry too much about numbers. It sounds like a certain politician who said he would not raise taxes, but when asked about it the bigger issue was reducing debt. I do not mind reducing debt, but it is one of those arguments you make to suit yourself. I was simply arguing about numbers.

In relation to the GOC, I have been at the Estimates Committee every year I have been in parliament, used the previous annual reports and have been advised that annual reports from the previous year are part of the estimates. It is not practical to expect the PAC to go through every annual report of every department or statutory authority. It could not do its normal work. That is what the Estimates Committee is about, past and present. It is the accrual accounting system that looks at where money was spent, what effect that spending had on whatever it was to be used for, and the government’s proposals to spend money in the future.

It is a wholesome approach, and I thought that was the advantage of accrual accounting. To say I should look at the annual report through the PAC — I do not know where that came from. The PAC can, but all government departments and statutory authorities bring out annual reports, and I find them important. I need to ask if they achieved what is stated in the reports. One interesting thing with annual reports is you find out what the department really spent. The complaint I have had about the budget year in, year out is there are not enough columns.

The wonderful people in charge of figures and budgets might say, ‘That is all we allow’, but the one column you do not see in the budget is — you see the estimated budget, but you do not always see the actual budget and the amount spent. These are the things you have to compare with. You have to look at the annual report to find that column, so it is important to look at the previous year’s annual report.

The member spoke about using time wisely. I sat at the Power and Water hearings and two previous members of this parliament were present. One was Hon Denis Burke, who was Opposition Leader, and one is a member of the present government’s administration, Mr Stephen Dunham.

I sat through at least one hour of discussion on the copyright of the leaf on Power and Water’s logo. In the end I went downstairs and took a leaf from one of the trees at the front, and because it looked exactly the same I realised …

Mr ELFERINK: A point of order, Madam Speaker! Whilst I relish this frolic down memory lane, we are pressed for time in parliament today. The member is only speaking about the amendment, not about leaves on trees.

Madam SPEAKER: That is not a point of order. The member has 15 minutes in his debate on the motion.

Mr WOOD: I will bring it back to order. Member for Port Darwin, do not take this the wrong way, but you have the art of going on as much as I do. You are able to fill your 40 minutes with Shakespeare, Ovid and vast numbers of other people who have spoken in years gone by. I remind you that when you talk about wasting time, I have seen a lot of it wasted. One occasion was where a logo on a Power and Water sign had a leaf on it, and that leaf looked like the leaf on a Sunkist can. The opposition spent at least an hour talking about it.

We have someone in the public gallery today who might remember that debate and how important issues about Power and Water were not mentioned because we talked about the copyright of a green leaf that may have looked like one on a Sunkist can. However, I digress, member for Port Darwin.
It is a good amendment. I am not interested in wasting time. I, by the way, do not have anyone to give me a hand so you will not get many written questions from me. I try to put my questions sensibly, and in a way I hope will be answered. I expect there to be a reasonable number of people, and I do not expect the government to spend millions of dollars. However, you will notice the government has rejected my request for equivalent to half a person to give me a hand with research because I am to blame for the budget deficit. That was the form of the letter from the Chief Minister.

I do not care anymore. I am quite happy working by myself and have moved on. When people say, 'Make sure you get all your questions in writing' – glory be! I have an electorate to look after as well. I raise that because meanness in the government is a sad thing ...

Mr Tollner: No one else has an electorate.

Mr WOOD: Excuse me! At least the Independents had one research officer they could share until the last election. You dropped that. Others have people working for them. I will do my best to have as many questions as possible and will not waste time.

This amendment does not do the government any harm. It will not hurt anyone. It was just a request from the side asking all the questions, because normally the government does not ask questions – it occasionally does – but this side is asking for a slightly different format to the previous one. It was a polite request but got muddled up in other things, like how many hours we sat last year, which is disappointing.

Mr TOLLNER (Treasurer): Madam Speaker, I remind the House that in the last parliament the member for Nelson may as well have been a member of the government. He was the kingmaker; government hung on his vote. At some time in the future it may well do again, but the government needed him in the job and was prepared to resource him. This is highly unusual. I remember the extra staff the member for Nelson had in the last parliament. We, in opposition, had our budgets reduced but the member for Nelson was getting extra staff. They created an extra seat for him: three from government, three from the opposition and one for the most important person in the House, the member for Nelson.

The circumstances were vastly different in the last parliament than they are now.

Ms LAWRIE (Opposition Leader): Madam Speaker, the amendment reflects the numbers in the Estimates Committee for 12 years – three terms of a Labor government. It is a fair and reasonable request to accommodate the fact we have a major opposition party – the Labor Party – and we now have, due to the split from the CLP, a minority party in the parliament, the Palmer United Party – whether you like it or not – and we have an Independent. It is a reasonable request that the Estimates Committee go back to the numbers it had for 12 years to provide for the representation of Territorians across the incredible vastness of our bush electorates, as well as our regional and urban towns.

As the member for Nelson pointed out, there is no skin off the government’s nose to accept this request. It does not hurt you in any way and provides for a better and more efficient functioning of the estimates process. We are not talking about changes to global hours or anything like that. We all have to accommodate within the 56 hours, so we are not trying to change or gain from this. We are allowing for the different entities on the opposite side of this Chamber, the Labor opposition, the minority party and the Independent, to ask questions in a fashion that would suit an efficient, fair and reasonable operating process for the Estimates Committee.

The Deputy Chief Minister was wrong in asserting the numbers were not seven in the past; they were for the previous three terms of the Labor government. It is wrong in fact and deeply disappointing that we cannot have some level of reasonableness in the operation of the Estimates Committee. It is an opportunity for non-government members to scrutinise the expenditure decisions of government. You are being mean-spirited in trying to make it as difficult as possible to remove either the Independent or a member of the Labor opposition from the table where the questions are being asked. That is mean-spirited and does not bode well.

You have had a pretty shameful day already, and you go down a path of being mean-spirited and heaping more on yourselves, to your great shame.

Step up and allow a reasonable request of seven on the Estimates Committee to occur. We, of course, share serious concerns about the removal of the GOC from the estimates process. Annual reports have been very much a part of that inquiry.

I acknowledge there is some commitment in the Assembly today from the shareholding minister allowing us to ask him questions on Power and Water. Obviously that would go to the Essential Services minister for the operational side of Power and Water. I am sure the PAC will deal with how you slot that commitment into the estimates hearing process. I urge members to support this reasonable, sensible amendment.
Ms ANDERSON (Namatjira): Madam Speaker, I support these amendments and reiterate what many people from this side of the House have already said: this is about transparency, giving us the opportunity and making sure there is representation for the whole of the Northern Territory – not three people excluded from asking questions – and accountability. It is not about taking hours away from the Labor Party and the one independent; it is about making sure we have our own time to ask questions.

As the Leader of the Opposition said, it is not an unreasonable request to allow us a seat on the Estimates Committee to make sure you word is the truth. It is about honesty and transparency. We cannot see why you are so afraid to have a non-voting seat on the Estimates Committee. It is unfair to take the hours away from the Labor Party or the hard-working member for Nelson. He works hard, we know that. He puts many hours into his time in parliament and at estimates.

The Labor Party would be doing the same thing as government members. Lots of our agencies – as ministers – get to do the stuff. You get the training at the last minute, like you would have on the Saturday and Sunday, member for Fong Lim. I am afraid I have to bite here, and people should ignore you because you are not worth biting. Thank you, Madam Speaker.

The Assembly divided:

Ayes 11  Noes 12

Ms Anderson  Mr Barrett
Mr Gunner  Mr Chandler
Mr Kurrupuwu  Mr Conlan
Ms Lawrie  Mr Elferink
Ms Lee  Ms Finocchiaro
Mr McCarthy  Mr Giles
Ms Manison  Mr Higgins
Mr Vatskalis  Mrs Lambley
Mr Vowles  Mrs Price
Ms Walker  Mr Styles
Mr Wood  Mr Tollner

Mr Westra van Holthe

Amendment negatived.

Motion agreed to.

STATEMENT BY SPEAKER
Reflecting on the Assembly

Madam SPEAKER: Honourable members, it has come to my attention that the member for Nelson has issued a media release reflecting upon the entire Assembly. While the Assembly no longer has the power to punish contempt of the parliament, by virtue of the 1987 Commonwealth legislation which binds the Assembly under the Northern Territory (Self-Government) Act, members should exercise some restraint when criticising the Assembly as a whole. I ask all members to exercise some restraint when criticising the institution of the Legislative Assembly. I also draw members’ attention to the members’ code of conduct:

Members must also foster, by their conduct in the office, respect for democratic institutions, rights and freedoms and the principles of good governance. In particular, members must foster the following:

(a) respect for the institution of the Parliament.

I cannot ask, authorise or instruct you, but I ask, member for Nelson, if you would withdraw your media release, and I ask the member for Casuarina to delete it from his Facebook account.

NORTHERN TERRITORY CIVIL AND ADMINISTRATIVE TRIBUNAL BILL
(Serial 77)

Bill presented and read a first time.

Mr ELFERINK (Attorney-General and Justice): Madam Speaker, before I start my comments, one of the great joys of being captain of the ship is you set its direction and course. However, I would like to acknowledge the machine that has done all of the work. I note Mr Andrew Macrides is sitting in the bleachers at the moment, probably overseeing what looks like the birth of his child. He has done a mountain of work in relation to this bill and I acknowledge the enormous effort he has made and the professionalism he has brought to the bill I am about to introduce to the House. I place on the record my thanks to Mr Macrides.

Madam Speaker, I move that the bill be now read a second time. The Northern Territory Civil and Administrative Tribunal Bill seeks to establish in the Northern Territory a new tribunal with jurisdiction to hear and determine a broad range of matters. The bill creates the tribunal, contains the membership provisions and sets out the tribunal’s generic functions and powers. The focus of the tribunal will be on resolving disputes, reviewing decisions of agencies, statutory office holders and statutory bodies conducting disciplinary proceedings for a range of professions, vocations and occupations.

It will provide a single, easy to find, easy to use, non-judicial body for a fair and independent resolution of disputes relating to administrative decisions, and will result in the abolition of many of the stand-alone bodies that currently exist. Other laws will authorise the tribunal to exercise
jurisdiction in specific matters. Through this process a common platform for dispute resolution is established; however, unique differences in legislation can be retained where this is necessary for a particular jurisdiction.

Its objectives in exercising its jurisdiction are to promote the best principles of public administration, to resolve disputes through high quality processes and the use of mediation and other alternative dispute resolution procedures wherever appropriate, to be accessible to all, especially people with special needs, to ensure efficient and cost-effective processes for all parties involved to use straightforward language and procedures, to act with as little formality and technicality as possible and to be flexible in the way in which it conducts its business.

In order to ensure the independence of the tribunal, neither the tribunal nor its membership is subject to the direction and control of the minister.

Currently in the Northern Territory, merits review functions are conferred on a wide range of decision-making bodies. There are over 35 commissions, tribunals, committees and boards which have the power to make original decisions or hear appeals and review, uphold or overturn original decisions.

Additionally, the Supreme and Local Courts have specific appellate powers under at least a further 54 acts. This is a significantly large number of entities given the size of the Northern Territory.

Each merits review body has limited jurisdiction and undertakes the review of selected decisions under a range of individual legislative arrangements. These bodies each have their own administrative structures, procedural processes and, in many cases, infrastructure, resulting in inconsistency and unnecessary duplication. These factors all contribute to creating an inefficient and confusing barrier to members of the public attempting to enforce their rights.

Careful consideration will be given as to whether these individual bodies should remain or be abolished and their jurisdiction transferred to the tribunal. Likewise, similar scrutiny will be applied to the jurisdiction of the courts for administrative matters.

I also intend to transfer the Small Claims jurisdiction of the Local Court to the tribunal in due course.

The introduction of this bill constitutes a significant reform in the field of administrative law in the Northern Territory. Civil and administrative tribunals have now been established in Victoria (1998), Western Australia (2004), the Australian Capital Territory (2009), Queensland (2009), South Australia (2013) and New South Wales (2014).

In the Northern Territory, the matter of review of administrative decisions and the establishment of an administrative tribunal has been the subject of two Northern Territory Law Reform Committee reports (in June 1991 and in September 2004) which have both recommended the establishment of a tribunal system for the comprehensive making and review of administrative decisions.

The Northern Territory and Tasmania remain the last two jurisdictions in Australia yet to address the ad hoc tribunal system. In 2013 an Administrative Law Advisory Group was established to consider the Northern Territory Law Reform Committee reports and to advise me on the issues associated with establishing a single tribunal.

The group is chaired by the Department of Attorney-General and Justice, and membership comprises the Department of Business; the Department of Lands, Planning and the Environment; the Department of Treasury and Finance; independent statutory officers; Parliamentary Counsel; the North Australian Aboriginal Justice Agency; the Council of Administrative Tribunals; the Law Society of the Northern Territory; the Bar Association of the Northern Territory; a representative of the Chief Justice; and a representative of the Chief Magistrate. This group held its inaugural meeting on 12 July 2013 which I attended, and at this meeting there was strong support for the establishment of a new tribunal.

In a ministerial statement on 27 August 2013, I indicated the desire for establishment of a tribunal consistent with the recommendations of the Law Reform Committee reports of 1991 and 2004, and for the tribunal to deal with both civil and administrative disputes. The group remains the key consultative mechanism on administrative law reform issues and has had input into the drafting of this bill.

As previously mentioned, establishing the tribunal requires the introduction of separate bills, the first being the current bill which sets out the structure, membership and other provisions that are required to facilitate the establishment of the tribunal.

This bill does not, however, confer any jurisdiction on the tribunal. Conferment of jurisdiction will be the subject of a series of separate bills. It is anticipated that up to 117 acts will be amended as part of these administrative law reforms. This will take time. The first of the conferral of jurisdiction bills will be introduced by me during these sittings to provide the tribunal with its initial jurisdiction.
Turning to the main features of the bill, firstly establishment of the tribunal: the bill proposes that the tribunal is to facilitate access to its services through the Northern Territory and may sit at any place.

Membership of the tribunal: the bill proposed that the tribunal is to be led by a president, supported by one or more deputy presidents and ordinary members, all of whom are appointed by the Administrator.

Thirdly, president of the tribunal: in order to be eligible for appointment, the president must be a magistrate or another person who is eligible for appointment as a magistrate in the Northern Territory. The minister may not recommend a person who is a magistrate for appointment as president unless the person has agreed to the appointment and the minister has consulted with the Chief Magistrate. If the president is a magistrate, in performance of the president’s functions they will not be subject to direction or control of the Chief Magistrate. The president, aside from participating as a member of the tribunal, has primary responsibility for the tribunal’s day-to-day administration.

The deputy president: there will be at least one deputy president. In order to be eligible to be appointed to the role of deputy president, a person must be either a magistrate or eligible for appointment as a magistrate in the Northern Territory. The appointment mechanism is the same as for the president. Aside from participating as a member of the tribunal, the deputy president will assist the president in the day-to-day operations of the tribunal.

Ordinary members: the bill proposes that the tribunal should also be comprised of ordinary members who may be legally qualified but may also be experts from different fields or vocations. Legally qualified members must be legal practitioners of not less than five years standing, and for other members they must have suitable knowledge and experience relating to the jurisdiction of the tribunal.

Duration of appointment: members will hold office for five years or a shorter period specified in their appointment. A member is eligible for re-appointment.

Termination of appointment of members: the bill proposes mechanisms for the removal of members of the tribunal which are similar to those that apply to judicial officers. This is to further reinforce the independence of the tribunal and its members.

Composition of the tribunal and its decision making process: the president may determine the composition of the tribunal for particular matters or classes of matters. Unless a relevant act specifies otherwise, the tribunal is to be constituted by no more than three members. The bill also provides that the president may appoint the registrar to constitute the tribunal for certain matters. The tribunal may deal with more than one matter concurrently. The bill also clarifies which member in what circumstances will be considered the presiding member in the hearing of matters and the order of precedence generally amongst all members of the tribunal.

Clarification is also provided about how the tribunal resolves cases that come before it. If the tribunal is constituted by two or more members, it is resolved according to the majority opinion. If the opinions are split equally between the members, then it is resolved according to the opinion of the presiding member.

A tribunal may refer a question of law for determination by the president. The president may also refer a question of law to the Supreme Court for a decision.

Jurisdiction: the tribunal will have both original and review jurisdiction.

Original jurisdiction: the tribunal exercises its original jurisdiction if the matter that the relevant act gives the tribunal the power to deal with does not involve the review of the decision. This, in other words, means that the tribunal is the original decision-maker. The tribunal, in exercising its original jurisdiction, is to deal with the matter in accordance with the process provided for in this bill and the relevant act giving jurisdiction to the tribunal.

Review jurisdiction: the tribunal will exercise its review jurisdiction if the matter that a relevant act gives the tribunal jurisdiction to deal with involves the review of a decision.

Information about reviewable decisions: this government has a strong desire to see a general improvement in decision-making across the public sector in the longer term. A number of provisions in the bill, in addition to the operation of the tribunal itself, are designed to assist in this regard. The bill provides that an original decision-maker of a reviewable decision must notify a person in writing of the decision made and their right of review to the tribunal. The failure to notify a person, however, does not invalidate the decision. The bill also allows a person to apply to the decision-maker to supply reasons.

When requested in writing to supply reasons, a decision-maker is to provide, within 28 days, a written statement of reasons, including findings of fact and other evidence for their reviewable
decision. When the original decision-maker has not provided a written statement of reasons when requested, the person may apply to the tribunal for an order that the decision-maker provide this information. The bill provides that a written statement of reasons for a decision cannot include any material the minister has certified would be contrary to the public interest.

The tribunal has the power to order that the disclosure of information in question is not contrary to the public interest. If the tribunal orders that the information can be disclosed, the minister has an appeal right to the Supreme Court and the minister’s original certification remains in force until the outcome of the appeal is known.

The bill also provides that in proceedings for a review of a decision, the original decision-maker must provide the tribunal with reasons for their decision, documents and other materials relevant to the tribunal’s review of the decision. The bill also provides that a failure of a decision-maker to respond to an application for a decision within the specified period, or if no time period is specified after a 60-day period, the decision-maker will be taken to have made the decision to reject the application. This will constitute a reviewable decision and the person whose application was rejected may apply to the tribunal for a review of that decision to reject.

Review of reviewable decisions: the tribunal will examine the decision of the original decision-maker by way of a rehearing. The objective of the review process is to produce the correct and preferable decision at the time of the decision. The review proceedings will include an examination of the original evidence as well as any further evidence the tribunal decides to admit. In order to assist the tribunal in exercising its review jurisdiction, the bill imposes obligations upon the original decision-maker to assist the tribunal as requested.

The bill allows ministers to certify that at the time of the reviewable decision a statement of reasons has been published and is readily available to the public. If a certificate is given and the decision-maker relies upon this policy statement in arriving at their decision, they must indicate they have done so in their statement of reasons.

The bill also allows for the tribunal, at any stage of a proceeding, to invite the decision-maker to reconsider their decision which is subject to review by the tribunal.

Decision of review: the tribunal may, on a review proceeding, affirm, vary or set aside the decision of an original decision-maker and substitute its own decision. It may also send the matter back to the original decision-maker for reconsideration. If the tribunal confirms the decision, no further review of the decision can be sought by the same person or any other person. A decision varied or submitted by the tribunal is taken to be the decision of the original decision-maker and has the effect from the time the original decision would have had effect. It is not a reviewable decision.

The bill establishes a privilege against self-incrimination by applying the relevant provisions of the Evidence (National Uniform Legislation) Act as if the tribunal were a court. The tribunal can order evidence or argument to be presented in writing and to decide which aspects it will hear by way of oral evidence. The tribunal can place time limits on the presentation of respective parties’ cases. The president may establish various divisions for matters that reflect the areas of jurisdiction of the tribunal and may assign members to such divisions.

The bill provides that the tribunal will sit at such time and in such places determined by the president and that proceedings are to be heard in public unless the tribunal or relevant act specifies otherwise.

A party or party’s representative is allowed to be assisted in proceeding by an interpreter or other person to make the proceedings more intelligible to the party.

The tribunal also has the power to order a party to a proceeding to give security for costs, to give relief from time limits, to hold electronic hearings and to conduct proceedings without hearings.

Proceedings: the bill sets out the principles that are to guide the tribunal in the hearing of a proceeding for which it has jurisdiction. In summary, these principles include complying with the rules of natural justice, informing itself in any way it considers appropriate, acting with as little formality and technicality as possible, acting with as much speed as is proper, and ensuring as far as possible that all relevant material is disclosed.

The tribunal is obliged to take all reasonable steps to ensure the parties understand the nature of the proceedings, of any assertions made in those proceedings and the legal implications of those assertions, as well as any procedural aspect of the tribunal. The tribunal is also obliged to take all reasonable steps to ensure the parties have had the opportunity to be heard and to ensure all relevant material has been disclosed.

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the evidence. The privilege does not apply to bodies corporate.

The bill allows for the appointment by the president of a person to be an assessor to provide expert advice for any matter before the tribunal. The tribunal may make an order requiring a party to a proceeding to pay or contribute to the tribunal’s costs of obtaining an assessor’s assistance. An assessor is required to disclose to the president if they have or acquire an interest that may conflict with their performance as an assessor in relation to the proceeding.

Similarly, tribunal members are required to disclose interests that may conflict with their performance as a member in relation to a proceeding. The bill provides the tribunal with the power to authorise a person to take evidence, including evidence outside the Northern Territory, and it sets out how notices and documents may be served.

The bill established the circumstances in which documents are to be accepted as proof of a decision and order of the tribunal, how orders of the tribunal may be enforced, and sets out how members of the public may seek to inspect or obtain a copy of any documentary material.

Importantly, the bill establishes the circumstances in which any act or omission would constitute contempt of the tribunal and provides the power for the president or deputy president to deal with the contempt.

Evidentiary powers: in order to discharge its various functions, the tribunal has powers to establish processes, obtain evidence, control parties and make determinations.

Procedures: the bill outlines a number of obligations on the tribunal in terms of procedures generally and regarding the conduct of proceedings and the interactions of parties to the proceedings.

It confirms the tribunal’s powers to determine its own procedures, the processes for commencing proceedings and the requirement of the tribunal to assist parties to proceedings. It confirms the tribunal’s ability to give directions, consolidate proceedings, split proceedings and move proceedings to a more appropriate forum and dismiss or strike out a proceeding that is frivolous, vexatious or an abuse of process.

There is also a mechanism for the tribunal to manage proceedings being conducted to cause disadvantage to a party. The tribunal may appoint a litigation guardian for a person who is a party or potential party to a proceeding.

The tribunal is also required to make a decision and give the decision, reasons and findings of fact in writing to the parties within 28 days after the hearing of a proceeding. The bill also allows the tribunal to publish its final decision in a proceeding in any way it considers appropriate.

Alternative dispute resolution: an important emphasis in the legislation is placed on the role of alternative dispute resolution. The bill empowers the tribunal to hold compulsory conferences to identify and clarify issues, and promote settlement of disputes or refer the matter to mediation by a person specified as the mediator by the president.

The bill sets out procedures for both compulsory conferences and mediation.

Parties and representation: the bill defines who is considered a ‘party’ for the purposes of proceedings before the tribunal, enables the tribunal to join parties to proceedings and enables the Attorney-General to intervene at any time in a proceeding before the tribunal on behalf of the Northern Territory. Any other person who wishes to intervene must first obtain leave of the tribunal.

A party to a proceeding is entitled to appear personally, be represented by a legal practitioner, or, with leave of the tribunal, be represented by another party. A self-represented person may be assisted by another person as a friend.

Costs: as a general rule, the bill establishes the principle that parties are to bear their own costs in proceedings before the tribunal unless there are reasons for the tribunal to order otherwise.

Arrest: this bill provides the president and deputy president with the power to issue arrest warrants for non-compliance with summons on the part of a party, and allows a review by the Supreme Court of warrants issued by the president or deputy president.

Other procedural matters: the bill provides that the president must establish a rules committee to make and review rules under the bill and to approve forms under the bill. The president has the power to issue practice directions for the tribunal.

Internal review and appeals: the bill provides for an internal review by the tribunal of original decisions of the tribunal. The president may determine how the tribunal will be composed to deal with a review application. Appeals from the decisions of the tribunal lie to the Supreme Court on a question of law and with leave of the court. The requirement for leave to appeal is designed to ensure that appeals do not raise points of importance that are not unnecessarily entertained.
Registrar: the bill allows for the appointment by the minister of a public sector employee who is admitted or qualified to be admitted as a legal practitioner, to be the registrar of the tribunal, and sets out the registrar’s functions. The minister may terminate the appointment of a person as the registrar for inability, misbehaviour or physical or mental incapacity.

Miscellaneous matters: the bill further describes a range of miscellaneous matters. The bill provides that no liability will attach to a person who has acted in good faith with a requirement of the act, or disclosed material under a requirement of the act. The bill makes it an offence for a person to breach confidentiality or for knowingly giving evidence that is false or misleading. The bill provides for the president of the tribunal to provide an annual report to the minister, allows the minister to request the president provide additional reports, sets the time frame as 12 months for which an offence under the act must be brought, provides that the tribunal shall have a common seal and allows the Administrator to make regulations under the act and specifies that a regulation may prescribe fees payable under the act.

The creation of a single, centralised Civil and Administrative Tribunal with its focus on a service delivery model that is efficient, fair and user-friendly is aligned with the enhanced justice service delivery outcomes and access to justice principles broadly intended under this government’s Pillars of Justice law reform package, something I am particularly proud of.

I commend the bill to honourable members and table a copy of the explanatory statement.

Debate adjourned.

CONSUMER AFFAIRS AND FAIR TRADING AMENDMENT BILL
(Serial 86)

Bill presented and read a first time.

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

The purpose of this bill is to amend the Consumer Affairs and Fair Trading Act to repeal Part 11 – the provisions relating to the licencing of travel agents.

The travel industry has, over the years, undergone significant change with a large part of this industry moving to online booking systems. These changes have brought into question the need for the travel compensation scheme, an industry insurance scheme which operated in all jurisdictions in Australia except the NT. This scheme is now seen as unnecessary and is being wound up. The travel industry has sought to deregulate and thereby reduce red tape.

The Australian Federation of Travel Agents is establishing a national industry-led travel agents accreditation scheme which will accredit travel agents and require them to self-insure. To this end, all jurisdictions within Australia have agreed to repeal the relevant components under Part 11 of the Consumer Affairs and Fair Trading Act by 1 July 2014. Part 11 deals with the licensing of travel agents.

The Australian Federation of Travel Agents has developed a charter and code of conduct for travel agents and is implementing a travel accreditation scheme. This new voluntary, industry-based accreditation scheme is designed to replace the current government licensing regime. While the scheme is voluntary, it is expected that the promotion of the scheme by the Australian Federation of Travel Agents will ensure consumers become aware of the value of dealing with accredited travel agents and that the industry will embrace this self-regulation.

Consumers will continue to be protected by Northern Territory consumer protection legislation. The removal of travel agents’ licences will impact the Territory’s 83 currently licenced travel agents and means they are no longer required to obtain a travel agent’s licence in order to conduct their business.

This measure will also ensure the Northern Territory supports the deregulation of the travel industry across Australia.

I commend this bill to honourable members and table the explanatory statement to accompany the bill.

Debate adjourned.

LIVESTOCK AMENDMENT BILL
(Serial 85)

Bill presented and read a first time.

Mr WESTRA van HOLTHE (Primary Industry and Fisheries): Mr Deputy Speaker, I move that the bill be now read a second time.

The main purpose of this bill is to enable fees to be collected for services provided by the Animal Biosecurity Branch within the Department of Primary Industry and Fisheries. This will provide parity with the plant biosecurity sector and other industries within the Northern Territory, allowing for fees to be set and collected for product inspection by the beneficiaries of those services.
The principle of charging for services provided to industry members by government departments for the benefit of individual producers is well established in the NT and nationally. Other jurisdictions have been charging for identical services for a considerable time, such as property disease status data searches to support eligibility for live animal exports and the inspection of animals prior to movement to prevent the further spread of significant livestock diseases.

Within the Biosecurity and Product Integrity Group, fees are already in place for plant and produce inspection fees to support both interstate and international movement of goods. There have been, to date, however, no powers under the Livestock Act to charge for similar types of services.

While the government is strongly supportive of livestock industries within the NT, it is recognised that departmental services provided for the benefit of very specific individuals and industries should be contributed to by those beneficiaries.

The amendment bill will strengthen the existing powers to enable a fairer and more equitable system of fees for service by the Northern Territory Department of Primary Industry and Fisheries.

I commend the bill to the House and table the explanatory statement.

Debate adjourned.

CRIMINAL CODE AMENDMENT (DANGEROUS DRIVING DURING PURSUIT) BILL (Serial 84)

Bill presented and read a first time.

Mr ELFERINK (Attorney-General and Justice): Mr Deputy Speaker, I move that the bill be now read a second time.

This bill implements a recommendation made by the Northern Territory coroner arising from the inquest into the deaths of Mr Clifford Norman and Ms Kwementyaye Taylor. The findings were delivered in Alice Springs on 22 March 2013.

Mr Norman was the driver of a vehicle that failed to stop for the police after being intercepted at a roundabout in Alice Springs. After a short pursuit at slow speed he fled from the police at high speed. The police did not continue to pursue the vehicle due to the excessive speeds involved and their belief that Mr Norman was intoxicated.

Approximately 46 seconds after the failed interception, Mr Norman lost control of the vehicle at the intersection of South Terrace and Kempe Street. The vehicle was travelling in excess of 170 km/h when it mounted the kerb and struck a power pole. The power pole was ripped from the ground and the vehicle was all but destroyed. Mr Norman was killed instantly, as was the front seat passenger, Ms Taylor. The two adult back seat passengers were seriously injured and trapped in the vehicle and an unrestrained four-year-old child remarkably received only minor injuries.

Attending police officers, St John paramedics and Fire and Emergency Services personnel were confronted with a devastating scene, and their courageous efforts in attending and removing the seriously injured passengers from a destroyed vehicle that was leaking petrol and engulfed in flames are to be highly commended.

In his findings, the coroner noted that the Northern Territory Police had taken proactive steps to limit their use of pursuits through the Police General Order, Emergency Vehicle Driving and Pursuit Driving, and noted that members of the public knew of this policy and were exploiting it by failing to stop when requested and fleeing, often in a dangerous manner and at high speed.

The coroner recommended at paragraph 82(iii) of his findings that timely consideration be given to ‘introducing tougher penalties for offenders who speed or drive recklessly or dangerously when evading police’. The coroner noted that offences involving evading police are operating in New South Wales at section 51B of the Crimes Act 1900 (NSW) and in Victoria at section 319AA of the Crimes Act 1958.

The Northern Territory coroner stated his recommendation was designed to discourage drivers from failing to stop or attempting to evade police, with the ultimate aim of preventing future deaths.

In the Northern Territory the Traffic Act and Motor Vehicles Act contain offences that may be charged when a driver fails to stop for police on request. The fail to stop offence in the Traffic Act has a maximum penalty of 12 months’ imprisonment, and the fail to stop offence in the Motor Vehicles Act has a maximum penalty of two years’ imprisonment.

An analysis of the offences reveals that a gap exists as the current offences in the Traffic Act and Motor Vehicles Act simply require a failure to stop and the maximum penalties reflect that level of criminality only.

The Criminal Code Act contains offences that may be charged when dangerous driving occurs. However, they require certain results or circumstances to be proven, namely serious harm, death or reckless endangerment. There is no
offence in the Northern Territory that criminalises a course of conduct involving a failure to stop for the police, engaging in a pursuit and driving in a dangerous manner and sets a maximum penalty reflective of the level of the criminality involved.

This bill resolves this issue and introduces the offence of dangerous driving during a pursuit. The offence will be inserted as new section 174FB of the Criminal Code Act. The elements of the new offence are:

a) a police officer gives the driver a direction to stop the vehicle under any law in force in the Northern Territory

b) the driver fails to comply with the direction to stop

c) the police officer pursues the vehicle

d) the offending vehicle is driven in a dangerous manner during the pursuit.

Police do not have unfettered discretion to direct a driver to stop a vehicle, and the wording ‘under any law in force in the Northern Territory’ has been used to ensure that the current powers available to police are not interfered with or expanded upon.

The maximum penalty for this offence is five years’ imprisonment. This maximum penalty is more than double the current fail to stop penalty in the Motor Vehicles Act and is considerably higher than the fail to stop offence in the Traffic Act.

The offence inserted by this bill includes the criminality of the fail to stop offence and encompasses the original circumstances of a police pursuit and dangerous driving. Therefore, the maximum penalty must be higher than the current penalties specified for fail to stop offences.

The new section 174FB(2)(a) and (b) clarify two matters relating to the term ‘pursuit’ and are consistent with the provisions in section 119AA(2)(c) and (d) of the Crimes Act 1958 (Victoria). The provisions have been included to close potential loopholes that may be exploited by offenders as police may, for public safety reasons, pursue the offending vehicle at a slower, safer speed, and the fact the pursuit is terminated must not bar authorities from charging this offence if the offender is located and arrested at a later time.

The new section 174FB(2)(c) incorporates a definition of ‘driving dangerously’. This provision is identical to section 174F(3), which contains the definition of ‘driving dangerously’ used for the dangerous driving causing death and dangerous driving causing serious harm offences.

The offence is a strict liability offence. Strict liability means there are no fault elements for the physical elements of the offences. For example, the prosecution does not need to prove the person intentionally or recklessly failed to stop, intentionally or recklessly engaged in a police pursuit, or intentionally, recklessly or negligently drove in a dangerous manner. The prosecution still needs to prove the elements of the offence beyond reasonable doubt.

The new section 174FB(4) inserts a specified defence for this offence. Subsection 4 states it is a defence to the prosecution for an offence against this section if the defendant establishes they believed, on reasonable grounds, they were not given a lawful direction to stop by police.

All defences in Part IIAA of the Criminal Code Act also apply to this offence and mistake of fact, pursuant to section 43AX of the Criminal Code Act, applies where strict liability is prescribed.

A ‘direction to stop’ has been defined in broad terms as ‘any action taken by a police officer to indicate to the driver of a vehicle that they must stop the vehicle’. Examples of a direction to stop are given and mirror provisions at section 64A(5) of the Road Safety Act 1958 (Victoria) and Regulation 16 and 16A of the Northern Territory Traffic Regulations.

The terms ‘driver’ and ‘vehicle’ are already defined in section 174FA(2) of the Criminal Code Act and these definitions also apply to this offence.

All drivers have a duty and responsibility to stop for the police when requested. Failing to stop and driving in a dangerous manner, often at grossly excessive speeds and often whilst intoxicated, endangers not only the lives of other road users, police and pedestrians, but also the passengers of the offending vehicle. The current fail to stop offences and the applicable maximum penalties do not adequately reflect the criminal conduct in a police pursuit. This deficiency was noted by the Northern Territory coroner and is remedied by this bill.

I commend the bill to honourable members, and table a copy of the explanatory statement.

Debate adjourned.

POPPY REGULATION BILL
(Serial 78)

Continued from 7 May 2014.

Mr McCARTHY (Barkly): Mr Deputy Speaker, the opposition is not opposing this bill as it supports the development of agribusiness across northern Australia, particularly for the benefit of
the Northern Territory. However, as noted on the public record, the opposition has concerns around this matter being passed on urgency. We put a number of good, accountable elements to the debate, and it was underpinned that this is not about growing peanuts or potatoes. This is a prospective new industry for the Northern Territory that will grow and produce a licit narcotic based on the product opium.

The Poppy Regulation Bill provides for the regulation of opium poppy activities to capture the cultivation, processing, transportation and storage of poppy material and any related activities. Key provisions in the bill include the need for the applicant and any associates to demonstrate they are fit and proper persons to be issued with a licence. Further, the applicants also need to submit, for assessment, a detailed plan for the management of risk, for example, ensuring appropriate site security, addressing biosecurity risks and other conditions of licensing. It is a requirement of the appointed licensing authority, the CEO, to seek the views of the Commissioner of Police on whether or not a licence should be granted, and also allows the commissioner to use protected information to assist with his or her decision-making. Should the commissioner form a view that a licence should not be issued to a particular person, the licensing authority is obliged to take the advice and not issue the licence.

For activities carried out under a Northern Territory issued poppy processing licence, the licence must also hold any Commonwealth licence required as the manufacturing of poppy materials and products is licensed under the Commonwealth Narcotics Drugs Act.

The opposition will not oppose passage of this bill, but we have some concerns about the way this matter has been handled and the lack of consultation in relation to it. This, in essence, is why we opposed urgency. I will not go over the urgency debate from last week, but I will summarise our concerns about rushing this bill through the parliament.

Sound consultative process underpins appropriate changes being sought in many of the bills brought before this parliament. It allows a good and informed debate, as we should have, about the merits of any new law. Proper and informed consideration of the bills brought before us is crucial to doing our jobs properly, proper and responsible consideration by all members of this Legislative Assembly. There is capacity to bring legislation to debate on urgency, but that is a departure from the usual and preferred practice. It is a diversion from the norm for some compelling reason because it does not allow the usual period for reasonable consultation and discussion with constituents, stakeholders and, in the case of this bill, the scope to talk to pastoralists, farmers, stakeholders and the community in the region.

It may be the legislation is required on urgency to prevent immediate harm to the community. It may be used in a situation where the Territory would suffer financial disadvantage if legislation was not passed by a certain date or we are part of a national agreement requiring action by a certain time.

When something is approved by Cabinet and you get the green light for Parliamentary Counsel to draft the legislation, if there is a time issue the usual thing to do is advise the opposition, the Independent member and members of the minority party and enter into real consultation.

The minister, in this case, chose to develop a submission for Cabinet and get Cabinet approval to issue instructions to Parliamentary Counsel to draft the bill and introduce it into this parliament. It was so urgent that the first this side of the House heard about the bill was just over a week ago even though the minister had been working on it for weeks.

Therefore, important legislation impacting on the Northern Territory agribusiness of the future seems a matter of convenience. We disagree, and that is why we challenged the minister. It was a realistic, pragmatic, open and accountable challenge to advise members of the intention to bring the bill forward on urgency and provide that journey together.

Some questions came from this bill transitioning through the House on urgency. In the debate the opposition listed its initial concerns and asked a number of questions. I now summarise those. I am looking forward to the minister responding to the questions as this bill progresses through the House.

What consultations have occurred with stakeholders on the ground? Do you still believe members are able to get to the Katherine region and consult with affected stakeholders about their views then represent that fully and properly for passage during budget week? What do the health organisations of the Katherine region have to say about security arrangements?

We have gone to vast expense to roll out Opal fuel to get petrol sniffing regimes in place and we are introducing a commercial-scale crop of opium poppies with what security around it? What risk are we running for the young cohort of that region? What consultations occurred with the health organisations of the region to ask their views on this? Are there risks associated with commercial scale yields of this crop in the region,
and what would your suggestions be for regulating that?

Are we proposing to simply translate the Tasmanian regulatory environment to the Northern Territory? Is that enough when you consider the social environment of the Northern Territory? Are you satisfied, minister? Has the department undertaken consultation with the Department of Health? What views were solicited on these issues? In regard to security, will we have big razor wire fences around these crops, electrified fencing, alarms and security guards? How much extraction of water will be used for these crops? What are the pesticide and herbicide arrangements?

The opposition and members on this side listened carefully to what you said about Dry Season cropping time; however, you also said there is no indication from TPI they will proceed this Dry Season. After passage in June, what is the time frame for TPI? Have you considered this and has the company advised you on this? Could you provide the House with that advice?

Is there a report on the success of previous growing trials in the Northern Territory we can see? What is the size of the large-scale commercialised growing envisaged for the Northern Territory? How does the proposed area of commercial growing compare with current areas in Tasmania? Where would that occur in the region? We know trials have occurred in Katherine and Douglas Daly. Are there other regions in the Northern Territory? Are there any other requirements, as the opposition has suggested, for licences, permits or other authorisations? How was the appropriate regulatory framework designed? Who was consulted in the design? How does it compare to the framework elsewhere in Australia and overseas?

From a health perspective there have been three reported poppy-related deaths in Tasmania. What lessons have been learnt from these tragic deaths? How will they be informed in the drafting of this legislation and the regulatory arrangements to ensure robust safeguards are in place for the adequate security of the crop? How do we meet our international obligations? The Single Convention on Narcotics Drugs, 1961 is implemented through the Commonwealth Narcotic Drugs Act of 1967. What consultation has occurred with the federal government?

The Territory opposition believes statements that you cannot legislate for stupidity are not really acceptable. I am sure the minister will provide more detail around these specific questions of legislation.

Minister, there is a May 2012 report into Poppy Advisory and Control Board Funding by the Tasmanian Department of Justice which noted that the 2011-12 budget indicated the cost of the operations of the board to be about $690 000 per annum. What budget will be allocated to the Territory’s regulatory regime to ensure public safety? How can we be confident the appropriate regulation will be adequately resourced? From an agricultural point of view, what cultivation practices will be used? These questions are in the interests of the industry expanding – these trials will be successful and this will be what the minister desires and, I would hazard, the vast majority of Territorians support – the niche market of a new crop into the Northern Territory that will complement the agribusiness aspirations of the government and the opposition.

In the short time available, as an opposition we contacted stakeholders as well as people in the Katherine area. Some were available and others were away working and not able to respond. It is clear there has been consultation by the government with Indigenous groups; the opposition acknowledges that. However, some locals in Katherine were aware of the small-scale trial at Katherine research farm, others not. It is clear the government has not consulted in this area, and this is particularly surprising given the Minister for Land Resource Management is also the member for Katherine.

One of the questions raised by Katherine locals contacted was about the water requirement for the commercial trial and where water would come from if the trial expands to full-scale production. As the minister says, it is possibly up to 10 000 ha. I listened carefully to the robust debate last night because it seems to be of concern to opposition members and a vast group of the Northern Territory constituency. It is not only stakeholders in the agribusiness industry but also citizens, Indigenous people and organisations concerned that the Territory government is continuing to issue water licenses in areas without a water allocation plan. The debate last night focused on one aquifer in the Katherine/Mataranka area where licences have been issued but a water allocation plan has not been finalised.

There is great concern about the management of a resource the minister tells us is critical in the development of northern Australia and the Territory’s economy. The minister says you can have all the land you want but you cannot develop it without water. However, the debate last night, and in some respects today in the censure motion, highlighted concern around how the government is managing water allocation in the Northern Territory. Another question is whether the poppies may be genetically modified, what that
means and the implications for adjoining properties.

It was very difficult to take part in consultation. I am enjoying being spokesperson for the opposition on Primary Industry and Fisheries and Land Resource Management. I like to get on the ground and talk to people. I like to travel the land as that is where you do your best research. You gain the respect of regional and remote constituents in the industry when they see you take the time to drive in and consult with them.

That is what I was hoping to do; however, this has become a very difficult exercise. I thank staff from the Leader of the Opposition’s office who have supported my research, tried to contact people and made phone calls. They did the best they could in budget week, when that office is under enormous pressure doing the job of a good, accountable and challenging opposition which takes the debate to government. As we can see, this week it has spoken on behalf of Northern Territorians.

A concern that emerged from the phone contacts we were able to make was from health professionals in the alcohol and other drugs area related to security, especially given the tragic fatalities in Tasmania.

At a Territory level, some farmers may have an understanding of what is proposed, but it is clear that farmers on the ground have not been consulted widely and there is an absence of understanding on the ground as to what is being proposed. The farmers we interviewed were generally positive about a new commodity coming into the Territory and were interested in the scope for diversification, but growing poppies is not the same as growing potatoes, and we were asked how growers could afford infrastructure required to grow poppies if they become licensed. They also wanted to know how security will be managed and what entity will be responsible for security. Will the Territory government agency be well resourced or will resources be diverted from other responsibilities?

These phone calls were a bit of a vox pop in a political exercise because it has already started raising awareness in the region. More questions came back than information we could put out. Minister, you have an interested constituency which we started to poll, for want for a better word.

Another farmer said the climate at Tipperary is noticeably different to Katherine; it is much wetter. The minister spoke at length about seasons in the debate on urgency. How much consideration has been given by the proponent and the Territory government, when deciding to pursue this bill, in relation to the specific area and the trial we are dealing with?

There are a number of other important questions to put on the record and seek the advice of the minister. Following the passage of this bill through its remaining stages, what is the expected commencement date of the act? From a health perspective, there have been three reported cases of poppy-related death in Tasmania, and it is important to put on the record what we understand to have happened.

Once again I thank the staff for doing the research for me. I will be reserved here, because as a local member I do not want to put on the public record how this product was abused and what caused fatalities. I do not want to put that information into an environment where there is a serious lack of education and awareness about the product. In February 2014 a Danish tourist died in Tasmania, in November 2012 a teenager died, and in February 2011 a 50-year-old male died. These cases were about the illegal appropriation of a licit narcotic being grown, the base product being opium.

These are tragic circumstances which go directly to the point that security is a real concern. They go to the point that the Katherine region, or the Douglas Daly for that matter, is not like Tasmania. There are diverse social and cultural issues; there are remote communities, and security is not easy to manage in such areas.

The poppy licence issued under Part 2 is a ground regulatory tool. Why does the bill not prescribe conditions in the poppy licence about required standards for security measures? As already asked, what is planned for the education and awareness of regional, remote and diverse communities? In this area of the Northern Territory we have to cater for different social, cultural and socioeconomic logistics. It would be good to hear there are plans to raise awareness of this product, what it does and those important education and awareness areas of how to stay safe and not break the law, but also not risk losing your life.

Similarly, regulations will be made after the bill is enacted. Will there be adequate consultation on the regulations? When are regulations expected to be made? The bill requires that the licensee must hold any licence required by the Commonwealth regarding poppy material, but there does not appear to be any legislated end use for the poppy product. What would stop the cultivation and processing of poppies and diversion into the illicit market? Is there any restriction to ensure poppies are not grown in excess of requirements and limits, and therefore...
diverted into alternative uses? These questions came from a constituent.

These questions were real and, from the limited knowledge I had -- I will thank the department for the briefing later -- to debate these issues there were challenges around the question of seeds falling onto new ground and starting to grow. Minister, can you transplant poppies? If I got a plant from the field, how easy would it be to transplant it to another area, or into a pot where I could create mobility for the product? This debate started to emerge in the limited time, with limited resources, the Territory opposition had to commence and conduct the consultation.

There are three manufacturing companies in Tasmania licensed to extract medical products from the poppy straw after harvesting. The minister has flagged an interest by the company TPI Enterprises Limited, and we understand that there is also interest from GlaxoSmithKline Australia. For this debate, it would be useful to clarify which company will cultivate the poppies and which one will process the poppies. What organisation is expected to be the end-buyer, or is it expected the poppies will be destroyed following the trial? I think we received information from the briefing that they will not be destroyed. This will be a commercial crop, so it is interesting. Can the minister supply any further information on that to inform Territorians?

Given the rush to introduce this bill into parliament, what assurances and safeguards can there be that the poppy licence issued for a commercial-size trial will reflect proper due diligence? When does the minister expect that licence to be issued? A poppy licence application requires the applicant’s proposed plan, made in compliance with any regulation, for the management of any risks associated with the activity to be carried out under the poppy licence. What is the ongoing compliance plan to determine whether the licensee is managing the risks in accordance with their risk management plan? What sanction is there if something goes wrong? If a risk is identified in the risk management plan -- if a real risk eventuates -- what is the process, what happens in that circumstance?

The bill does not identify the purposes for which poppies can be used, whereas the equivalent Victorian act specifies only for therapeutic and research use. Why was a similar approach not adopted in the Territory bill? Is it left to me to assume the poppies have a specific purpose, or is this an area I missed, minister?

In the urgency debate I said I was interested in biosecurity, opium poppies being grown on a commercial scale and the management of that crop in the interests of new agribusiness for the Northern Territory. However, I questioned the agricultural management of the use of pesticides, herbicides and fertiliser. I also talked about the water allocation needed to irrigate the crop, and was very interested in security around this crop.

It is understood the use of natural resources will occur under existing processes and licences, but, minister, how much water does it take to water poppies? I asked that question of the minister in the urgency debate and I asked it of the department. It was an interesting dialogue with the department. It was great to learn, engage and ask questions. It became apparent there will be variations in regard to the Wet Season, end-of-season periods, Dry Season, Dry Season after a poor Wet Season, different types of soil types, different ground and different country. There will also be issues around mechanisation of the industry.

All these questions create a baseline question around clear definition of the appropriation of natural resources when we start moving from a trial crop into the main objective of big commercial crops. Will those answers be available today or will this trial be providing those answers? How much do the neighbours and industry stakeholders around the region know about this? Those issues create more questions than answers.

One of the reasons the opposition was concerned about this important bill being moved on urgency is the minister indicated 8 ML per hectare as the figure. Furthermore, the minister said he understood the use would fall within the station’s existing allocation of water. A 500 ha trial would require 4000 ML.

Minister, the Territory opposition would like you to confirm that, and you may have some more updated information to supply to put the nail on the use of water in the trial and in relation to this new industry to the Northern Territory.

The minister might want to guarantee no additional water licence will be required for the duration of the trial. Is that possible? We researched figures around water usage growing poppies in Tasmania, but, as you can imagine, the climatic and seasonal conditions are vastly different to the new trial in the Northern Territory.

The minister did not address many of the questions I asked in good faith and on behalf of Territorians. Today the minister might address the use of pesticides, herbicides and fertiliser. It would be good to get comments the department has prepared for the minister to share with this House supporting passage of this bill.
Considerable herbicide application is used in the Tasmanian industry, and considerable treatments in other agricultural processes which relate to herbicides, pesticides and fertilisers. It would be good to hear the view of the minister on behalf of the officials to outline the level of use during the trial in the Northern Territory.

I was disappointed that the minister seemed dismissive of my concerns in the urgency debate concerning consultation, the risks surrounding poppy cultivation, education and awareness, and the possible abuse of substances by Aboriginal people, youth and travellers into the Northern Territory. The word will spread that this trial is under way and the geographic area of this trial will become known to the community and, of course, those interstate.

The minister said:

_There has been ample opportunity for the community, if they had any concerns about a new poppy industry and the opiate derivatives that come from it, to provide feedback to me, my department, the police or anyone else in government who has been involved in this. My advice, as recently as just a couple of hours ago, is there has been no feedback to the government expressing any concerns about the poppy industry and the implications for the Northern Territory – nothing positive or negative._

Minister, it was interesting to get on the phone – I prefer a Toyota, a handshake and dialogue, but all I had was a phone. The staff supported those calls and there was a lot of comment and many questions. Minister, if you do not consult or ask for people’s opinion it is unlikely you will receive any. That probably reflects the quote on the public record being rather dismissive of my contribution in debate, which I found unhelpful. It is clear that local people want to know about the current trial and learn about the new initiative going forward, then the larger opportunities for the Northern Territory.

In other places there is proper consultation on poppy management. For example, we looked at the Tasmanian model. The Legislative Council Select Committee Inquiry into the Tasmanian Poppy Industry was recently conducted. The Victorian Minister for Agriculture and Food Security, Hon Peter Walsh, delivered the second reading speech for the Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill on 11 December 2013. The Victorian parliament was afforded reasonable time to consider the bill, which passed on 13 March 2014.

In relation to security, the minister was again dismissive of the opposition’s legitimate concerns and said:

_That said, you cannot completely remove all risks. Even if you put a six foot chain mesh fence around the crop with three strands of barbed wire at the top, had security cameras all over the place, guard dogs and people running around on perimeters 24 hours a day, some clown, someone with intent would still get in if they really wanted to, to take the poppy material. Let us be reasonable about this. You cannot legislate for stupid people. You cannot always legislate for people who have a criminal tendency._

That is an interesting comment.

I thank the departmental officials for providing the opposition with some real details on the important security to be provided for this trial. I do not accept you cannot legislate for stupid people. That is a cop out. We should be focusing on moving this industry forward and reducing the risks, not only for the community, but also the company investing in the trial to make sure we get it right. The government wants, and the Territory opposition, no hiccups, no big problems and no failures. That would be a blight on the Territory’s history.

One question asked of the department was about fencing. It was reassuring to hear it will not be like Tasmania; there will be substantial fencing around this trial. There was also reassurance there will be 24-hour security staff at the time of harvesting. I found that interesting because – as this House has probably started to reflect on – this will be an expensive operation with overheads going into high levels of security, especially human resource security, with security guards running intensive shifts around harvest time.

That relates back to a question, and the constituent was very animated during the dialogue we had, ‘Can you transplant a poppy out of the field? Is it easily transplantable into a pot? Can I move the pot into another area then access the narcotic?’

Health professionals across the country work hard to minimise risks and harm from alcohol and other drugs. Statements from the minister where the bottom line is, ‘Do not do drugs’ trivialise a real issue in our community. No doubt the minister’s constituency – minister’ being defined as the one who serves the community – would want much more reassurance than one-line statements like that.
Despite those comments, I was heartened by the minister's comment:

*I am more than happy to ensure there is an education program on the danger of poppies.*

I noted that, have discussed it in the limited consultation I have had, and people were supportive of it. I thank the minister for that and look forward to that development because I believe education and awareness is the baseline for delivering success across the board no matter what realm we are moving into.

It is important to minimise harm through education and awareness not only in the Katherine region, but in adjoining regions and across the Northern Territory as we embark on this trial. We hope, in a bipartisan sense, for success of a new niche market to support the Northern Territory's agriculture economy.

As stated previously, we do not want to stand in the way of regional economic development and have no interest in participating in any political debate around that. We want to do our job properly, thoroughly scrutinise legislation and provide that part of due care and attention from an opposition which represents true democracy as legislation proceeds through this House.

I thank the officials of the department who provided me and one of the advisory staff in the Leader of the Opposition's office with a briefing on short notice on Monday morning. It was great to sit with professionals who were able to engage in the dialogue, some of it challenging. It is good, and I remember it well from being a previous member in government, when you have a dynamic and challenging debate. You have that professional base to answer and challenge your questions.

I enjoy those processes and, because of isolation and the nature of my business in the largest electorate in the Northern Territory, I do not participate in that as much as I would like. I thank the minister for organising it.

On behalf of the Territory opposition I repeat that we will not oppose passage of this bill, but we have provided the minister many questions which not only will be discussed and hopefully answered today, but will also inform this industry development. It is not about knocking; it is about being part of the way forward. A very interesting niche market could be developed here.

A number of contributors to the debate on urgency spoke about corporate and commercial risk. The opposition team had good debate on this. We framed the matter in regard to risk for the Northern Territory: we do not want to see any failure, harm or ill-fated outcomes from this trial.

We wish the minister the best of luck, and look forward to being part of the process in a positive light on the way forward for another important component of the development of northern Australia.

Mr WOOD (Nelson): Madam Speaker, I listened intently to the member for Barkly – I hope we do not have to wish the minister luck. I hope we are using some science because this is a very important debate. I agree with the member for Barkly that one of the problems with urgency is not having time to do the research. I did not have time to receive a briefing. Dry Season weekends are definitely out, and there has not been much time. I have done my own homework and, thankfully, had some research done by the parliamentary library as well.

I will talk about the history of poppies. It is not often mentioned but has been around for a long time. I will read from an article titled *Fifty Years of Poppies in Tasmania: The First Ten Years, 1960 to 1970* by Brian Frappell which says:

> From the early days of the settlement of New South Wales and Van Diemen's Land, small quantities of poppies were grown for the production of opium. It was used for medicinal purposes and for opium smoking, particularly by the Chinese who were involved in mining and market gardening from the 1850s. After federation, poppy growing became illegal. During the Second World War there was a severe storage of morphine and this prompted the CSIRO to investigate its production using poppy straw. Arrangements were made for small areas of poppies to be grown in various parts of temperate Australia, including Tasmania. These trials were not successful enough to warrant any significant development and the investigation ceased in 1944.

It goes on to talk about several British drug companies which tried to grow opium poppies in England unsuccessfully. They looked at the southern part of Australia, and did some work in various places. Western Australia, South Australia and New South Wales had some trials, but Victoria refused to be involved. That is funny because it has just passed legislation allowing the growing of poppies. When Victoria withdrew, Stephen King, an agriculturist and plant breeder employed by the British drug companies, arranged a short visit to Tasmania. As a result an agreement was reached with the Tasmanian government to carry out field trials.
Edinburgh Pharmaceuticals Industries provided the seed for the initial trials and these were sown by the Departments of Agriculture in Tasmania, Western Australia, South Australia and New South Wales during the late winter and early spring of 1960.

Quoting again from that same article:

After the 1970 harvest, the Department of Agriculture initiated the publication of a guide for farmers involved in growing the poppy crop. The guide was based on the results of research and development, as well as the experience of farmers, and was published as an article, ‘The Production of Oil Poppies’, in the Tasmanian Journal of Agriculture.

I note they used the words ‘oil poppies’ so people did not quite understand the connection between that and opium production.

It goes on to say – this is a little of the important history in relation to where we are going in the Territory:

Also in 1970, Abbott Australasia Pty Ltd applied to the New South Wales Government to cultivate poppies in that state. However, shortly afterwards a Commonwealth/State Agreement was signed, confining all poppy crop production to Tasmania for security reasons.

That is where we are today with Tasmania being the one state growing poppies. What has changed since that agreement was made? Was that agreement binding or was it limited because Victoria has passed legislation allowing opium poppies to be grown? Has there been a change to allow poppies to be grown in the Northern Territory?

It is interesting to note that Tasmania grows half the world’s opium poppy, and in 2010 it was worth between $60m and $80m, so there is obviously a market. Where there is pain, there is opium. It is an important crop.

There was a Legislative Council Select Committee Inquiry into the Tasmanian Poppy Industry on 23 April 2013. That select committee looked at the importation of poppy straw, and from my quick reading there were some concerns about the importation of poppy straw from Turkey. The member for Barkly mentioned the cost of production in the Northern Territory, so I am putting two and two together thinking TPI, which will import poppy straw from Turkey, realised that is a fairly expensive operation.

I might be guessing, but do they think there are more opportunities to expand their business in Australia rather than relying on imports? I might be wrong, but it seems last year they were looking at importing a fair tonnage of poppy straw and now we have TPI interested in a commercial crop of opium poppy.

Minister, I would like to go through some of my concerns with you. Some relate to the legislation and some are fairly general.

In relation to licences, the legislation talks about a fit and proper person. That would be correct. What are the limitations? If I had 10 speeding tickets and had been through the divorce court – what limitations are there on who can be regarded as a fit and proper person to grow this crop? I hope because you have had issues in your life you are not an inappropriate person to grow poppies. What limitations would there be to stop you being a fit and proper person? If the land is leased – I presume it is down the Tipperary way on a pastoral lease – does the lessor have to be a fit and proper person to allow it to happen?

I will give you an example of someone who went to gaol for a long time. His son was a Geelong footballer – I cannot remember his name – who was involved in growing marijuana at Dry Creek. Some Italians came in with some money, used his land – he gave permission for his land to be used to grow an illegal crop. He was given seven years’ gaol. He did not grow it, but he allowed it to be grown. When we talk about fit and proper persons, does that mean the landowner also has to be a fit and proper person?

The legislation does not quite say that about employees or any contractor. There is a part on employees. You talk about a contractor of the licensee, an employer of the licensee – it more or less asks if they are fit to do the job. I want to know if they have to be fit and proper persons as well. If someone is working on the farm do they have to have criminal checks?

My next concern is the number of people that might be employed. I have some figures on the number of people employed in Tasmania. A reasonable number are employed and it produces quite an income for Tasmania. It is an important employment opportunity. Has the department estimated what number of people might be employed and if there are opportunities for locals, whether they are Aboriginal people or people working on pastoral properties nearby? Will there be opportunities or will the people employed be specialists from interstate?

The member for Barkly mentioned consultation, and that is important. He said there had been some consultation with Indigenous people, and
that is good. What sort of consultation has there been with the pastoral industry, and not just the property on which this will occur, but the pastoral industry in general? I support changes to the Pastoral Land Act which allow this to happen, but it would be interesting to see what feedback you have from the pastoral industry and the NT Farmers Association.

It is hard to say whether this is agricultural or horticultural. I do not know how it is classified in Tasmania. When I went to horticultural college broad scale was agriculture, smaller scale was horticulture. If poppies are grown for flowers I bet they are called horticulture, when they are grown for opium I am not sure. Have local councils been involved in discussions?

This legislation comes under the Department of Primary Industry and Fisheries. In Tasmania the legislation comes under the Department of Health. Which is the better piece of legislation? What I read today is not about how you grow poppies – the regulations might have some things, but the growing of the crop was something the department of Agriculture would be concerned with – primary industry – whereas the security of a drug crop may be more to do with the Department of Health. There appears to be a difference between here and Tasmania.

The minister’s second reading says, ‘Growing the illicit opium poppy industry is strictly regulated under international law’ – this is not quite right. I thought it was growing the licit opium poppy industry. That might need to be changed.

Mr Westra van Holthe: I hope I said licit. I had better check that.

Mr WOOD: The minister’s second reading speech says globally the licit opium poppy industry is strictly regulated under international law. It also says it:

...is required to carefully control and supervise all stages of the growing and production of opium poppies as well as the import and export of narcotic material. Implementation of the convention is overseen by the International Narcotics Control Board ...

Are they part of the discussions with government or do they just deal with the company? Have they been to Australia? Is there a representative here who deals with that? It also says they determine annual quotas. Do any of those matters come into discussion when dealing with this issue today? I would like to know how the control side and quotas work.

The member for Barkly raised security. We do not know what the security requirements are because the regulations are not in the bill, but I hope we can see them before they are given the nod. We do not want the regulations going out too late because this bill has been brought forward on urgency.

How long before the regulations are up and running? You do not know if the Subordinate Legislation and Publications Committee will be seeing this, but will timing of the release of the regulations and their approval be an issue?

In relation to security, one issue to be covered is individuals. I think the main issue concerning the member for Barkly is this has caused deaths in Tasmania. The other issue would be organised crime. I presume the department’s connections with police would give you a fair idea of the risks. There are two ways to look at security in the Northern Territory. One is you are far enough away so nobody can find you – that is good. Whereas in Tasmania, if you drive down the road and there is a poppy plantation it is easy. Here it is not so easy to see, but knowing what people can do with Google these days it probably would not take much effort.

Plant husbandry is an area I am interested in. What varieties will be grown? In your legislation you talk about ...

Mr Westra van Holthe: Papaver somniferum.

Mr WOOD: Thank you. What plant family does it belong to, minister. I should know because I grew ordinary poppies.

Part 4, Definitions, mentions a species or variety of poppy prescribed by regulations. We do not have the regulations. Are we growing that species or are there some varieties of that or other species? This is the first time this has happened in the Northern Territory and I am interested in the background information.

What soil types are best? I understand in Tasmania you can get good soils, medium soils and not-so-good soils. TPI has a lot more knowledge than me, but in conjunction with those who know about Top End soils they would be looking for the best soil. With their trials last year I expect they have selected suitable land.

Exactly how much land will be used? It is not mentioned in the second reading. I am interested in the water requirements. Will it be substantial or not? Will the crop be rotated and, if so, with what crop? Is there enough land for rotation and what would be the normal rotation crop? Will the company be looking at producing another type of food crop, although this is not a food crop, it is a
medicinal drug crop, but it may be looking at producing something else to add value.

The member for Barkly mentioned fertiliser and pest control. Companies like TPI are in the business of making sure they do not waste fertiliser and pesticides. Companies today should have enough scientific knowledge and background to make sure the use of pesticide and fertiliser is accurate and as least wasteful as possible. They do not want their name muddied by misuse of pesticides and fertilisers but require some assistance. There is no doubt the Top End soils are very low in nutrients and have a few bugs.

I am not overly worried about the GM side of things because we have very strict regulations regarding GM crops. The trials of GM cotton in Katherine took seven years. It does not happen overnight. Only time will tell if opium poppies will suffer from severe pest or diseases problems. Many crops have been grown in the Northern Territory and people’s eyes light up and say, ‘This is the saviour of the Northern Territory’, only to find out a particular bug arrived and made life a lot harder than expected.

Minister, do you have an indication of the growth period? How long from seed in the ground to harvest to give us an indication of how it fits into the year’s cycle. Another issue would be weediness. Like anything else in the Northern Territory not looked at properly, it turns into weeds. We do not have to look any further than gamba grass, mission grass, mimosa, calopo or siratro – you name it. We thought some of these were – maybe not mimosa – a good idea. We now spend a fortune trying to keep them in check. Will there be any checks on the possibility that this crop could, in a different climate from Tasmania, become a weed?

The minister was good at quoting the botanical name to me …

Mr Westra van Holthe: Papaver somniferum.

Mr WOOD: I do not know the plant name but the genus is Papaver. I am not sure if there are similar plant species in the Northern Territory, but I ask because that is sometimes an issue with cross-pollination of species. People who look at weediness are required to do that. I think there are some rules and regulations about the introduction of new plants. Do we have a weed committee or somebody who looks at those things?

Mr Westra van Holthe: We have weeds committees.

Mr WOOD: Yes, weeds committees.

Mr Westra van Holthe: Local weeds. The Weed Advisory Committee in the …

Mr WOOD: That is it, the Weed Advisory Committee. That might be worth responding to, minister.

I am interested in processing because I need to know if it will be processed in the Northern Territory. TPI says, in one of its documents, it is expanding its processing plant in Tasmania. With the small crop it has now, it does not make sense to process it in the Northern Territory. Is there potential or would TPI, if this venture is successful, be interested in developing a processing plant in the Northern Territory? If it is looking to supply overseas markets, we are much closer than Tasmania.

I wanted to ask about processing – these are technical questions – but the TPI Enterprises – I know about morphine, codeine and thebaine – website goes further than that. It says:

TPI’s team has extensive experience in the supply of Narcotic Raw Material (NRM). In addition to the products listed below, TPI can assist customers with NRM conversions such as methylation and oxidation reactions.

TPI is expanding its facility to enable the manufacture and supply of the following products:

- Concentrate of Poppy Straw (Morphine)
- Concentrate of Poppy Straw (Thebaine)
- Concentrate of Poppy Straw (Oripavine)
- Concentrate of Poppy Straw (Codeine)
- Technical Morphine
- Technical Thebaine
- Technical Oripavine
- Technical Codeine
- Noscapine
- Certified Alkaloid Impurities
- 14-Hydroxy and Nor-derivatives

That is from the website. Is there an intention in the future to produce this product in the Northern Territory?

I was surprised and forgot all about this because you cannot grow poppies without seeds:
That is the culinary poppy seed, so I presume that is for eating. That is another option. Where does the original seed come from? Would it want to do seed trials in the Northern Territory because the climate is different to Tasmania? Is there an expectation of some work in that area as well? It will want the maximum yield of drugs from its product, so it will be interesting to see whether it is looking at that as well.

If processed in the Territory or sent away for processing, what are the regulations for transporting a processed crop or a crop being transported for processing? Are there high security requirements for the movement of poppy seed – or poppy straw as it is properly called – to the markets, wherever they are, and where are those regulations found?

I noticed Tasmania has a freight equalisation scheme to help the farmers there. The Territory, in some ways, is similar to Tasmania because it is isolated from main areas. Has the Territory government looked at the freight equalisation scheme in Tasmania to see if there is any benefit in encouraging more crops to be grown here so the cost of transport is not prohibitive and the market is not killed off because transport costs are too high?

What are the possibilities for future expansion of the industry in the Northern Territory, and what training is available for people who want to grow the crop? One of the benefits of creating this industry – it is not just the money, it opens opportunities for people not only to be employed, but be trained in the industry.

I am excited about an industry that is different and adds to our economic variety, which is important. One of the problems in the Territory is we have about three or four industries and that is it. If this could be a major industry for the Northern Territory – and when you consider Tasmania produces 50% of the world’s crop and some of our crops in the Northern Territory are much higher quality than elsewhere – what are the chances of greater expansion of the industry in the NT?

I get back to where I started – TPI has been asking for permission to import quite a bit of straw from Turkey. I note an open letter to TPI growers from Jarrod Richie, CEO of TPI enterprises of 30 August 2012 – this must be after the event – where he says:

*Firstly, I want to thank you for your support for the 2012/13 growing season. TPI is proud of being the only Tasmanian-based

Australian-owned company created to take advantage of the strong global demand for narcotic raw material extracted from opium poppies.

As you would be aware, TPI has been given a one-off permission to import 2000 tonnes of poppy straw from Turkey in 2013. TPI asked for this approval to ensure the company can meet its contractual arrangements and continue to attract investment in its Tasmanian business.

Further along he says:

*TPI has invested over $75 million dollars in Tasmania and developed a world first, water-based, environmentally-friendly extraction process that makes TPI the most cost effective manufacturer in the world.

If we are importing 2000 tonnes of poppy straw from Turkey in 2013, you would think there are opportunities for the Northern Territory. If poppy growing is successful we could expand further and put a dent in that 2000 tonnes of poppy straw from Turkey.

He said it was a one-off, and it might have been a bad year in Tasmania, but obviously there are opportunities from having poppies grow in different parts of Australia. It is like having cattle in different parts of Australia. Some station owners are able to shift cattle from one part of Australia to another. If there is a drought in one part you can move them to another. I imagine TPI is thinking if it can grow opium poppy in different parts of Australia it could reduce some of the risks that may occur. If there is a bad season in Tasmania it might be able to pick up the extra in the Northern Territory. Again, I have not spoken to TPI, I have Googled their website.

Madam Speaker, I support the bill. However, one of the problems with rushing this bill is I have not had time to talk to anybody or get briefings. I have done this sitting in front of the computer or by asking people. Thankfully, good people like Kaye Henderson at the parliamentary library gave us some information on it.

I will not ask to go to the committee stage. If those questions can be answered in the wrap we might not bother with it. I do not know what the member for Barkly is thinking so will leave the option open.

Mr WESTRA van HOLTHE (Primary Industry and Fisheries): Madam Speaker, I thank members who contributed to this debate. It is an important piece of legislation, as I said in the urgency motion debate.
This is enabling legislation; it will enable a new industry to commence in the Northern Territory. It is government’s job to not stand in the way of new enterprises but to provide the best environment possible for the commencement and, ultimately, growth of that industry.

The contributions to debate by the members for Barkly and Nelson were clearly well researched. They put a fair bit of effort into this, and I am glad they took the opportunity to get the briefings made available by departmental staff. Many sensible questions were asked in the urgency debate and today’s debate. I do not know how many questions were asked that I can address, but at last count we had 70 or so questions from the member for Nelson. There are probably a few more than that, but I will do my best to answer a great number of them. I will not be able to answer all questions asked.

Listening to some of the questions, particularly from the member for Nelson, I thought a lot could be best answered by TPI because they are about the agronomy, soil types and, ‘Will there be seed trials in the Northern Territory?’ That would be a matter for TPI. They believe the stock they currently have, the Papaver somniferum, will grow well in the Northern Territory, but at some point they may wish to pursue trials of different seeds.

Much of that could be directed to TPI. I am sure they would be more than willing to talk to members of this House with an interest in poppy growing and pass information on.

Based on a lot of what was said in the urgency motion debate, many issues arose which I am happy to address. I have prepared a speech which I will use to address many of the issues. I thank my departmental staff who sat here this afternoon madly scrawling away making further notes which, hopefully, I can decipher and pass some of that information to members who have asked questions.

Broadly speaking, the matters raised can be grouped into the following themes: security measures; community education; land management; and poppy growing activities.

Security Measures: as is clear from the stated object of the Poppy Regulation Bill and the clauses contained within it, reducing the risk of unauthorised access to poppies and poppy-related material is a high priority for the government. I can assure members of this House that the bill has the requisite legislative head of power to impose strict licensing conditions on holders with respect to site security and other necessary arrangements. The erecting of appropriate barrier fencing around poppy growing, processing and storage sites will be a mandatory requirement, as will appropriate signage warning of the dangers of illegally using the crops and that trespassing into prohibited areas is a serious offence. I have the photograph of the sign used on the Katherine research farm trial. The sign is fairly prominent, quite large and says:


It is a fairly upfront sign, far more upfront than similar signage used in Tasmania. That might be an example of the typical signage we expect to see. Further measures, including the use of electronic surveillance equipment such as cameras and the presence of on-site personnel once crops are in the ground, are also likely to be conditions of an issued licence. There will also be mandatory reporting requirements should a breach of site security occur.

It is important to talk about licensing. Licences, once issued, will be conditional. There will be a raft of conditions applied to each licence as it is issued. It will cover all matters considered necessary for operation of the poppy growing activity. It will include things like security, signage and a raft of other things, which is a sensible approach. It allows an adaptive approach to the issuing of licences to make sure any licence issued is specific to the applicant and the area in which the poppy is grown.

There might be a geographical anomaly from one site to another, which would mean different conditions being imposed around security. For example – this is not a definitive example – if a poppy growing area were next to a road, it might have more stringent security measures applied to it than if it is 50 km off the road.

With respect to the proposed commercial growing trial at Tipperary Station, in addition to the fencing requirements imposed on the designated growing site the station also has a boundary fence. Access to the station is prohibited unless authorised by the owners or operators of the station. Unlike in Tasmania, there are no public access roads anywhere near the designated poppy growing area. This further reduces the risk of unauthorised access to poppy material.

Returning to the bill, it also provides for the appointment of poppy control officers. Their functions will include visiting, inspecting and auditing poppy growing, processing and storage facilities to ensure licensing conditions with respect to security and other arrangements are being upheld. Not only does this bill impose strict licensing conditions with a strong emphasis on site security, there is also a requirement for the
applicant wishing to obtain a poppy licence, and any of his or her associates, to demonstrate they are fit and proper persons to be issued with a licence.

Further, to ensure those wishing to hold a poppy licence in the Northern Territory are fit and proper to do so, there will also be a requirement for the designated licensing authority to seek the views of the Commissioner of Police on whether or not a licence should be granted to a person.

The member for Nelson asked how an assessment might be made for fit and proper persons. Ultimately that will be a matter for the Commissioner of Police to determine. They have some fairly stringent guidelines they use to consider matters such as that. We will take the recommendations of the Police Commissioner.

To assist in his or her decision-making, the Commissioner of Police will be able to make use of protected information should they form a view - information not publicly available – a licence should not be issued to a particular person. The licensing authority will be obliged to take his advice and not issue the licence.

I reiterate the high degree of scrutiny to be applied to the issuing of a poppy licence. The designated licensing authority can only grant a licence if he or she is:

1. satisfied the applicant and any associates are fit and proper persons – the definition of associates in the proposed act is extremely comprehensive

2. satisfied that the applicant’s plan to manage any risks associated with the activities under the poppy licence is appropriate

3. satisfied the applicant’s intended site for these activities, with respect to location, facilities and proposed security arrangements, are also appropriate

4. the Commissioner of Police is not opposed to the granting of a licence to the applicant.

Once a poppy licence has been granted under the proposed act, section 12 allows for the suspension or cancellation of the licence should the holder seek its cancellation or the licensing authority believes the conditional term of the licence has been contravened.

In addition, the Commissioner of Police is able to ask the licensing authority to suspend or cancel an already granted licence, should information come to light regarding the licence holder or any associates.

The level of security requirements to be applied to poppy growing activities in the Northern Territory will be the most stringent in Australia, and we make no apologies for that. This reflects how serious this government takes the potential harmful human consequences that can arise should unauthorised access to poppy and poppy-related material result in ingestion of that material.

As I said previously in debate, you cannot legislate against stupidity, but you can try to protect people from themselves. This forms an important element of many of the laws we debate and pass in this House.

I will touch on community education on the dangers of poppy ingestion. As the member for Namatjira and others have mentioned in this debate, there is a need for the community to be educated on the dangers of ingesting opium poppies and poppy-related products. The Department of Primary Industry and Fisheries will be preparing and distributing appropriate educational material on this subject to communities in close proximity to where opium poppies will be grown.

Information of a similar nature will also be freely accessible on the department’s website. As part of the preparation of this material, my office will be liaising with the member for Stuart’s office and the member for Daly to ensure the material developed is appropriate for constituents in their respective electorates, given the proposed commercial poppy trial will take place within the confines of Tipperary Station.

As mentioned earlier, part of the required site security arrangements will be for licensees to ensure there is both highly visible and appropriate signage warning of the dangers of ingesting poppy material. The required signs will also make it clear that trespassing on such areas is an offence under the act.

I will now touch on land management. As with any cropping activity, those wishing to grow poppies under an issued growing licence will need to secure access to appropriate land for that activity. If land needs to be cleared a permit will need to be sought from the Department of Land Resource Management. If growing activities are planned to take place on pastoral land a non-pastoral land use permit will need to be sought from the Pastoral Land Board. Any land clearing applications would have to go to the Pastoral Land Board for approval.

With respect to water requirements, planned poppy growing activities will need to fall within existing water allocations for the designated area or a new allocation will need to be sought from the Department of Land Resource Management.
I pick up on points made by the member for Barkly when he asked about water allocations. If the area where the proposed trial is planned has sufficient water allocated to it already it will not need further water allocation. If the area is not adequately licensed the proponent or landowner will have to apply for further water extraction licences which, given the location, may or may not be approved. Given current government policies, we want to make sure we have sustainable use of our water resources, which are precious, and we will follow the policy set by this government based on the best science used by the water controller in determining whether water allocations should be granted.

In relation to other crops, it is expected poppies will require 20% less water than cotton due to a shorter growing period per crop cycle. With water volume, poppies are likely to use between 6 ML and 8 ML per hectare. I am advised the required water volumes for the proposed commercial trial fall within the existing water allocation for Tipperary Station.

Prior to issue of a poppy licence, an applicant, via their lodged risk management plan that will have to form part of their application, will also need to have included an appropriate biosecurity management regime to reduce the risk of poppy plants self-seeding outside controlled growing areas. That is the weed management side the member for Nelson referred to earlier.

Advice received from the Department of Primary Industry and Fisheries is that the risk of volunteer poppy proliferation, as it is called, is expected to be low due to a number of factors, including poor-quality soils outside of intensive growing areas. I am also advised poppies do not germinate when the soil temperature is high; therefore the risk of volunteer seedlings growing in the Wet Season is minimal. In the Dry Season, seed will not germinate unless it has undergone a sufficient chilled period, and further, without water it will not grow at all. As we know there is very little rain, if any, in the cooler months of the Dry Season.

Applications received for poppy growing proposals will also need to go through a weed risk assessment process. With respect to the use of fertilisers and pesticides as part of cropping activities, I am not aware of there being significant differences between those used for poppy plants and other broadacre crops cultivated in the NT, such as hay or melons.

As far as fertiliser is concerned, I am advised poppies require more fertiliser than used for hay production but less than that used for melon production. In the scheme of things, it is an average fertiliser user.

The fourth broad topic was planned poppy growing activities, and I will cover off on that now. During the debate members sought more information about the proposed commercial growing trial to be undertaken at Tipperary Station, and more information on the outcome of the two small-scale research trials undertaken last year at Katherine Research Station and the Douglas Daly Research Farm.

In relation to the previously conducted research trials, I have been advised it took around four to five months between sowing and harvesting of the crop. According to the proponent, Tasmanian-based poppy grower and manufacturer TPI Enterprises, or TPI, the alkaloid content observed in the harvested plants was similar to that found in plants grown in Tasmania, which was very encouraging.

In respect to the current proposal for a much larger commercialised trial, TPI will be seeking a licence to grow between 250 ha and 500 ha in the Territory in 2014. The company’s strong desire to have a crop planted and harvested in the Territory this year was reiterated by TPI’s general manager in an article printed in the business section of yesterday’s *Northern Territory News*.

For those wanting an understanding of how much product, in the form of poppy capsules and poppy straw, would be produced from a cultivated area of 250 ha, I am advised a useful rule of thumb for poppies is an average yield of about one tonne per hectare. This would equate to around 250 tonnes if that was a 250 ha trial, or the equivalent of filling 10 or so 20-foot shipping containers.

With regard to the movement of harvested product interstate or refining by Commonwealth licensed manufacturers, under the current bill a licence to transport poppy-related material will need to be obtained. Further, such activities will need to be conducted in accordance with an approved risk management plan. On present estimates, the value to the Territory of a poppy growing and processing industry based on the planned projections of the current proponent would be around $30m, which would represent a substantial contribution to our economy.

I might break that $30m down. The $30m proposed by the proponent includes what eventually might be a processing plant for poppies and poppy-related material. At this early stage we will have a commercial trial up and running. I see a situation where those poppies will be harvested and transported to Tasmania for processing. If we reach the stage where TPI or another proponent consider they can move to full commercialisation of poppies in the Territory, we might see interest in having a processing facility here. Given this is a very high-value crop and the cost of transport is
a significant part of the overall economics of the project, the economics would stack up for having a processing plant in the Northern Territory. That would be welcomed by this government.

I will not move to the summary yet because I will deal with some of the other issues raised. There was a question about consultation. We have looked at Tasmanian and Victorian legislation, have consulted with the Commonwealth extensively, and a poppy working group was put together, which was the departments of Primary Industry, Attorney-General and Justice, Health and Police. I hope I have not missed anyone out who worked tirelessly on this for months. A number of individuals on the working group went to Tasmania to examine – sorry, I thought the police went to Tasmania to look at what was happening and gather intelligence.

The major concern about this industry and its security was from the police. However, having spent a lot of time working through issues, this legislation is supported by the police. They know we are taking security issues extremely seriously, and they will play a big role in whether or not a licence should be issued.

I will touch on something raised by the member for Barkly around further broader consultation, health services and those things. I want to put this into context. We are talking about a horticultural crop with complications that it is, if ingested, a toxic substance and the precursor to licit drugs that fall within the parameters of the Misuse of Drugs Act and the Poison and Dangerous Drugs Act. It is a crop with complications.

The consultation I mentioned in the urgency motion debate, and the fact this proposal has been in the ether for some time – we have talked about it for months on and off and no submissions against the proposal were made to any agencies. That tells me, having heard about the potential of this new industry, anyone who might have a concern probably had those fears allayed by the fact they felt comfortable and confident that government, and our regulatory model, was robust enough to withstand the scrutiny required for such a serious crop or potential threat.

It is a matter of getting the balance right. I do not want to be critical because it is not a time for politics, but what we saw from the former government was a lot of procrastinating. ‘Let’s form a committee to do this’ and ‘Let’s consult on that’. As a result, nothing happened; decision-making was constipated and slowed processes down.

We do not take the same approach. We are happy to consult and want the community to feel confident that government has their back but, at the same time, given the urgency to get this up, we felt we were in a position to move forward with this legislation. We are patently aware of the demographics of the Northern Territory – the fact there are substance abuse issues. Unfortunately, this is largely amongst Aboriginal people. We have to weigh those risks and, in the case of this commercial trial, its location and all the other factors we considered in putting this legislation together, we can mitigate those risks to a great degree.

You could put up a six foot chain mesh fence and put three strands of barb wire across the top of it. You could probably fly a drone, go on Google Earth or fly an aeroplane over the top and find the crop. Then you could put your backpack on and trapse 30 km, 40 km or 50 km through the bush to find it. When you get there you might spend a week or two watching the security arrangements. One night you might snip the chain mesh, go in and take the stuff out. It is the same as me putting security screens on my house. If somebody wants to get in they will, regardless of what security measures there are.

We have made sure this legislation is contemporary, a question the member for Barkly raised. It has not followed Tasmania’s legislation; it has more closely followed the recently passed Victorian model. It is contemporary, and we have consulted with those jurisdictions to make sure we have robust regulations.

I think I have covered community consultation as well as pesticides and weeds. There was a question about fees. We are looking at no cost recovery this year for fees; we want to get this industry up and running. However, from 2015 we will have the capacity to charge fees for licences, which will be a cost recovery model.

I will run through these points although it may sound a little disjointed. GM poppies were mentioned. There is no suggestion of that in this trial, and I do not think TPI or any other growers in Tasmania use GM poppies. The regulations will be developed this year. We expect the head powers provided in the new act will largely provide the framework for issue of licences, and regulations will cover things like infringement notices and minor matters which can be dealt with by way of regulations.

The member for Nelson mentioned different varieties of poppy. At the moment it is Papaver somniferum ...

Mr ELFERINK: A point of order, Mr Deputy Speaker! Pursuant to Standing Order 77, I move that an extension of time be granted to the member.
Motion agreed to.

Mr WESTRA van HOLTHE: Thank you. It is *Papaver somniferum*, but the regulations will stipulate other species that can be grown under the new act if a proponent came to the Territory and said they would like to try something else. At the moment that is the commercial variety, and the one being used in Tasmania as well.

When will the licence be issued? As quickly as possible is the short answer, but only if officials are satisfied it is appropriate to do so. Even though government is keen to see this industry commence and develop in the Northern Territory, we will not take shortcuts. The issuing authority, under the act, will be Chief Executive of the Department of Primary Industry and Fisheries. I assure you he will be casting a very critical eye across any applications that come across his desk.

The 1971 agreement was also mentioned. We have advice this is not legally binding, but the NT intends to deal with the agreement in good faith. Discussions have commenced with the Commonwealth, Victoria and Tasmania. We do not want to be at loggerheads with any of those jurisdictions, and we do not intend an industry in the Northern Territory to replace that of Tasmania. However, the indications we have from growers is that they wish to expand beyond the borders of Tasmania and why they are also looking at Victoria.

There was a lot of discussion around a fit and proper person. This is someone who does not concern the Commissioner of Police from a criminal point of view. A commonsense approach will be taken by the police; they will not be too worried about speeders, people who have gone through divorce proceedings or things like that, member for Nelson. It is more about those who might have engaged in serious criminal activity or been associated with people who have engaged in serious criminal activity, so common sense will prevail.

Employment numbers: in the early stages, it will be in the tens rather than the hundreds, but if this trial goes well you could be looking at hundreds of employees, particularly if it moves to processing, which will be very important.

You asked why the regulation sits with the Department of Primary Industry and Fisheries, but we also have access to the police to assist us in that regard.

Only one variety is currently authorised under Australian regulations and allowed by the Commonwealth. There would have to be some changes at the Commonwealth level before we could do anything further here.

You mentioned soil, and there is enough knowledge of the soils of this area to give TPI some confidence it could grow. It will be an average fertiliser user, and I take the point, as should TPI perhaps, that you do not know what pests you might have to deal with. Pesticides will be an evolving issue for them.

The Commonwealth issues quotas and advises the international committee, but this is a very tightly-regulated industry across the globe. Quotas are also issued globally for opium product, and obviously Australia has a slice of that. We cannot provide any more to the market than we are authorised to, but there is a growing demand for licit opiate products across the globe, and I expect to see that demand for Australian-grown poppy material would increase as well.

In regard to growth it is possible, TPI believes, to grow two crops a year given our climatic conditions. We should have time, hopefully, to have one crop this year. If the timing works it is possible to have two crops because of the much shorter growing season in the Northern Territory compared to Tasmania. From memory, the growing season here is about half that required in Tasmania. That would look pretty good for them.

I covered off on processing and the potential for processing here and the medicinal products the member for Nelson mentioned.

A small volume of seeds is used for consumption, and I am led to believe they do something to treat the seeds so they can no longer grow. I do not know how that works, but I heard that some time ago. I hope I have not missed too much; there is a fair bit of work ...

Mr Wood: Does the owner of the land have to be a fit and proper person?

Mr WESTRA van HOLTHE: No, the owner of the land does not necessarily have to be a fit and proper person because they can be completely disassociated from the poppy-growing activity on their property. Under some contractual arrangements, a company like TPI would go on to a property like Tipperary and virtually assume control of that area. They would be the only authorised people to have access and the property owner, if not part of the poppy-growing enterprise, would most likely be excluded under...
the terms of the licence issued. There would be a
definite separation between the landowner and
the proponent grower.

Perhaps we will not have to go to the committee
stage. There will be extremely strong regulatory
controls to reduce risks to the safety and security
of persons within the poppy growing and
processing industry and in the wider community.
It is government’s strong intention to work
proactively with licensees to build a successful
and sustainable industry in the Northern Territory.

Before I close I want to acknowledge the
important contributions made by the Departments
of Primary Industry and Fisheries, Health, the
Northern Territory Police, Attorney-General and
Justice, and Land Resource Management. I know
some individuals who have gone over and above
in the effort they applied to this and I express a
sincere thank you to them.

It would be remiss of me not to mention the
sterling efforts of the Office of Parliamentary
Counsel, which skilfully translated agreed policy
into the robust regulatory regime evident in the bill
before us.

Lastly, I again thank members for their
contribution to debate. I appreciate the indications
from both the opposition and the member for
Nelson that they will support passage of this bill.

Thank you very much everyone, and I commend
the bill to the House.

Motion agreed to; bill read a second time.

Mr WESTRA van HOLTHE (Primary Industry
and Fisheries)(by leave): Mr Deputy Speaker, I
move that the bill be now read a third time.

Motion agreed to; bill read a third time.

REORDER OF BUSINESS

Mr WESTRA van HOLTHE (Primary Industry
and Fisheries): Mr Deputy Speaker, I move that
Government Business, Orders of the Day No 19,
be called on now.

Motion agreed to.
we see the immediate closure of two Police Beats in Darwin we support and believe are an important critical community interaction between police, the public and proactive policing. It is a short-term and immediate impact.

In the medium term we are worried about police response times and proactive policing based on cuts to the police budget and the decision to break the promise around extra police.

The third serious concern we have in the long term is the impact this will have on police numbers. In the 1990s the CLP implemented a recruitment freeze and the impact was felt for decades. It took the O’Sullivan review, in the early days of the first term of the Labor government, to identify and fix that problem. It was a decades-long problem because when you freeze police recruitment, when you do not bring enough police into the force, you have a lack of experienced police. That was clearly identified by O’Sullivan in the review. You lack police experienced in pro-active policing, especially with new police coming through who need the older head when patrolling and responding to police calls. We are extremely concerned about the cuts to the police budget and the impact that will have.

On a completely different note, something I am concerned about – with my licencing hat on and as local member for Fannie Bay – is a decision the CLP made to increase the tax on corporate bookmakers. Many might agree this is an area of business we should be taxing, but in the Territory we have always been careful not to lose that industry altogether. Other states and territories have eyed that off, Tasmania most recently. It is an important industry to the Territory and the jobs it provides are critical.

I know people who work in the front of Brett Dixon House taking phone calls, at the back of the house in the IT section and those who run the house, if that makes sense. Many people work there in high-paying, good jobs. They contribute to the local community. A significant number of people are based there, and as an industry it is easy to move.

The IT element at the corporate bookmaking set up is high end. This industry can suffer attacks like a denial of service attacks. They have a very high IT end – they are good jobs. They have a range of jobs at the bookmaker service.

As local member for Fannie Bay and as the shadow for licensing it is concerning. I will quote from Budget Paper No 2 page 61:

In 2014-15, bookmaker turnover tax is expected to increase by $2.8 million to $5.6 million, reflecting the increase in the tax threshold from $262 500 to $555 000 and the increase in the value of revenue units from $1.08 to $1.11 from 1 July 2014.

That is something we need to put a watching brief on; we do not want to see those jobs lost to the Territory. They are very good jobs and in my local area contribute a lot, but they also contribute beyond the local Fannie Bay area where they work. With my licensing hat on, it is something I am concerned about. I wanted to touch on that concern I have with the decision made by the CLP government.

We have extreme concerns about the cuts to the police budget and decisions the CLP and federal governments have made which put pressure on not only working families, but people in general, especially at the low end. The pressure is to find a way to survive under this Territory government and the Australian government, and we are concerned about the deals made.

We are concerned about how this government is dealing with mandatory rehabilitation. An example in Nhulunbuy is they are taking away the rehabilitation provision and only providing it to people who are in prison, which is a big mistake.

With those significant concerns, I note the budget and look forward to estimates.

Ms MANISON (Wanguri): Mr Deputy Speaker, this evening I comment on Budget 2014-15. The Treasurer has said this is a budget about the families and kids of the Northern Territory, but I doubt he could be more wrong. This is a budget about continuing cuts from last year, making it harder to live in the Northern Territory. We have seen power and water price increases of extreme significance under the CLP, the Power and Water Corporation structurally separated …

Mr VATSKALIS: A point of order, Mr Deputy Speaker! Standing Order 35: I draw your attention to the state of the House.

Mr DEPUTY SPEAKER: Ring the bells.

A quorum is present.

Ms MANISON: Mr Deputy Speaker, we have seen housing programs scrapped under the CLP. This year we have also seen the scrapping of the First Home Owner Grant for established properties. This effectively locks potential first homeowners out of many options in the market. We have also seen land release delayed by years, with the announcement of what I describe as Holtze coming online as well as Berrimah Farm. Weddell has been put on the back burner. It is gone, and that will blow out land release by years.
This budget makes it harder for the parents of today's Territory kids. It will reduce opportunities for families because they have more challenges in order to remain here. It again fails to deliver on the key election commitment of the CLP to reduce the cost of living. It is the number one issue I hear about every time I go door-knocking, families are still under pressure.

With the Sport Voucher Scheme – I love sport and love seeing kids get into sport and recreation and the arts, and that will go some way in assisting families so children do not miss out on the opportunity. However, when you consider the power and water and cost of living increases under the CLP, it has effectively given with one hand and taken away so much more with the other.

I turn to my shadow portfolio responsibilities, the first being health. In this year’s budget we see $1.352bn for 2014-15. The budget in 2013-14 came in at about $1.377bn, so it is effectively a $25m cut. CPI is soaring in the Territory and this will not help cover that. It does not allow for any indexation and does not cover any increase in costs and escalations that need to be factored in, especially when talking about the biggest area of spending in the budget.

It will not help cover increases in power and water bills within the department, the Top End and Central Australia Health Services, and it will not support the expansion of services to further improve the health of Territorians, which is what we all want to see.

The federal government budget was handed down this week, which will effectively wipe $50bn from Australia’s public hospital systems over the next decade. State leaders have put their case to the Treasurer about how disgusted they are with that move and how much pressure their hospitals will be under.

New fees have been introduced by the Abbott government for people to visit GPs. A total of $500m has been cut from Indigenous programs by the Abbott government. The Chief Minister said this will not impact the Northern Territory, but I find that hard to believe. In time we will see how deeply those cuts affect Territorians.

Health is a key responsibility of government. For a long time it has been something this nation has done well. This is in the sense it did not matter who you were, how much you earned, where you lived, you were able to access healthcare when sick. I am deeply concerned about where the Abbott government is taking healthcare in this nation. This budget does not leave me confident in what the future holds. In the Territory, the government will have to fight for every dollar. We know other jurisdictions have said it is game on; they are deeply concerned about the forecast cuts to their public hospitals by the federal government. Where else will we see cuts to programs?

Turning to the budget books, some areas have significant cuts which are of great concern, for example, Community Treatment Extended Care, which includes Alcohol and Other Drugs and Disability Services. There was $173m in the Health department and $46m in Health Services, and we have seen that go to $157m in the Health department and $42m in Health Services.

We have also seen a new ministerial portfolio created for Disability Services, and I applaud the minister for that. It is a great initiative to put a real focus and spotlight on disability services and the provision of services in the Territory because we need to do more as the demand is there. I was alarmed to see in the budget books the estimate for the last financial year was $100m and in the budget for disability services in the Territory this year it is down to $83m, a $17m cut.

Last year the budget had forecast about $88m and it come in at $100m, but that is still a $5m cut. In 2012-13 there was $89m in the budget for disability services. In this critical area where Territorians need all the support they can get, we have seen cuts under this government. That is alarming at a time when there is meant to be a strong focus on disability services, particularly with the introduction and roll out of the NDIS to the Barkly Region. The budget says you are still renegotiating agreements with the Commonwealth regarding this.

However, it is alarming and disappointing, at a time when the government said disability was a priority and important enough to have its own ministerial portfolio, that we see cuts to this area. That is a great concern and I hope the government fights for every dollar it can to secure additional funding for disability services because they need our support.

Primary healthcare is also a critical area of the Territory’s health system. We would all like to see prevention rather than treatment. We would rather stop people getting illnesses and health problems than spending the money afterwards to treat the problem.

When debating the Health Services Bill last week I raised with the minister the deep concern in the health sector of getting the balance right – getting the balance with the new health services model correct so we do not see primary healthcare losing out to the acute healthcare component of funding. However, in this budget we see primary healthcare cut from $134m to $103m. That is also a concern.
With regard to bed block, particularly at Royal Darwin Hospital, we know the hospital is running at full capacity and we are constantly hearing about bed block. We know the medi-hotel is being utilised for mandatory alcohol rehabilitation, but the plan is once Berrimah’s low-security facility is ready to go it will be used for its intended purpose. We have not seen any clear direction from the figures in the budget books about funding to make that happen. Will the medi-hotel be used for its intended purpose? I have many questions with regard to that. We need to address bed block, so that needs to be looked at.

Parking upgrades – we have heard many stories, particularly through the media, and I have had quite a few staff members come to my office about parking at Royal Darwin Hospital. There is clearly revenue coming in from parking, but I cannot see what money will come in through that and how it will be invested in improving and upgrading parking.

Budget Paper No 4 demonstrates the bulk of the infrastructure budget is revote from previous financial years. For example, the Department of Health capital works budget is $57m this year, with $48m of that being revote. The Top End Health Services budget is $66m for capital works, with $33m of that being revote, and the Central Australia Health Services capital works budget is $36m, with $30m of that being revote. There are not many new infrastructure initiatives. We need the government to get on with the job of building remote health clinics which have been federally funded. Again, these are all revote projects, but it would be great to see health clinics at Canteen Creek, Elliott, Ngukurr, Galiwinku and Numbulwar.

I recently visited the Galiwinku Health Clinic and was fortunate to meet staff and walk through the facility. They are keen to see a new health clinic built at Galiwinku, and I hope that becomes a reality this financial year.

There have been some missed opportunities in the budget. In particular, I refer to the children’s wing at Royal Darwin Hospital. I welcome the investment of $11.9m to upgrade the paediatric ward, but I see it as a missed opportunity because Labor secured an additional $38m on top of the $11.9m of Commonwealth funding to build a new state-of-the-art children’s wing. It would have been a state-of-the-art facility for kids and would have freed up the existing paediatric ward for expansion into other services at the hospital.

We have seen more delays with Palmerston hospital. An amount of $5m is in the budget for the start of construction, which I assume means headworks. It is an un-serviced site needing power, water, sewerage and roads infrastructure put into it. The government, at this stage, has plans to start building this in 2016 so we are two years away. We do not know when the doors will open and the people of Palmerston and the rural area can utilise the hospital and its services. People are eagerly awaiting that and becoming impatient with the delays.

I am concerned about Gove hospital emergency department. Budget Paper No 4 shows $11.5m was revoted for Gove hospital emergency department; however, nowhere else in the budget books is there a commitment to spend that money. What will happen with the emergency department is missing in the regional highlights. Rumour has it that money will go to services in Alice Springs. I visited Gove emergency department recently and saw the state, condition and age of it. Gove hospital, and the emergency department, needs an upgrade.

There have been some fantastic upgrades at Alice Springs Hospital. Tennant Creek Hospital emergency department looks fantastic. Years ago Katherine was upgraded, also Royal Darwin Hospital, which is receiving further upgrades at the moment thanks to Commonwealth funding. However, Gove is sadly lacking and the federal government provided funding to upgrade the emergency department.

Curtailment of the refinery in Gove is causing difficulties, but there is still the East Arnhem region to serve. There are still many people at Yirrkala, lots at Galiwinku and many living in Nhulunbuy. It has a region to serve and the work needs to be done. What is happening with that funding? Will we see upgrades to Gove hospital? The feedback I got was that people want to see it happen so I hope the government looks at that.

I have to give credit where it is due. In this budget it is great to see $725 000 for mobile breast screening to remote communities to help women in the bush access that. There is also $391 000 for palliative care services in Alice Springs. It was also good to see additional funding for the PATS.

Since coming into this portfolio I have had a lot of feedback on issues people have when using patient travel. It seems the staff in patient travel are incredibly overworked and under the pump. It is a tough job, people are sick, stressed out, taken away from their families to receive healthcare, but it is an incredibly busy job. I have had complaints about getting reimbursements, so I am glad to see a bit more funding going into that area to, hopefully, help out administratively and make it easier for people using the service and those working within it.

I turn to my shadow portfolio of Disability Services again. It is concerning to see we have made a big deal to ensure the spotlight is on the Disability
Services ministerial portfolio, yet we have seen a cut from $100m to $83m. In the last two financial years we have seen cuts, which is concerning. People who live with a disability or have a family member with a disability always say respite is a big issue. Accommodation is an issue. People want to know their children have post-school options.

Congratulations, minister on funding Project 21, a fantastic initiative at Rapid Creek for Darwin children, once they finish school, to get training certificates and, hopefully, enter into more employment afterwards. However, it is a concern to see cuts in the budget. It is an area we need to look at more.

I have banged on a fair bit about the need for a new Henbury School or at least some upgrades. It is bursting at the seams and there is no money in the budget to upgrade the school or look at the possibility of a new school in the future. I saw a media release from the Education minister saying something along the lines of $10m in the next four years towards infrastructure upgrades of special schools in the northern suburbs. I do not know what that means but would like to. I hope it means Henbury School. Two public housing dwellings sit next to Henbury, one was burnt down and the other was vacant last time I was letterboxing in the area. What is happening there? Are you looking at rezoning or extensions?

The school council and I have lodged a petition with this parliament. People are very supportive of seeing Henbury get an upgrade and the facilities it needs. At the moment students, family and staff are under incredible pressure; it is a very old school. It is not a want, it is a need. We need to help the students.

We welcome the Bellamack Special School investment in the budget. It was announced in 2002 and there have been some delays, but I am glad to see it is coming on board. That will be great for families in Palmerston with children with special needs.

Turning to the portfolio of essential services, the repairs and maintenance budget continues to be down. It was $81m this year, down from $87m in Labor's last budget.

Capital works is again down from $194m to $217m. There are still many questions about the Power and Water split, and we have debated scrutinising the new government owned corporations. We will not get that opportunity through estimates; it will be pushed out to August. It will be interesting to ask questions around the cost of the separation, the projects being delivered by Power and Water across the Territory and where the priorities are. However, it is concerning to see repairs and maintenance is going down meaning less reliability for everybody as the network infrastructure is not getting any younger.

In my portfolio of seniors – probably one of the hottest topics to come out of the Territory and nationally with the Abbott government budget – we will be adding to the cost of living for seniors because we are giving fewer of them access to concessions, which was always a great incentive to keep senior Territorians here. More seniors are choosing to stay in the Territory and call it home, and families want them to stay because of the support they can give. I would love to have my parents here; I am glad my in-laws are. They help support your family so you can work, but there is also the love and joy of having grandparents around. It is a wonderful thing. We should be doing everything to keep our seniors here. We are not sending the right message by cutting, when we have some fantastic incentives to make the Territory an attractive option.

With regard to young Territorians, housing is a big issue. Most young people in the Territory aspire to a good life, a job and a happy relationship. Most people aspire to owning their own home, which has become so much harder under the CLP.

We saw the HOMESTART program scrapped. That was extremely disappointing because the shared equity component of HOMESTART helped people get a start. I know many people who, early in their career and deciding whether to stay in the Territory or head down south and not having much coin, utilised the HOMESTART scheme as a single person. They did it to get that two-bedroom unit in Stuart Park and a start in the housing market. That was the foot in the door they needed to get some equity, eventually buy out their shared equity loan, sell up, get married and buy a house. It keeps people in the Territory. We know the cost of housing is expensive. It is tough and the HOMESTART scheme was an effective shared equity option which helped so many people who otherwise would not have been able to buy a home do so.

To scrap the First Home Owner Grant for established homes across the Territory is a shame. For many people buying a new house – it is not what they are after for their first home. Many people want to buy a one- or two-bedroom unit in an older property. They want something they can fix. They might be lucky enough to afford a three-bedroom older style house, do some renovation work and make it their home. By scrapping the First Home Owner Grant for established homes you are effectively locking people out of the established suburbs and drastically reducing their choice across the Territory.
To say going from $25,000 to $26,000 is a win for people in the new housing market—you will not see the yields you are after. That is not the way to go with housing.

Education is always an issue. Schools are reporting that things are a lot tighter, and you even hear it from the kids. When you chat to them they say how things are at their school, which teachers went and which subjects they cannot do now. Education is a key area to invest in and one I hope to see more focus on.

I turn to Multicultural Affairs within the Department of the Chief Minister, as well as Youth and Seniors. Grants have increased to $9.2m and that is fantastic. We all want to support our multicultural events. There is more pressure on community organisations given they have to foot massive power and water increases as well. That adds to the costs of being able to do what they want, but I am glad we still support our fabulous multicultural societies.

In my shadow portfolio of statehood the budget is completely silent. It appears, under the Giles government, that statehood is pretty much dead and buried. Going to 2016 and the time remaining for this government, the amount of consultation needed to pursue statehood requires investment now. We looked through the budget books and cannot see it. It is off the radar and the agenda, and we will not see statehood happen in the Northern Territory any time soon.

I go back to my electorate of Wanguri and Henbury School—not a want, a need. The government needs to spend money on it sooner rather than later. I am disappointed that in two budgets there has been no commitment from this government to Henbury. Our kids with disabilities deserve better schooling facilities than they have. It is old, run down and the time to replace it is now. I hope the government listens and makes this a priority.

Wanguri Primary School currently has a whole classroom sitting in a conference room because it is so overcrowded. Wanguri Primary School is becoming very popular, particularly with families from Lyons. There is a strong Defence community attending Wanguri Primary School and it is a wonderful thing. It has really enhanced what a fantastic school and community it is. Kids are separated from the school, sitting in a conference room, and there is no funding. The Education department is aware kids are in a conference room at Wanguri Primary School rather than a classroom. They know it is happening but there is no money for expansion.

Several years ago Wanguri received two additional classrooms to cope with Lyons coming on board. Muirhead is now coming on board. That is 1000 lots in total. We need to look at additional classroom space. It is a shame kids are separated from the school and sitting in a conference room.

I try to doorknock once a week and people still tell me power and water bills and rent are huge issues. They want to buy homes, so I cannot see how this will help after the First Home Owner Grant being scrapped.

In regard to pensioners and people going on the Pensioner and Carer Concession Scheme, one constituent has been saying how much he is looking forward to turning 65 and going on the Pensioner and Carer Concession Scheme. I will be telling him, ‘No, sorry mate, you can’t get that anymore’.

The Arafura Games were a fantastic part of Darwin. I loved the Arafura Games. We were hoping they would come back bigger and better this year. It is a shame because local athletes, sporting associations, volunteers and businesses miss it. It was a wonderful event. My experience with volleyball was the Arafura Games were the pinnacle. It was the ultimate tournament to train for in the calendar, particularly for Northern Territory volleyball players. They would not go particularly well at the Arafura Games against the Asian nations or the Defence teams from down south. Some old mates from interstate loved coming home for the Arafura Games. They miss it out now. That is one example of a sporting group that loved the Arafura Games and was sad to see it go. People in Darwin would like to see that back.

Mr Deputy Speaker, I will finish my comments. We have had a few missed opportunities and will only see the cost of living further increased under this budget. Thank you.

Mr STYLES (Transport): Mr Deputy Speaker, I support the Appropriation Bill. I am buoyed not only because we believe this is a great budget, but at every function I have attended since the Treasurer delivered his budget people have reinforced that they believe it is a good budget.

The Property Council, Master Builders, Palmerston Regional Business Association and others whose names escape me have all endorsed what the government has done. They have all acknowledged that the government inherited a huge debt and, given the circumstances this government found itself in, has produced a very good budget.

As minister for both Transport and Infrastructure I am pleased to provide further details on the Treasurer’s announcements. There is no better
illustration of this government’s commitment to developing the north than the investment in transport services, roads and infrastructure as announced.

The 2014-15 infrastructure budget of $1.1485bn comprises of $408.1m for Territory roads, national highways and transport assets which will see benefits Territory-wide and unlock the economic development potential in our regional, rural and remote areas of the Territory.

There is $204.6m for housing, $190.5m for health infrastructure, $130m for land development, $183.9m for education facilities in the Territory, $39.7m for Police, Fire and Emergency Services and $94.2m for work on other government agency facilities.

Of the $408.1m, $296.6m is for Territory roads and national highways, while $81.2m is set aside for repairs and maintenance, which is critical to maintaining the integrity of our road network. Some of the highlights are: $27m to continue the duplication of Tiger Brennan Drive from Berremah Road through to Woolner Road, part of the Australian government jointly-funded $103m project which will ease congestion and improve travel times between Darwin, Palmerston and the rural area; $8m for improving local roads and traffic management; and $2.7m to upgrade roads and improve access for agribusiness in the Katherine region – this will target the Edith Farms, Florina and Emungalan areas; $4.75m to continue the upgrade of Litchfield Park Road which will mean improved access for tourists and locals alike to the pristine Litchfield National Park; $5.5m to upgrade the intersection of Temple Terrace and Roystonea Avenue to support the new Palmerston Regional Hospital, ongoing residential land release and other emerging developments in the Palmerston area; $1.5m for urban roads landscaping; and $1m towards continuing our NT cycle path network, which will provide alternative transport options for people to travel to and from work and maintain a healthy lifestyle through participation in sport and recreation activities.

As we work with the Australian government to deliver economic development opportunities for the north, we are also continuing our ongoing commitment to provide much needed infrastructure investment in the bush. Our investment in the Territory’s extensive unsealed road network will see an additional 237 lane kilometres of unsealed road upgraded as well as an additional 135 lane kilometres of newly sealed road.

Under this budget I am extremely pleased to note other significant items which focus on delivering regional roads and infrastructure. These include: $17m to upgrade, strengthen and widen urban, rural, arterial and local roads; $4m to upgrade the Leviathan Creek crossing on the Fog Bay Road; a highly used access road for the fishing and boating community as well as the residents of Dundee; $2.5m to improve the Lajamanu Road; and $5m towards the Territory and Australian governments Regional Roads Productivity Package as part of a $16m Northern Territory government commitment.

Hand in hand with regional development comes a need for improvement to transport assets and other infrastructure. The government acknowledges it is an ongoing requirement, and in the 2014 budget we have allocated funding of $1.5m towards repairs to barge landings at Maningrida, $0.5m additional funding for a medium to large vessel pontoon development at Melville Bay, and funding towards aerodromes, including $2.5m for Canteen Creek. At Canteen Creek this will not only improve accessibility and compliance with mail delivery requirements but provide reliability for medical evacuations.

Work is also being funded under the Minor New Works program at Ramingining, Borroloola, Numbulwar, and Galiwinku aerodromes. All these projects contribute to improving access as well as providing opportunities for economic development. These projects will also create jobs for local contractors and generate flow-on business for suppliers across the Territory.

As we know, the tourism industry generates significant revenue for the Northern Territory and work continues to improve services and tourism-related infrastructure. In the Centre we will be providing matching funding to the Australian government’s total funding of $11m spread over three years to improve the Outback Way roads, and $3m to upgrade the Larapinta Drive/Lovegrove Road intersection in Alice Springs. This will provide a safer road with greater capacity to cater for increased local traffic as this area develops, and for visitors to Alice Springs.

Within the framework of establishing a strong society, community safety remains a priority for this government. Accordingly, through our Minor New Works program, we are investing in a range of projects with a road safety focus. This includes:

- additional road safety signage in various locations across the Territory
- improvements to the pedestrian path on Stott Terrace in Alice Springs to provide a safe wheelchair access point
- new street lighting in Gregory Street, Yulara
• upgrading at the intersection of Elrudie Avenue and Moulden Terrace in Palmerston

• fencing along the Plenty, Buchanan and Sandover Highways to prevent cattle entering the road network

• tourist signage installation at various locations.

The Territory government continues to support the improvement of road safety in the Territory. We are continuing to deliver road safety education across schools and in the community in urban, regional and remote locations. These targeted sessions cover a raft of road safety issues, including pedestrian safety, a focus for young drivers on influencing factors to prevent crashes, consequences of unsafe behaviour and talking about harm reduction strategies and heavy vehicle safety. The Department of Transport works collaboratively with industry and private sector partners to deliver road safety education on an annual basis so death and accident rates can be reduced.

To this end, we are continuing funding of a very successful and Australia-wide recognised and award winning DriveSafe NT Remote program which delivers driver education, training and licencing to remote communities with fantastic impacts. At the end of March this year 484 individuals had gained a birth certificate for the first time and 1376 learner licences and 439 provisional licenses were issued thanks to this training. An amount of $1.5m will go towards this program. Infrastructure enables economic growth and, for the Territory to have a modern, efficient, safe and high standard of roads and infrastructure, investment needs to be made in proper planning.

To this end, government has committed funding towards a number of planning studies to inform infrastructure design and development, which includes $1m for the investigation and design of key Darwin central business district master plan concepts. This project is being undertaken in partnership with the City of Darwin and focuses on providing a clear direction for future transport and land development options to ensure Darwin maintains its amenity and lifestyle but continues to develop and stimulate economic opportunities.

There is $1m for strategic planning studies in relation to roads and transport services, including a marine industry review to develop a regulatory regime for NT ports, devolement of an urban arterial road strategy, aviation and services strategy, Alice Springs transport study, freight and logistics strategy and link strategies for the Central Arnhem Road, Carpentaria, Buntine, Plenty and Roper Highways and the Tanami Road.

An update on the Darwin regional transport model, in response to the Greater Darwin Regional Land Use plan, is due for completion in 2014. This will contribute to integrated transport and land planning to maximise the cost benefit of future road and public transport expenditure and development of a road and bridge strategy which will prioritise the management, development and maintenance of the Territory road network.

Our government is focused on improving and maintaining customer service and reducing red tape, and from day one this budget reflects an ongoing commitment to this.

Critical transport services, which are vital, will be maintained. I am pleased to announce today that the budget 2014 allocation includes $27.45m to continue the provision of public transport services Territory-wide, $800 000 to continue the Tiwi Islands ferry service and $400 000 for provision of the remote bus program.

Over three years this will see government providing $1.2m in total to ensure services operate from Gove, Katherine and Alice Springs, and provide communities with an alternative, safe mode of transport to and from major centres to access employment and a range of services.

There is $19.13m to continue the provision of school bus services across the Territory, including vital services for special needs students. In addition to delivering all these projects, the government continues to work with other jurisdictions to lobby the Australian government for further development of and investment into northern Australia.

The Territory has a fantastic opportunity to build on this when the Department of Transport hosts a National Remote and Regional Transport Infrastructure and Services Forum in the coming weeks in Alice Springs. This forum will enable us to talk through a range of initiatives and ideas with industry stakeholders and colleagues in other states, and lobby for these to be included in the national agenda so investment continues to be made in the Territory, reforms are implemented and we unlock and continue to drive economic growth across remote and regional Australia. I look forward to reporting back on the outcomes of this event.

In addition to transport assets and roads, this government continues to invest in housing in the Territory, and has allocated $204.8m in this budget for housing across the Territory. This government will continue to deliver critical public infrastructure Territory-wide. To achieve that goal we have allocated $511.1m for works on infrastructure.
Other ministers have taken the opportunity to expand on their portfolios. I am pleased to outline some highlights. There is a repairs and maintenance allocation of $109.3m across all agencies, with an additional $109.9m repairs and maintenance funding allocation for roads, housing, the Land Development Corporation and Darwin Port Corporation. There is also a land development allocation of $130m which will include $34.2m towards bringing on Territory land release at various regional and remote communities as well as Palmerston; $23.9m for Palmerston east headworks preparing for future land release and the demand for housing in Palmerston and the rural area; and $5m for a boardwalk from the Deckchair Cinema to Lameroo Beach.

There is a health facilities allocation of $190.5m, which will include $22.8m towards continuing upgrade works at Royal Darwin Hospital. This incorporates $11.9m dedicated to refurbishing the paediatric wards. There is a $1.9m upgrade for Katherine District Hospital emergency department air conditioning. The 2014-15 budget includes $8m for various Department of Health upgrades, which has been allocated to remote health clinics at Robinson River and Tjitikala. There is also $5.1m for multidisciplinary teaching and training facilities at Alice Springs Hospital.

Further, the budget has an education facilities allocation of $83.9m, which will include $17.8m allocated towards a number of schools, including the NT Open Education Centre, $5m towards boarding facilities, as well as a $1.2m preschool extension at Rosebery Primary School.

In line with our focus on community safety, significant investment is planned for policing, including $9m for stage two of the redevelopment of the Alice Springs Police Station, $6.7m towards Yuendumu Police Station and $7.5m for Alpara Police Station and accommodation. Further upgrade work will also be undertaken at the Peter McAulay Centre and the Pirlangimpi and Nguiu Police stations.

Continuing our work in supporting Territory sport and recreation, $4.2m is going towards upgrades at the Hidden Valley sports complex.

All these projects support our strategy to develop the north. They create jobs and opportunity for local contractors and small businesses. They drive opportunities for the Territory and help boost our economy. As work continues to roll out across the construction industry in the coming year, I look forward to reporting back on these projects and on their progress.

This budget secures our children’s future. What a great time to be in the Northern Territory with a government focused on wealth creation, economic development and unlocking economic potential. Other speakers on the Appropriation Bill have informed the House of the development occurring. It does not just happen; you have to make it happen. You have to encourage people to look at what is happening in the Territory and sell the fact the Northern Territory is open for business. You do not wait for people to turn up; if you generate wealth you will see a decrease in the debt situation.

If you increase the economic activity in the Territory you change the debt to income ratio from 98% to a far more manageable figure. You also isolate yourself from the ratings agencies so they do not downgrade you.

I talk to my children on a regular basis, I have a number of grandchildren in the Territory, and I tell them you would not want to be anywhere else at the moment. Several years ago they were looking at options, not that I think they considered them because they love the Territory; they are Territory children having come here as babies. When the cost of housing was skyrocketing, there was no land release, they were struggling and going round in circles, every property was auctioned, and they would tell me they were struggling. There is now a bright future for them and they look forward to what is happening in the Territory. The fact they can see a better future has encouraged them to stay and be enthusiastic about developing the Territory.

In relation to my electorate, I am glad to see this budget has provided for urban roads, beautification projects and a safer intersection at Lee Point Road by widening the roads. Extra roads are being built. There are upgrades to schools in my electorate. Given we were looking at a $5.5bn debt, I have to congratulate the Treasurer for pulling this together.

I also have to congratulate my colleagues. Going through budget Cabinet recently, when looking down the barrel of a huge debt, was an interesting process. We have to live within our means. Sadly, that did not happen with the previous government; it did not live within its means. It seemed to throw money around like fairy dust expecting money would fix things.

I recall that when I was on the other side of the House the current Leader of the Opposition, when Treasurer, would say, ‘We spent far more money that the CLP did’. Obviously there was some inflation. It is not too hard, several years on, to spend a few more dollars more, but they spent a huge amount more. I continually told the current Leader of the Opposition, when Treasurer, ‘Money is an input not an outcome’. When you invest in the Territory you need outcomes, and outcomes are clear in this budget.
You do not need to be a rocket scientist or have done Economics 101; you just had to listen to your mother telling you basic economics. Generally, if you followed your mother’s advice you would probably do all right in life. I wish I had paid more attention to what my mother said because I might have done better than I have. You cannot continue to spend more than you earn over a long period of time. You can invest in capital items that depreciate over many years; the family home is one. You might buy a new car, that is another, but you can only do that if you do not borrow to make the repayments. We were heading down the track of financial disaster.

The other side will say, ‘No we weren’t, we were responsible. We did this, we did that.’ However, for people listening or those who read the Hansard, you only have to look at the budget papers to see the direction we were heading.

I have my charts, my pile of reference material …

Mr Vatskalis: Please, not the graphs again.

Mr STYLES: They hate this, they really do. You hear the interjections, ‘Not this again’. It is important that people see. If you are watching this you can see the blue bits are when the CLP was in government. In the early days of the ALP, when Syd Stirling was Treasurer, it was similar and they did not do a bad job. However, who took over when we start to go through the roof? It was the current Leader of the Opposition, the then Treasurer, the member for Karama. The debt goes up like a pyramid and the federal government is the same.

Being Minister for Infrastructure, I want to build stuff. You can see from the budget we will build a lot of stuff in regional, rural and remote Australia. However, you cannot continue to borrow money and throw it around without looking for outcomes or key performance indicators. What did we get for this massive increase in spending? We got a massive debt and not much to show for it. That is very sad because that is my kids’ future.

I have asked before and still do not have an answer from the opposition: what are your kids saying? Is it, ‘Thanks mum, thanks dad, fantastic effort!’ You spent $5.5bn and I will spend the rest of my life paying it back, you beauty! Can you spend some more so my kids can spend their lifetime paying it back? Great stuff! I have not heard anything like that and doubt I will.

It is a challenge to those opposite. It must be sad to have increased the debt of the Territory to the extent they did – the deficit they left. They see we can reduce it, have not sacked public servants, have not slashed and burnt, but have done it in a responsible manner so people in the Northern Territory only have to wear a small amount of pain. There is some pain, we acknowledge that, but that is what happens when a government overspends, does not put any controls in and is not looking for wealth-creating projects with decent, measurable key performance indicators. We have a huge debt and nothing to show for it. That is not what my mother taught me about economics.

I studied economics when doing my Masters of Business Administration at Charles Darwin University – a good Territory university fellow – and it is not sustainable. I have asked the question and still do not have an answer: what did they hope to achieve by continually spending?

I recall, and am happy to be corrected, that when we were in opposition a media release from the then Treasurer, the member for Karama, said, ‘We will spend our way out of trouble’. I could not understand it and still do not have an explanation. I am hoping a fantastic economist can convince me that if you continue to spend roughly 20% more than you earn for a number of years, you will be better off. We might end up better off, but it destroys the capacity of my kids and my grandkids to have a bright and fantastic future in the Northern Territory.

The Territory has been a great place to live and raise my kids. In this budget I see something that will secure our future and our kids’ future, but we need to be responsible and do it in a fiscally responsible manner. I believe this will commend the Treasurer, my colleagues and this bill to the House.

Mr VATSKALIS (Casuarina): Mr Deputy Speaker, the Treasurer, when presenting the Appropriation Bill, said the budget will secure the future of our children. He also said it was a miracle budget. In my home country of Greece they say, ‘A miracle only lasts for three days’. This miracle did not last three days, it started unravelling on the first day it was presented.

I will start with the debt. For two years we have heard about Labor’s $5.5bn debt. Suddenly, a week-and-a-half ago, we started hearing the ‘projected’ debt of $5.5m. Why the change of language? It is because he knows Territorians no longer buy that. He also knew he would present a budget which, despite all his affirmations he would bring the debt down, did not. Not only has he not – our projected debt is $4.1bn and $1.3bn of that is Labor debt. All this work was done before Abbott and Hockey told him he has to find money for health and education in the Northern Territory. Do you know how much this extra money will cost the Territory? It will cost $750m in today’s terms. All of a sudden his debt will go from $4bn this year...
to $4.7bn, and God knows what will happen in the future.

I know he will make every effort to bring that debt down. We did the same and that is why it is projected. We said, 'If we do nothing, that will happen'. We intended taking measures to bring it down. The member for Sanderson, with his graphs, says, 'Look how good we were. Everything was flat when the CLP was in, and when Syd Stirling was Treasurer everything was flat, but when the member for Karama took over debt started increasing.' Bring that graph back and show the global financial crisis and you will see a totally different graph.

We hear a lot of stories about debt, and the biggest fib is the one presented by Joe Hockey and the Liberal government in Canberra. They keep telling us Australia is in deep trouble; no it is not. They say Australia has a serious problem with finance; no it has not. It has AAA credit rating and the ratio of debt to income is 17%. The next best economy in the world, Canada, is 35%. The US ratio of debt to income is 95%, and in Japan it is 135%. There is no debt crisis in Australia.

In the Territory there was a debt and the member for Karama said, 'What did we get for this money?' In my electorate we got a medical school – never here before – a cancer centre, the one the current Treasurer, then member for Solomon, could not secure. What else do we have? We are building the Alice Springs emergency department. We secured money for remote community clinics that you crow is your money. It is not, it is federal money.

We upgraded schools and hospitals. We did a lot and got a lot for the money we spent. Would you like to go to hospital and have the doctor say he cannot treat you today because they are over budget, you have to wait three days for the new financial year? You would not like that. You say this budget secures our children's future. How? You have cut $8m from the Department of Children and Families. How will these cuts secure the future of our children?

When I was Minister for Child Protection the biggest problem was in remote communities. We decided to establish an organisation similar to Aboriginal medical services to look specifically for children in the remote communities. One of the first things your government did was cut funding to this organisation. How can you secure the future of our children when you cut services to the people requiring the services – our children, especially those in remote communities? Your budget does not secure a future for children.

This budget takes away the First Home Owner Grant from people wanting to buy an established home. I will give you an example. My son in Perth used a first home owner grant to buy an established house. As it was his first house the government decided to wipe stamp duty. That is how you secure our children's future. If you want to buy property in Darwin – the member for Drysdale will know about this because there is a lot of new development there – a block at Rosebery will cost about $220 000, and if you put a house on it that will be another $400 000. That is $600 000. The bank will demand a 20% deposit otherwise it will charge you mortgage insurance.

I came here as a young man – the member for Blain is a young man and probably faced the same problems. He wanted a house but did not want to pay rent. Did you have $120 000 in your bank account for the 20% deposit required to buy a new house? I bet you did not. I did not. People do not have that money. Many people intended to buy not-so-flashy blocks in Nightcliff, Alawa or Nakara – $300 000 or $350 000. They cannot afford to buy them now. They would fix them, make $100 000 profit then move to a better position. We have all done that. When I came here I bought a house in Coconut Grove for $100 000. I later sold it, made a profit and bought a new house which I now live in. It was an enormous amount for me, but I had the opportunity to do it. This budget has taken that opportunity away from young people who want to get their first house.

We talk about growing the Territory. I looked at the budget books, especially the areas I served as a minister. One was as minister for Mines. The Chief Minister keeps telling us the future of the Territory is oil, gas, mining and northern Australia. The budget for the Department of Mines and Energy shows a lot of money spent here, there and everywhere. Surprisingly, I saw exactly the same money for CORE, Creating Opportunities for Resource Exploration. It received the same amount as last year, and it is the same amount we put in when starting the project. I am pleased the CLP is continuing a very successful project, but there is no extra money.

If you do not tell people about the Territory they will not come. We told people interstate, in China, Japan and Korea about the potential of the Northern Territory. We put money on the table to have a team promote the Territory. There is no money for such activity in this budget. How will you promote the Territory? People cannot promote it if there is no money.

The member for Sanderson, the Minister for Transport and also Infrastructure, told us what a fantastic job he is doing. He forgot to say most of the money he is spending is Commonwealth money. In The Australian of 14 May 2014 Amos Aikman wrote that 75% of the Northern Territory’s
share of infrastructure spending in next year’s budget will go to major towns, not remote communities. From this money, $566m in cash will be spent on capital works, and out of this money $180m is coming from the Commonwealth. In Darwin and Alice Springs, $380m has been allocated for major works, $279m will come from the Territory government, with $29m from Canberra. For Katherine, Tennant Creek and other remote areas, this government has allocated $244m, and $149m will come from Canberra.

Please do not take us for idiots. Tell the truth; the money is not yours. It is money from this government and the Commonwealth. Please do not use the money for political purposes. The minister told us about the Tiwi Islands ferry. Again, Amos Aikman’s article in The Australian says that $3.8m allocated for the Tiwi Islands is a blind and blatant ploy to increase pressure on Palmer United Party’s defector Francis Xavier Kurrupuwu to re-join the CLP.

I thought this was to improve the life of Territorians not the situation of the Country Liberal Party. The Treasurer said this is a miracle budget; the only miracle I can see is he is still in government, especially after what I have seen today.

Let us talk about Central Australia. Even the Alice Springs News online edition says the Capital Works program for Central Australia, in the $5.4bn Territory budget, consists mostly of revotes from last year. The revote is money we did not spend last year and will spend this year. Looking again at the budget books we find, in the 2014-15 Capital Works and Estimated Capital Expenditure, that the total department infrastructure will consist of a $216m revote – $216m that was not spent last year. They put in $240m, but there is a $157m revote. Despite what they say they put in, nearly the same amount of money is revote from last year. One can use smoke and mirrors while pretending to do lots of things, but we are really spending money we did not spend last year.

I noted things were difficult in my portfolio, but I am really disappointed the Minister for Tourism did not receive the same allocation he had last year. Tourism is the lifeline of the Territory. After mining, tourism pumps money into the Territory. Unfortunately, the minister received less money this year and admits to expecting fewer visitors in the Territory this year. This government admits in its budget books that fewer people will come to the Territory this year. The idea is you put money into tourism to promote the Territory.

They might do the promotion, but they are doing it in the wrong place. I have already argued that with the minister. This minister has lost three airlines from the Territory. He did not renegotiate the contract with Jetstar and they left Darwin. Tiger left Alice Springs, and the news now is Qantas has sent a team to Alice Springs to see if that operation is viable in order to pull Jetstar. This will happen. I cannot see how a budget airline, not flying directly from abroad, will bring more people to the Territory.

Minister, you have a unique opportunity; you have a government relying on one person. Use your position to get money from the Treasurer to boost tourism. One thing we agree on is having more tourists in the Territory will create more jobs and bring wealth not only to Darwin and Alice Springs, but also to the remote regions where it is desperately needed.

Your staffing is down from 85 to 71 people. Territory Discoveries has been outsourced/privatised, despite the fact it was bringing quite a bit of money to the Territory.

The other thing against you is your mates in Canberra. There is nothing worse for a government than when the same party is in power in Canberra and instead of supporting you they undermine you.

Think about the fuel excise. The Territory has many roads and everybody uses cars. We use cars in the city when we have a bus service. Can you imagine what will happen to remote communities or the drive-your-own-car tourists? I will give you an example. From Adelaide to Darwin is about 5000 km and I estimate 12 L to 14 L per 100 km. You will need about 700 L. With $2 a litre the average price, this will cost $2800 for a round trip. AirAsia offers a trip from Adelaide to Bali for $309 return or $600 for two people. With $1000 for accommodation that is $1600. That leaves another $1200 for shopping in Bali instead of driving to the Territory. It is tough being in the tourism industry at the moment. The Territory is not the only destination people look at, but it can be a destination for people if it is promoted correctly. Cutting money from the budget will not bring many tourists here and every dollar counts – every dollar spent in the right place, at the right time to the people who can bring tourists to the Territory.

Defence support: today I heard the Treasurer talk about the influx of Marines into Darwin, a unique opportunity for us. I appreciate what he said about swapping land, but remember the Defence Support Hub, a unique opportunity for the government to accommodate the needs of the United States Marines with storage facilities and accommodation. That opportunity would benefit not only this government, but local people and local tradesmen. That area can develop. It needs to be built, it needs the buildings, the facilities and
the services to accommodate the Marines and we can do it. We did not hear anything about that.

DCIS: the government has breakout and corporate governance as separate output groups. Is there something the government knows it is not telling the rest of us? Is it outsourcing DCIS as well? What would be outsourced? Payroll, HR? What will happen? The Government Printing Office has gone, the Treasurer made that announcement a few months ago. It is finished. There were many reasons for that, the main one being he wants to increase competition. It was an old facility because the government did not invest in it.

It might be a good idea if it had been done differently. It was done on a Friday afternoon, very quietly, together with the Darwin Bus Service.

This budget is not securing our children’s future. People talk about missed opportunities; they are not missed opportunities. You put a budget together deliberately; you put a budget together sitting with your colleagues and your Treasury. Many times Treasury, being the conservative department it is, will put its own point of view in the budget and frame it in a way that sometimes sucks you in and you make the wrong decisions. If you are thinking about the future of our children, you should be thinking about the future of the Territory.

The member for Sanderson said wherever he goes people tell him it is a good budget. Of course people will tell you it is a good budget. Today I visited the Territory Construction Association, and while the CEO praised the budget, he said, 'It is inappropriate to say, but congratulations and thank you very much to the previous government for spending a lot of money on infrastructure in the last years because that is what we needed'.

Also, Treasurer, to be a good budget it has to be in parallel with what people talk about outside. I do not know if you are talking to anybody in the real estate industry or the construction industry, I do not know what they tell you but the reality is, apart from people who work for INPEX, everything else is really soft. Real estate agents are telling us things are not moving as quick as before. The construction industry is telling us, yes, people talk about housing but nothing is moving at the moment. Some apartments are moving, but everything else seems to be very soft.

Minister, budgets look good on paper but the decisions you make as Treasurer will affect people in the Territory for the next year. I do not commend this budget; it is not a miracle budget. You said it would secure the future for our children but I cannot see that, especially when our children do not have the opportunity to buy their first house and stay here. Many of our children will leave the Territory, along with a lot of people, because it has become a very expensive place to live.

The previous government tried to keep senior citizens in the Territory. When I first came here very few old people lived in the Territory. We increased the percentage of senior citizens by 6% or 7%. It looks like, in the next few years, people who can leave will. This exodus will not only be senior citizens, it will be young people who want more opportunities. Not everybody can work for INPEX. Young people want to buy an affordable house.

It was a good idea for the Treasurer to say, ‘This is the way to go’ and put the money out for new houses because that stimulates growth and construction. I do not know many young men or women starting their working life who can afford to save $120 000 for a 20% deposit on a house in Bellamack or Rosebery. It is not securing the future of our children. Instead, many of our young people will move away from the Territory.

Mr BARRETT (Blain): Mr Deputy Speaker, I endorse this budget. I want to say twice as many things as the last speaker in half the time. This year’s budget is a quality piece of work. It is soundly endorsed by independent third parties, and I commend the Treasurer and his team who have worked very hard over the last few months putting this together. Having had some experience in finance and economics, I think it makes quality use of fundamental economic theory and practice. This will be justified as we see the effects of this budget over time.

At times I struggle to understand how politics works, but I understand economics. Having studied budgets for many years, this one is remarkably free of guff and full of quality content which unashamedly drives forward quality spending in areas that will yield dividends for years to come.

This budget has a lot in it for the Blain electorate, arguably the fastest growing in the Northern Territory. Land release is happening on a large scale, and up to 15 000 people will be moving into the area in the next five years or so. This kind of growth in population requires a lot of attention to appropriate infrastructure development such as roads, intersections, power, water, sewerage, schools, parks, nature reserves and commercial land.

In continuing to manage growth in the area, there is funding for construction of a school in Zuccoli and a special school in Bellamack. This was announced during the Blain by-election and finances are being committed to deliver those
goals. During the by-election we spoke with constituents about appropriate planning to make sure infrastructure such as schools kept up with the residential development in the area. It is fantastic to see this government is working to the plan for development. I am very excited to be part of this team and its vision.

Bellamack Special School is an important piece of infrastructure. There has been an increase in demand for these services as the population has grown. A constituent has raised travel to and from Henbury School as an issue, saying it has created a big struggle financially to raise the children, get them to school, work to support the family and care for a disabled son. I raise this particular constituent and their issue to show there will be relief for people across Palmerston and the rural regions as this project comes about.

There is a continued focus on the release of land to keep the lid on the price of housing, which is important. This morning at the PRBA breakfast we saw that private sector third-party analysts have identified that house prices are stabilising and affordability measures are improving as wages increase and interest rates remain low. This should be exciting for the member for Casuarina, who is worried about the next generation being able to afford houses, particularly considering how high housing prices were when he was in government.

This is excellent to see because it creates opportunity for our children’s future if we continue to see affordability measures improve. The plan is working, gaining traction and we are seeing the economic rewards for the hard work of the Giles government and the work it has done to halt the unaffordable nature of the housing market. As the future unfolds we will see continued land release, coupled with the grant structures in place, continue to address this most important issue.

The member for Casuarina would have us believe the unaffordable housing issue is our fault after two years in government, yet the average increase in house prices under their watch was 11%. I congratulate the Giles government for bringing that back to 6%, and there is more scope to keep increases as low as inflation.

The strengthening of support for a market entrance into the new housing market will accelerate development of areas around Palmerston. This will assist local builders and remove the price pressure the subsidy had on existing home sales. Our building industry has been an important part of our economy and I am glad this budget shows direct support for that industry.

Development of the Tiger Brennan Drive duplication project will have a big effect for those travelling between Palmerston and the city. This was an election promise and is being delivered. I have heard the opposition say this government has done nothing for people, but I greatly enjoyed driving on the new section of Tiger Brennan Drive this morning on my way here – tangible evidence of this government working for the people. I, along with my Palmerston and rural colleagues, will continue to work hard to see the duplication program continues and see the committed funds put to action.

The sport voucher announcements are now more than a promise; they are in place with funding being made available for parents to keep young people active. In Palmerston this will be great, because so much choice is available for residents to have people engaged with their community. With such a high number of families with children in the electorate this will make a real difference to them. In addition, Palmerston leisure centre will be able to attract new participants in the swimming club, martial arts club, tennis centre, netball centre, dance club, all football codes and the cricket club.

Funds have been committed for CCTV cameras at Elizabeth River boat ramp to protect our property in this crime hot spot. This boat ramp has been a target for criminals for many years, and I am glad this action has been taken to protect citizens. This is one of the issues we looked at during the Blain by-election, and it shows the Giles government is committed to working with the police and community to make our city of Palmerston safer.

We have seen some excellent results achieved in the Palmerston area, and I applaud our local police officers for the excellent service they provide. The job is a tough one and our area faces challenges.

In relation to the hospital, we see funds committed to start headworks for the site and, as time passes, Country Liberals members in Palmerston, Lia Finocchiaro, Peter Chandler and I, will continue to work hard for our community to see the project develop through the stages to completion. I applaud the work the Minister for Health has done and continues to do.

This budget also contains funding to complete the doubling of capacity for Rosebery Primary School and its preschool program. This eases the pressure on Rosebery Primary School and means other preschool programs in Palmerston primary schools can serve their community more effectively. There were issues with siblings having to go to different locations which created travel problems for parents in the area, and this will be
alleviated. This is an example of the government listening to constituents and working towards solutions for the people.

In this budget we see delivery of what we spoke about during the Blain by-election. I am so proud people will see the government putting resources in to deliver the things we spoke about. I am also, from a fiscal point of view, very happy with the reduction in the Territory’s debt ratio; 98% was an unsustainable number. The Treasury department has been working very hard to find ways of getting that under control.

This budget strikes a good balance of moving forward in spending to generate future prospects for our children and reducing our debt.

Ms ANDERSON (Namatjira): Mr Deputy Speaker, I will not spend much time praising the budget because there is nothing in it. We all see the broad lines of the Territory budget and it is highly irresponsible. Thanks to INPEX, the Northern Territory is going through a boom in private sector spending. There is also a GST top-up of $150m. All that is being blown on big ticket projects in Darwin suburbs and towns. This is a budget Dave Tollner should apologise for. It sends a message to Aboriginal Territorians in the bush saying, ‘Drop dead’.

There is plenty of money for roads and infrastructure for the cattle industry, but there is next to nothing for roads which link bush communities to regional centres. There are cuts to child protection. An attempt to encourage private home ownership in the bush gets $4m while subdivisions in Darwin receive $44m. The CLP has simply given up on the bush. It knows it cannot win those seats. It knows the member for Stuart will not run again or be re-elected. It has barely bothered to bribe her electorate with a couple of tiny commitments to do the headworks on vacant land blocks. As for the member for Daly, he received nothing for his loyalty.

What is Dave Tollner spending it on? Prisons and new police stations, although that is all Commonwealth money. He is cutting bush schools, Aboriginal remote housing, maintenance, health and the environment. There is nothing in the budget for the poorest people in Australia, but we already know what he thinks of them.

The test of a society is how it treats its defenceless and disadvantaged. The duty of government is to ensure everybody is treated fairly, taking into account their means and needs, to ensure society’s resources are equitably distributed amongst its citizens. Failure to do so causes inequality, and there is a large body of research establishing unequal societies are bad for everyone within them: the rich, the middle class and the poor. Almost every modern social problem – poor health, violence, lack of community life, teenage pregnancy, high imprisonment rates and mental illness – is more likely to occur in a less equal society.

Adam Giles is aware of this. In the Legislative Assembly sitting in Alice Springs in November 2009 he accused the then Labor government of overspending on urban infrastructure projects in Darwin’s northern suburbs to win voter support rather than delivering services to rural and remote areas. At the same sittings I said it was a national disgrace that the Territory government was underspending on Indigenous disadvantage. Two years after the apology to the Stolen Generations, I have not changed my view at all.

In Tuesday’s budget we saw that the Northern Territory government relies on the Commonwealth for the bulk of its infrastructure spending outside greater Darwin and Alice Springs. The government’s own budget paper shows cash spending on infrastructure in 2014-15 of $566m with $178m coming from the Commonwealth. The real crunch comes with the split between the two major urban areas and the rest of the Territory. The Northern Territory government’s contribution from its general purpose funds is $279m for the major urban areas of Alice Springs and greater Darwin, and $85m for the rest of the Territory. The amount of $85m is only 15% of the total infrastructure funding.

This discrimination against those doing it tough in the bush and in the regional centres has been going on for years. This government seems to think the Northern Territory is nothing more than an economy, and if the total figures are okay we are all okay. That is wrong. We are a society of which the economy is only the financial part. If the economy does not distribute the resources properly we have an unequal society. As I said earlier, international research shows very clearly that the social problems we have in the Northern Territory are predictable in our unequal society. This budget simply perpetuates inequality and, therefore, the social problems.

Let me tell you what it means to live in a remote community in the Northern Territory. I hear of multiple suicides in communities where previously there were none. Every week in the paper I read of violent homicide, people I grew up with have passed away and there is a widespread sense of disempowerment and hopelessness. There are some bright spots where people have jobs and are learning skills, but typically these are cases where the local community has taken control over them.

In this budget I would like to see the honouring of election commitments made to the bush
communities by the CLP. I emphasise by the CLP, not Terry Mills, the CLP. The only reference I can find in the budget papers of steps to break the cycle of tragedy in the bush is one line on page 247 of Budget Paper No 3 which says a strategic issue in 2014-15 for the Department of Housing is providing employment opportunities for remote Indigenous Territorians through delivery of housing-related programs. I will watch this closely as Indigenous organisations talk to me about the barriers they face in tendering for government contracts.

Perhaps when the Minister for Housing speaks he can inform the House and Territorians what is happening to houses at Barunga. It will be a year in June and nobody has lived inside those brand new houses. They were built and nobody has moved into them yet people in Barunga are living in overcrowded conditions wondering when they can move into the houses.

Minister for Housing, you might want to talk about the lack of sewerage at Ampilatwatja and explain to everybody in this parliament what is happening to houses there, why they do not have septic tanks and why they are still using French drains. Brand new houses are being built with French drains and no sewerage.

Maybe you can enlighten us why the Redtails have not been funded properly. This is a project that brings kids together, and Clarkey has put so much effort and time into bringing these people together ...

Mr Tollner: I thought Clive was funding that with his cheque book.

Ms ANDERSON: I will not bite because you taste horrible.

This is a program many people in Alice Springs support. Clarkey runs around for these young fellows. It is not just about football. The team is called Redtails and its program is not just about football. If they get into Clontarf or AFL all the better for them, but the program is about unity, about non-Indigenous and Indigenous kids together so they can grow up together and respect each other ...

Mr Tollner: You are interested in unity. Goodness me, how bizarre.

Ms Walker: Hush up, Dave.

Ms ANDERSON: Mr Deputy Speaker, I will not bite because he does not taste very good and does not look good.

Mr Tollner: She calls everyone racist and now wants to be unified.

Mr DEPUTY SPEAKER: Treasurer, please stop interjecting.

Mr TOLLNER: Sorry, I was just speaking out loud.

Ms ANDERSON: It is rude and unreal to see the Deputy Chief Minister, when I am talking about a program in Alice Springs which brings non-Indigenous and Indigenous people together, and lots of non-Indigenous businesses and people support that program – all you get is the Deputy Chief Minister interjecting. Every two minutes interjecting and being pulled up because of his rudeness and abruptness inside this House. You are not an example to anyone, Deputy Chief Minister. You have not just brought a bad budget in; you are a bad human being.

I am talking about a program you should decide to join because it is about making sure people gain employment and are engaged with each other. It is helping one another. A young fellow called Kenny Morton on Groote Eylandt, used to be a Central Australian but now a Top Ender, has come through this program with Clarkey and now has a full-time job at the mines on Groote Eylandt. It is fantastic. Clarkey is to be godfather to his child and he is continuously on the phone to Clarkey saying, ‘Hey brother, I am doing really well. I am holding on to my job. I am starting to pay my own bills.’ The support mechanism through this program with Redtails is still there.

A young fellow called Baydon Mgalkin from Hermannsburg has done the same thing. He has come through Redtails, played a few games with Thunder, was looked at by an AFL team but did not quite make it. The support mechanism through the Redtails program is still there for him. He is now working at Hermannsburg school, but the fantastic thing for Baydon Mgalkin is he has taken his mum and dad to the federal government Nigel Scullion school program. It is fantastic that a young fellow aged 20 has been through the Redtails program and has gained so much self-esteem through it. That is the whole idea of the program. It is not just about football; it is about education and having respect between two different people. It is about making sure they do not feel ashamed when they go into town, they walk into a restaurant together, go to the pool together, share with each other’s family and go to each other’s homes. That is what this program is all about.

It will be interesting to see, minister for Sport, if there is support for Redtails because we will be asking you the same questions when you come back to Alice Springs. It is a local Alice Springs team and we support it. I know many people in business people in Alice Springs who support the Redtails because it is a good program.
Mr CONLAN (Central Australia): Mr Deputy Speaker, unlike the other side of the House, I commend the Treasurer for the budget; he has worked a miracle. I think we were all bracing ourselves for something a lot worse. While I will not divulge what goes on in the Cabinet room or the party room, there have been many robust discussions around the trouble over the last months about what we will deliver for the people of the Northern Territory.

Many people were surprised when we saw it unfold on Tuesday. I was stoked about what the Treasurer was able to offer to the people of the Northern Territory, while being able to provide some very thoughtful and meaningful belt-tightening measures. We have to enter into this phase of belt tightening. We were saddled with an enormous projected debt when we came to office in 2012 and the PEFO indicated a $5.5bn projected debt.

I am pleased to be part of a government that has managed, in 18 months, to shave $1.3bn off the projected debt, which is now $4bn. I applaud the Treasurer and Treasury for being able to pull a rabbit out of a hat. Many of us were surprised and it has left a lot of people gobsmacked. Many people were ready and armed to attack, but much of the sting has been taken out of their attack because it is a thoughtful and meaningful budget. It addresses a lot of areas which need addressing with our funding commitments, but also addresses the debt and deficit situation.

It is about securing our children’s future, and in my portfolios, there is a bright future – wealth-generating portfolios, such as Tourism; Arts and Museums; Sport and Recreation; and essential social portfolios such as Housing.

Let us start with Tourism, one of my favourites. The shadow minister for Tourism had a fair bit to say and I will not spend too much time responding to his comments …

Mr Tollner: One of your favourites? I thought it was your favourite.

Mr CONLAN: Perhaps it is. It is a great honour to be the Tourism minister for the Northern Territory. It is the best product in the world, no doubt about it. It is an easy job because it is a very easy sell. However, there is a lot of work to be done to stem the 10 years of decline in tourism. Helped along by policies of the previous government, we found ourselves in this position, and there is a lot of work to do to stem the decline and turn the ship around.

I am delighted to have secured significant investment into Tourism for 2014-15. The Country Liberals government is returning the Territory’s tourism industry to growth. This is highlighted by an additional $8m for the Tourism budget in 2014 to assist with our marketing strategies.

The tourism sector, by way of a quick snapshot, contributed $1.7bn to the Northern Territory gross value-added economy and supported 16 000 jobs, employing 13% of the total Northern Territory workforce either directly or indirectly. I do not have to articulate or make too fine a point, that this is critical to our economy. A total of $44.7m will be appropriated to Tourism NT in the 2014-15 budget. I thank the Treasurer for his vote of confidence, and I thank Cabinet and all my colleagues for their enthusiasm and confidence in what we are trying to deliver for tourism and our tourism operators.

The appropriation this year, with our marketing and operational activities, also includes a new scheme, our $500 000 Tourism Infrastructure and Development Grant Program, which is great news. People in the tourism industry and those thinking about entering the tourism industry can access grant money directly through Tourism NT. The budget is a significant step forward as we continue priority. It is a priority for this government to boost visitor numbers to the Northern Territory. After 11 long years of neglect by the previous government we are still on the long road to recovery. There is much work to do before we start to see the tourism industry return to the thriving powerhouse it once was.

The international marketing budget has once again been boosted significantly in 2014, with continued additional funding of $7.5m to contribute to the development of northern Australia. This will allow us to sustain early signs of growth from our traditional markets while increasing the Territory’s share of the high-growth eastern markets, particularly China. It will also enable more partnerships with trade and implementation of global, digital and social media channels to ensure the Northern Territory is visible anywhere, any time.

There was a great story today at Crocosaurus Cove with our seven Instagrammers, the world’s leading Instagrammers. I had a crash course in Instagram today; if you are not in the digital Instagram space you are not in business, particularly the tourism business. It feeds directly into our 18 to 35-year old market. The Northern Territory is a very high-end adventure tourism product, and it goes to the heart of the type of product and experience 18 to 35-year olds want. If we can have Instagrammers from our traditional markets, including some from our eastern markets, sending images of the Northern Territory all around, that is a significant advantage in getting our product and experience out to the rest of the world.
Current numbers estimate about 800,000 people are currently receiving Instagrams from the seven Instagrammers we brought to the Northern Territory. Tonight they had an instameet at Mindil Beach markets as well. They will be out and about, and I encourage all of you to do the same. If you do not have Instagram, I suggest you get it.

Investment will be targeted at driving bookings for holidays from all our international markets, and bringing tourists to the Territory for business events as well as working holidaymakers. The thrust and core business of Tourism NT is to market the Northern Territory as a preferred holiday and business events destination above all others. If you are thinking about taking a holiday, why not consider the Northern Territory? Instead of considering the Northern Territory, how about converting that by putting your hand in your pocket and booking a Northern Territory holiday? That is the difference – from branding, to an image through to conversion. It is about having people say, ‘Instead of doing it one day, I’ll do it now.’ Going from wanting to go one day to right now is the key message.

The budget will see $500,000 for a new initiative to develop new tourism experiences and products, especially in our regions. We will have an increased focus on key sectors such as the drive, the cruise, rail and luxury travel. We will continue to have a strong focus on cooperative marketing partnerships with airlines, travel agents and online travel agencies, which will increase the exposure of the Northern Territory holiday experience, domestically and internationally. This will help to drive bookings and build sustainable aviation services to the Northern Territory, with an emphasis on fully utilising existing capacity. It is very important to maximise the capacity we have. We need to remember the pie is only so big.

An increased $8m worth of funding in the 2014 tourism budget is critical to ensure we achieve our plan to boost visitor numbers to all corners of the Territory and achieve our goal of $2.2bn by 2020.

Some of the key initiatives in the budget with regard to tourism are $17.5m for domestic marketing activity in partnership with tourism retailers, airlines and other partners, highlighting experiences across the Territory which include: $8.2m in cooperative marketing activity to drive sales and trade training; $3m for branding and regional awareness promotions, including corporate sponsorships; $650,000 to capture and upgrade imagery of tourism experiences across the region; and $13.6m, including an additional $7.5m in 2014-15, to market the Northern Territory internationally as a holiday destination and contribute to the development of northern Australia. This will include $2.8m for eastern markets to support marketing by Territory operators in emerging markets, and promote point to point travel to Darwin and the Top End to build sustainable demand for international aviation services. There is $7.6m for western markets, with a continued focus on regional dispersal to the Territory as part of our broader Tourism Australia campaigns; $2.5m to market and promote the Northern Territory as a business events destination; $1.9m for the provision of regional marketing and visitor information services across the Northern Territory; and $500,000 for a tourism product development grant program focused on regional and remote areas.

We have $150,000 to develop an internship program in partnership with industry employers, with the aim of providing ongoing employment and a career path within the tourism industry – a fantastic initiative. Year 11, Year 12, Cert I and Cert II students now have an opportunity to tap into $150,000 with an internship program with Tourism NT.

There is $250,000 for promotion of interstate markets, marketing events and festivals being held across the Northern Territory. I will go into more detail about our international marketing activities flowing from this budget as it is critical to our plans to boost visitor numbers and achieve that goal of a $2.2bn visitor economy by 2020. We will have an increased focus on eastern markets, the member for Casuarina will be pleased to hear, including Japan. We will be taking advantage of China’s new tourism law which benefits the free and independent traveller market.

We will increase activity in the mature western markets, with a continued focus on regional dispersal to the Northern Territory either as part of a broader Tourism Australia or independent consumer campaign.

Unlike the member for Casuarina, I am not prepared to take my foot off the pedal from our mature traditional western markets. They are the lifeblood of our tourism industry as we stand today. If it was not for our traditional markets there would be very little in the way of tourism numbers in the Northern Territory. We need to consolidate and continue to invest in our traditional markets while also investing in those new emerging markets, including China.

We will be providing support and opportunities for NT operators marketing internationally and developing that Asian product. We will be promoting point-to-point travel to Darwin and the Top End to build sustainable demand for international aviation services. We will also be promoting important code-sharing arrangements that link international airlines and gateway ports with increasing NT air services.
We will have greater focus on providing tailored in-language content specific to consumer needs via new websites, imagery and building on social media platforms. We will build on momentum by working with cooperative trade partners on 24/7 digital marketing targeting their consumer databases and website audiences to overcome barriers of planning and purchasing Australian itineraries which include the Northern Territory.

We will develop more aggressive partnerships with Tourism Australia, other Australian states, airline partners and national tourism operators to capitalise on gateway traffic into Australia.

We will continue international tracking research to better understand the international consumer, refine the core messaging and campaign timing for each market and provide NT operators with commercially important marketing signals.

We are targeting free and independent travellers, or FIT, already in Australia to encourage them to include the Northern Territory as part of their travel plans. In other words it is okay if you go to Sydney, have a great Sydney and Melbourne experience by all means, but use those gateways to springboard into the Northern Territory.

We will work with distributed partners, that is, inbound tour operators, online travel agents and the like to drive traffic to the Northern Territory.

We will continue to participate in Tourism Australia’s Restaurant Australia initiative and related programs. If you have not seen it, check the Tourism Australia website to see what they are trying to do. Restaurant Australia – the Northern Territory will feature in it. Some of the proposals so far are spectacular. The food and wine scene here is as good as any. It is a bit like the MasterChef or Survivor program; there is a winner at the end. It is a bit like the World’s Greatest Jobs. The Northern Territory will be featuring as part of Tourism Australia’s Restaurant Australia campaign.

Another major highlight in the tourism budget is our new $500 000 Tourism Infrastructure and Development Grant Program, which I have mentioned on a couple of occasions. Clusters of tourism businesses and local government councils are eligible to apply for the grant. I want to outline some of the detail of the grant and how you can apply for it, with priority given to those who can demonstrate a commitment to the government’s Tourism Vision 2020, the Northern Territory strategy for growth. If you have not seen that I suggest you have a look. It is a terrific document which outlines what Tourism NT is trying to achieve.

We have achieved much in tourism since coming into government. We have launched our new ‘Do the NT’ brand and gained valuable global exposure for the Northern Territory through events like the English Ashes tour in March last year in Alice Springs, the DSO performance at Uluru, the Royal Visit ...

Mr Vatskalis interjecting.

Mr CONLAN: You do not like the ‘Do the NT’, member for Casuarina? I hear some interjection. It is a shame. It is a great campaign and is starting to cut through.

We have signed the biggest marketing agreement ...

Members interjecting.

Mr CONLAN: I am pleased you like it because I could not quite hear. There was some mumbling going on but, surprise, wonders never cease, they quite like it.

We have signed the biggest marketing agreement in the Northern Territory’s history with our Qantas MOU agreement. A three-year $7m cooperative marketing agreement was signed with Qantas last year ...

Mr Vatskalis: So did Queensland and Western Australia.

Mr CONLAN: Not to the tune of $7m. If you take it per capita it is huge. It was the biggest in the country, apart from New South Wales, per capita. He does not like it because he could not pull it off himself. All the member for Casuarina did was sign the previous government to a dodgy, failed Jetstar hub deal. That was all he could bring to the table. We have secured a $7m cooperative marketing arrangement with Qantas. It is fantastic and we have a meaningful relationship with Qantas.

Sadly, Tigerair will pull out of Alice Springs as of 22 July, a devastating blow. It came as a great surprise and will have a significant impact on numbers on the ground. There will be 1500 fewer seats a week from 22 July, but I am thankful for our meaningful, thoughtful and considered relationship with Qantas. They have been offered some discounted airfares to pick up some of what has been left by Tigerair.

I pick up on comments from the member for Casuarina because I could not let them go without challenging or correcting them. He claims to have some remarkable insight with the airlines and knows Qantas has been to Alice Springs, pulled out the tape measure and calculator, and will pull
out pretty soon and replace its services with Jetstar. First, so what? It would mean ...

Mr Vatskalis: I thought Jetstar was dodgy.

Mr CONLAN: No, your deal with Jetstar was dodgy. It seems you do not like the product because if what you have suggested is true they will replace a 737-800 with an A320, which has 30 or 40 seats more capacity. We would be getting an increased capacity into Alice Springs if they replaced a daily service from Sydney or Melbourne. The member for Casuarina is saying more capacity into Alice Springs is a bad thing. The member for Casuarina, the shadow minister for Tourism, was the Minister for Tourism at some point and did not learn much because we want to see increased capacity to Alice Springs.

Mr Vatskalis: A point of order, Madam Speaker? I draw your attention to the state of the House.

Madam SPEAKER: Ring the bells.

A quorum is present.

Mr CONLAN: Madam Speaker, the member for Casuarina has said in this House that increased capacity into Alice Springs will be a bad thing.

Mr Vatskalis: No, do not put words in my mouth.

Mr CONLAN: That, by inference, is what you are suggesting. If we replace Qantas with Jetstar, which has an increased capacity on an A320 – an extra 30 or 40 seats per day – that is a bad thing ...

Mr Vatskalis: If.

Mr CONLAN: You said it will happen. I say if it did what is the problem? The only problem would be if we had no one flying into Alice Springs. One airline has already serviced Alice Springs for a number of years.

I find it curious when Tigerair pulls out or Jetstar comes in, everyone picks on the airline servicing the region not the one that has left the region. Hats off to Qantas for its continued support of the Northern Territory! I do not know who you are talking to, member for Casuarina, but we talk to the organ grinder not the monkey. Qantas is going nowhere ...

Mr Vatskalis: Good.

Mr CONLAN: It is good. However, if it were it would not be such a bad thing because we would have an increased capacity. The other side of that is why would an airline pull out a premium service and replace it with a discounted carrier? That would leave the market wide open for another premium service carrier to come in. It is not good aviation economics, and I thought you would have learnt that. It is pretty clear you did not learn much about aviation and capacity during your time as Tourism minister because you signed up to the Jetstar hub, which was a great disaster.

Mr Vatskalis: Which you let go and it went to Adelaide. You were so bad Adelaide got it.

Mr CONLAN: We have launched our new sponsorship agreements with the Melbourne Demons and Adelaide United, exposing thousands of sports fans to these two key domestic markets every week. It is the ‘Do the NT’ brand every week on a football field. Hundreds of thousands every Friday night watch Adelaide United. We are committed to growing our tourism industry in all corners of the Northern Territory, and budget 2014 will help us continue our good work and achieve this goal.

I have made it no secret this is a make or break year. In 2013 we had a consolidating or revolutionary year and did a lot. We leased Territory Discoveries, relocated to Alice Springs and started our new brand and our new domestic and international marketing campaign of $8m.

Many things took place in tourism, and Alice Springs saw a slight bounce, which was a direct result of Tigerair flying into Alice from Sydney and Melbourne four times a week. Tigerair say they cannot sustain that. It is obvious you cannot fly an airline on $50 airfares. You can between Sydney and Melbourne when there are a number of cycles and the aircraft is flying a lot, but if it is flying a couple of time to Alice Springs and back it is hard to compete with the big guys. There is a lot of science around discount airlines as opposed to full service airlines and I will not go into it now. It is sad to see Tigerair pulling out of Alice Springs as at 22 July, but we are still enjoying good services into Darwin at this stage.

Darwin is facing different issues, not airline capacity issues as such. We are facing an accommodation squeeze due largely to the resource sector. While the hotels are full and the restaurants seem to be going okay, our tourism attractions are feeling the pinch. These people are not here for a tour or to visit an attraction. They are staying in hotels and enjoying a drink and a meal in our bars and restaurants. However, the tour and attractions side of things is a problem at the moment, and Tourism NT will do everything it can. Already this year 700 new hotel rooms are
coming on board. We will continue to work with our hotels and with INPEX.

We have already started discussions with INPEX about workers living in the worker’s village as opposed to hotels. INPEX understands this and the impact it is having on the tour and attractions part of the industry.

In my portfolio of Sport, Recreation and Racing, we have delivered one of the major announcements of the budget to dramatically assist parents and families with the cost of living. It is no secret; we have talked about it over the last couple of days. It is the extra $5m for the expansion of the successful Sport Voucher Scheme. As a result of the announcement, Territory families with three children will be $600 a year better off. The $75 sport voucher has proven to be hugely popular with all Territory families, and as of 1 July this year we will more than double that to $200 a year per child.

It is a fantastic initiative. Helping families cover the cost of their children getting involved in sport and recreation activities is part of the government’s plan to drive down the cost of living, but also engage kids in healthy sport and recreational pursuits. The announcement during the week was great news for Territory mums and dads. It relieves the burden on families to ensure all Territory kids can play their favourite sport. We have broadened that to cultural pursuits as well.

Last year was the initial program and we were not sure how well it would be received, if at all. It was a brand new initiative; we were entering no man’s land and restricted it to registered sporting organisations. Therefore, Scouts, Girl Guides, ballet and dance classes, and music lessons did not qualify. However, we were overwhelmed with phone calls and e-mails from those organisations saying, ‘My son does not play footy but is into piano. Is there a chance you can expand the scheme to pursuits like that?’

It was ticked off straightaway. We said, ‘If this is what it takes to get kids into active sport and recreational programs let’s expand it to cover as much as possible’. They still have to be a registered music teacher, registered dance class or whatever it might be.

It will also expand to Learn to Swim, another important component of the sport voucher program. It has been extraordinarily well received thus far, better than I thought. Learning to swim is a vital life lesson, so expanding the sports vouchers to include toddlers provides parents with more opportunity to ensure their children learn this important skill no matter what their age. Drowning is silent. All those with kids would know – especially toddlers – you can turn your back for half a second – you cannot hear your child in trouble. You cannot hear if they are drowning; they are underwater and sink like a stone.

Anyone who has seen a toddler jump into the pool – they are at the bottom in half a second. It is critical we get kids into these programs as early as possible. Yesterday I was at the NT Swim Centre, one of the businesses recognised and accredited to run this program, where a 12-week old baby was learning to swim. I do not know how a 12-week old could be coordinated enough to dog paddle, but she was in the pool with her mum and loving every second of it. The new $200 Learn to Swim voucher will be available for toddlers aged up to five years who are not enrolled in school or preschool and who have completed the government’s Water Safety Awareness Program.

The government already has a program in place, an initiative of the previous government – hats off to you for that. There are five free swimming lessons in the the Water Safety Awareness Program; that is what it is called today. I guess it was called that in 2003 when first rolled out, but the Water Safety Awareness Program is five free swimming lessons for children under the age of five. You need to complete that first then you become eligible for the $200 Learn to Swim voucher available from swim centres.

There is a technicality that if your child is five and not at school, or if they are five and they hit school, or if they are four and at school it becomes available through the school. It is a great program and I am pleased we are able to roll it out. There is $200 a year and if the children are under five they can use it for swimming, if they are over five they can still use it for swimming or for active sport and recreation ...

Mr TOLLNER: Madam Speaker, pursuant to Standing Order 77, I ask the Minister for Tourism be given an extension of time to complete his remarks.

Motion agreed to.

Mr CONLAN: Thank you, Madam Speaker, and thanks to my colleagues.

The member for Arnhem made several comments yesterday, and I need to place some facts on the record. The member for Arnhem spoke about the Sport Voucher Scheme. It was a speech about how I have to get a grip on what Aboriginal people want and have more understanding of what people in remote communities want. Clearly I have no idea because no one in Ramingining, in her electorate, wants to do gymnastics.

She said, ‘You do not know Ramingining. Do not go throwing things out there. They play
basketball, football and netball; they do not do gymnastics. The member for Arnhem is inferring the $16 990 we put into Ramingining School through the sports vouchers was wasted money because no one wants to do gymnastics.

I am sorry, member for Arnhem. Ramingining School applied to use the sports voucher money to run a gymnastics program. Ramingining School contacted the Department of Sport, Recreation and Racing saying, 'We have the sports vouchers we collect from all students. We can access about $16 000 and would like to run a gymnastics program.' All students have the opportunity to participate in five gymnastics sessions over five days, participate in five swimming lessons over five days – through Northern Territory Royal Life Saving – and participate in a whole-school athletics carnival.

The member for Arnhem also suggested they do not want to be swimming, they just want to play footy or netball. However, Ramingining School has a different view.

I suggest you go to Ramingining School instead of accusing me of not understanding what is happening. I am not an expert on Aboriginal culture or Aboriginal people and have never claimed to be. You claim to be an expert on all things of that nature and Ramingining School clearly wants a gymnastics and a swimming program. You accuse me and the department of not understanding what the people of Ramingining want because we delivered the wrong program. In fact, we delivered the program they wanted. Perhaps you should go to Ramingining School and find out what is going on.

Budget 2014-15 will also see $110m for more major sporting events, sport and recreational facilities and artistic events across the Northern Territory. Territorians love their sport, and this budget delivers more high-quality sporting events than ever before.

It also delivers better sporting facilities to host major events and will help grow our sports at the grassroots level. It will ensure Territorians can enjoy a match of all our major sporting codes throughout the year. The budget will bring A-League, NRL, international cricket and the AFL to the Northern Territory, including $2.187m for the V8 Supercars Championships, including the Race of the Rock concert and $1m to the Parramatta Eels to hold an NRL premier ship game in Darwin and a pre-season game in Alice Springs. Tacked onto that is a stack of community engagement and coaching clinics. There is $1m to bring Australian football league matches to the Territory, $150 000 to support an A-League side, Adelaide United, hosting pre-season games in Alice Springs, which includes an enormous Indigenous community clinic, and $58 000 for the Tattersalls Finke Desert Race.

To back onto the A-League, Adelaide United has a development officer based in Alice Springs. It is part of the commitment that they have a development officer based in Central Australia at the Department of Sport, Recreation and Racing office.

Shadow minister for Sport, if you ever want a tour of the office or to meet some of the people, I am more than happy to facilitate that because it is a fantastic program. The work those guys do is really outstanding and all on their own back. We did not have to beg them to do it, they came to the table saying they wanted to.

There is support for Territory teams to play interstate competitions, including $200 000 for Territory Thunder to play in the North East Australian Football League and $50 000 for the NT Strike team in the South Australian Premier League, a great initiative.

Finally, there is a pathway – the shadow minister for Sport is probably a bit bummed about this because he was not at his peak when this program was around. I am sure if he was there would have been a direct pathway for some of our great cricketers to play for Australia and put the baggy green on. It has always been difficult in the Territory to be recognised for your cricketing prowess, despite the fact we have had and still do have great cricketers, and this really provides a pathway for our Territory cricketers.

I am loath to respond to anything the member for Namatjira said. In my view she cannot be trusted, and everything you say to her is taken out of context and used against you. She has used it against Labor, she is using it against this government, she will inevitably use it against big Clive, and will also, inevitably, use it against her own colleagues to serve her own purpose and vanity. However, I will talk about the Redtails.

Redtails is a fantastic club. It is not just an Alice Springs club, it is also a Central Australian club. In fact, they are called the Central Australian Redtails and encompass at least six communities all the way up to the Barkly. Everyone from the Centre is eligible to play for the Redtails as long as they engage in some meaningful work or school outcome. The Redtails is about lifting Aboriginal people out of some of the most deplorable conditions they live in and provide them with an opportunity to contribute meaningfully to society.

The history of the Redtails – I said to Rob Clarke, ‘Why are you so hell-bent on playing in the NTFL?’ We need to put this into context because
that is what the Redtails Concept is about. It is about the side from Central Australia being granted a licence to play in the NTFL.

I said, ‘Why are you so hell-bent on this, Rob? Broome doesn’t play in the WAFL, Ballarat doesn’t play in the VFL. Coober Pedy or Murray Bridge don’t play in the SANFL and Cairns doesn’t play in the QAFL. It is resource intensive, a lot of travel, a long distance and even the fittest side in the AFL cannot possibly travel every weekend across those distances. Why are you doing this?’ He said, ‘Because we have such great success throughout the CAFL season. We have guys turning up for training, playing week in, week out, getting themselves clean, off the streets, really engaging with their family and their community.’ Once the final siren in the CAFL grand final goes they go off the rails again, hence his program is called the Right Tracks.

They are off the rails for the summer. He said, ‘Wouldn’t it be great if we could transition straight from the CAFL season into the NTFL season so they are playing footy all year round, are off the streets and are playing and contributing to society?’ You would agree the intent is unbelievable, but it is resource intensive – about $650,000 a year, a lot of money, a lot of travel and a lot of boxes to be ticked.

The Northern Territory government is not stopping the Redtails from playing; it falls squarely on the AFLNT. However, it is not just money; it is about a playing surface in Central Australia. There is no point having a side from Central Australia which does not have a home ground. I cannot click my fingers, nor would I even if I could, to have cricket booted off Treager Park because the Redtails need a home ground. That is not fair and not something a minister should do. It is not within my purview because it is a council ground. However, it identifies that Central Australia needs another AFL ground. We have a couple of cricket grounds but we need another AFL ground.

AFLNT is working with the government, the AFL and the community of Alice Springs to develop another AFL ground. It will take a couple of years so Redtails need to accept that. I have spoken to Rob about it and I think they have.

In the meantime, there is no reason they cannot be a representative side playing scratch matches with the WAFL and the VFL. For goodness sake, we might be able to snare them a pre-season game with the Melbourne Demons at the MCG. That is within my purview and something I could do. I have spoken to Rob and am willing to assist them financially.

I cannot believe it, I still have Arts and Housing and so much more Sport to talk about but I am out of time. I commend the Treasurer for his budget and thank him for the opportunity to speak on it tonight.

Mr VOWLES (Johnston): Madam Speaker, as always I love to follow the member for Greatorex. He spoke very well tonight and is always entertaining and interesting. Sometimes he needs a big cuddle and a chill pill and to be told it will all be okay. Tonight I listened intently, member for Greatorex.

He spoke very well and, with my shadow portfolio of Sport, I was very interested. Member for Greatorex, as you spoke I listened. I respect what you said because it made a lot of sense, especially with regard to the disappointment of the Redtails and the great work Clarkey has done with young men trying to forge a different career and different pathway.

What happened with the Redtails funding is disappointing, especially as the Chief Minister and the member for Greatorex are Central Australian members of parliament – not being able to support them. There are other issues. Labor knows none of the sports grounds are owned by the government but by Alice Springs Town Council. Under the leadership and presidency of Dr Bruce Walker, and a few others, people are advocating strongly for cricket in Alice Springs. This is something the council has to deal with, and I am sure with some influence and the expert knowledge of staff from the department of Sport and Recreation, with Phillip Leslie and a few others supporting them, they will reach a solution eventually. It is important because we want all Territorians to have pathways to better themselves in anything they want to do, be it in education, sport or any career.

Let us see what the federal Coalition and the Country Liberals have in store for Territorians with the Northern Territory and federal budgets. We are already burdened with the highest petrol prices in Australia, in some places more than $2 per litre, and we are now to get two indexed price increases every year. We are already burdened with the worst crime rates in the Territory’s history, now we lose the Police Beat to the tune of $17m.

The Prime Minister who promised no new taxes has slugged everyone with a doctor tax when they see a GP, a prescription drug tax, an X-ray tax and a pathology tax. He calls it a co-payment, but what looks like a duck and quacks like a duck …

Mr Vatskalis: Is a duck.

Mr VOWLES: ... is usually, member for Casuarina, a duck.
**Ms Finocchiaro:** Is usually the member for Casuarina? Sure is.

**Mr VOWLES:** Well picked up.

Pensioners copped a double whammy, having their income linked to CPI and not the average male wage increase, while our Treasurer has decided to means test the pensioner concession card. Pensioners are voters. Treasurer, you will pay for that one at the ballot box in 2016.

Your CLP mates in Canberra have already taken a hatchet to family allowances, lowering the threshold and making life much more difficult for the average household. Between the Northern Territory government and the federal government, they have lined up to heap misery on Territory households.

In Lands and Planning you promised to strategically develop the north, but your budget fails some basic tests and exposes deep flaws in your strategy. Planning for our future is not about expensive TV ads, glossy brochures and media stunts. It is about well-resourced programs focused on achievable outcomes. Your promise to deliver 6500 new dwellings would be a challenge for a competent government. However, the chaos and dysfunction endemic in the CLP regime will condemn your promise to failure.

If you were serious about delivering 6500 new dwellings you would not reduce allocations to the agencies responsible for delivering them, but slash and burn is in the CLP gene pool. Ideology triumphs over strategic investments in the Territory’s future.

There are substantial decreases in allocations to the Department of Lands, Planning and the Environment, and programs in the Land Development Corporation. These are key agencies in any sound strategy to develop the Territory.

An amount of $6.7m has been lopped from the Department of Lands, Planning and the Environment, including a reduction of more than $5m, or almost 25%, for land development. The allocation for industrial development in the Land Development Corporation has also been reduced – so much for strategic investment in our future.

The minister stood, with great fanfare, in front of the TV cameras on Sunday to promise a brave new world of land releases. However, the budget allocation does not match the rhetoric. The allocation of $24m for Palmerston builds on Labor’s initiatives for land release in the new suburb of Zuccoli.

The modest allocations for Berrimah Farm and Palmerston north are inadequate to support the fast-tracking of land release in those areas. Where are the time frames, the milestones and start and completion dates for the 6500 dwellings you have promised Territorians? When will they be delivered? I seriously doubt we will see a sod turned in this term of government. You said, in your undeliverable promise, constructing 6500 dwellings will drive down the cost of living.

Contrary to the CLP’s promise before the last election to reduce the cost of living, Territory families and businesses have been hit with tax and tariff increases across the board. Yours is now the highest-taxing government in Territory history. Budgets are not just about numbers and words in glossy booklets, they are about real people and the daily struggle to make ends meet.

You do not understand the financial stress imposed on families and businesses by your savage increase in power, water and sewerage prices. You are now promising to deliver 6500 new dwellings, which you know in your heart will not be achieved.

We support land release programs to underpin affordable housing. However, your promise of 6500 new dwellings is a cruel hoax on Territory families. It is driven by policies of desperation not achievable outcomes for Territorians.

If you are really committed to affordable housing you would not strip away the First Home Owner Grant for existing stock, the only viable option for many Territory families.

As the Leader of the Opposition said in her reply to the budget, good people are literally packing up and leaving town because they simply cannot afford to live here anymore. You have dropped the ball on affordable housing, and Territorians will not be deceived by your promise to deliver 6500 new dwellings, most timed for after the next election.

The Lands and Planning budget is silent on key issues impacting my electorate of Johnston. Before the last election the CLP promised to spend $1.5m on flood mitigation around Rapid Creek, with more to come should it be required. You then said flood mitigation costs too much and you have had to abandon your commitment to residents impacted by flooding events.

Where is the funding for your promised strategy to mitigate flooding for the entire Rapid Creek catchment? You ignored a call from me last week when I asked for a fully formed Rapid Creek task force to ensure a management plan for the entire catchment included all stakeholders. Rapid Creek is such an important area of Darwin’s
environmental and community landscape that greater engagement of stakeholders, developers and community groups needs to happen before further changes to the catchment occur. A balance needs to be struck to ensure Rapid Creek catchment is suitably managed and maintained. Sadly, there is nothing in this budget and you will be hearing more about that from me later.

The CLP won government on the back of a swing from bush voters and a raft of specific promises to bush voters. People out bush have not forgotten these promises but they are quickly falling off the CLP radar. Let us not forget over half all Indigenous Territorians live in very remote areas of the Territory. The elected former Chief Minister, Terry Mills, told The Australian in September 2013, ‘We gave the bush hope and they gave us trust’. Instead, we have seen cuts to services; less support for primary healthcare out bush; uncertainty about funding for child and family centres; no action on issues like more jobs, more traineeships and more support to secondary education in the bush, and health services like mobile dental clinics and improved morgue facilities.

Remote primary healthcare has been slashed by $23m in the Top End and $8m in Central Australia. When you live in the bush and get sick and have to come to hospital, usually by expensive aero-evacuation, you will encounter bed block, long wait times in A&E and be denied use of the purpose-built facility to accommodate bush patients because the government prefers to use that for mandatory detention of problem drinkers. What bush infrastructure spend we see is largely due to investment from the former federal Labor government. Most of the roads, health and housing investments the CLP claims are the result of a solid partnership between the NT and the Commonwealth. That has gone now and all we are left with is the CLP government’s new promise of northern development, a plan to have a plan it says will deliver a new economic future for all Australians.

This plan seems predicated on the observation of Warren Mundine, the Prime Minister’s Indigenous affairs advisor that, ‘Australia’s prosperity since federation was built on foreign investment, immigration and international trade. Indigenous communities are no different.’ This budget gives no confidence this government will continue to build on the important initiatives we started with the support of the Commonwealth under COAG, national partnership agreements and Stronger Futures. At the federal level we have seen $500m ripped out of budget allocations working to support Indigenous Australians. In the NT we had 19 agreements expire in 2013-14 that your budget books say were delivering $41.3m this year alone. Another seven agreements expire by the end of 2014-15. One of those arrangements, the National Partnership Agreement on Remote Service Delivery that brought around $100m of Commonwealth funding to support A Working Future in the NT, expires in a few weeks.

This budget tells us no effort has gone into an extension of that work or a replacement agreement. Instead, the work of the local implementation teams in our remote service delivery growth towns has been dumped and their work will transfer to local government authorities under the umbrella of regional councils. What are you doing to keep that effort up, to improve ongoing financial support and build on the foundations we established, like A Working Future to grow services and economic opportunities in our larger remote towns?

In September last year the Chief Minister said he was taking the bush seriously, but one of his first acts was to dump the portfolio of Indigenous Advancement and create a new Department of Community Services. At the same time he buried the Regional Development budget in his DCM budget. He said there was no need for a dedicated Indigenous Affairs portfolio, that Indigenous affairs was everyone’s business. He has also pulled the rug on an order of the NT government’s remote spending Cabinet sub-committee established to oversee and prioritise government work tackling disadvantage in the bush, important work to drive changes in the way government does business in addressing Indigenous disadvantage in the bush.

Our experience of government, and a view seemingly shared by Prime Minister Tony Abbott, is you need a strong coordinating and overseeing role in government to make sure increasingly scarce resources make a difference for Indigenous Territorians and others living in the bush and are not lost in a bureaucratic wash or, sometimes, low expectations of government agencies. We see the consequence here. It is hard work to get a comprehensive cross-portfolio view of how government spending is addressing Indigenous disadvantage and how programs build on each other, value-adding to individual agency investment.

As an example, your government’s budget media release, ‘Investing in the Territory of Tomorrow’ claims infrastructure projects of $1.14bn for 2014-15, but what proportion of that total is new money, not funds carried over from previous years? Of that real new money, how much will be invested in remote towns?

In June 2013 the Chief Minister said his approach to tackling Indigenous disadvantage was all about jobs, jobs and jobs. People out bush are still waiting to see how that will be advanced without
selling the farm or denying opportunity; access to water resources is an example.

The Aboriginal Areas Protection Authority budget remains relatively static. We are, however, interested to hear more about the review of the AAPA Act and what budget implications that review may have for AAPA. It is in everyone's interest to have a well-resourced and professional approach to site documentation and protection in the Northern Territory, especially as our economy continues to grow.

A well-managed site clearance approach, effectively indemnity for any future court action, is as much for the benefit of developers as the for site custodians. This type of protection for both site custodians and developers will be increasingly important in the CLP's haste to come up with grand schemes to develop the NT, often with an eye to Aboriginal land.

Our engagement with Asia is essential. The Chief Minister promised several times that the Arafura Games would be back bigger and better. Is this another plan for a plan, Chief Minister? We have heard nothing on the subject in the last two budgets. Nothing has been put in place, nothing planned. This budget makes no mention of the Arafura Games. The Chief Minister led Territorians along saying the games were only 'deferred' and would be back soon. It is about time he and his Sport minister admit this promise has been broken and, thanks to the CLP, Territorians will not get the games any time soon.

I remember when the games were cancelled the Chamber of Commerce said the local economy lost $10m to $10.5m. The Arafura Games is such an important part of our engagement with Asia and was also an important part of engagement amongst Territorians, both in the sporting and cultural fields. It was such an exciting time to be in the Top End, and people travelled from all over Australia and the world – France, America, Papua New Guinea, all the Asian countries – to compete in the Arafura Games. For somebody who has competed and been involved in every Arafura Games, it is surely missed. There is still a lot of sentiment around to bring the games back. Over 1000 Territorians volunteered to be scorers, organisers, bus drivers, sport organisers, cultural attachés or to organise cultural events at the Arafura Games.

Some of my greatest memories of sport in the Northern Territory are being at the Arafura Games. I remember playing cricket for the Northern Territory against Papua New Guinea. You play hard, as usual, then you are off the ground and talking to Papua New Guineans and sharing cultures, stories and life experiences. You cannot put a value on that. The number of Territorians who have had that opportunity – anybody who has been to the Arafura Games knows the general feeling around Darwin. There is an amazing feeling of togetherness. Everybody is friendly; they call it the 'friendly games'.

The CLP started this in the 1990s and we continued the tradition. It was sad when it was cancelled or deferred. I call on the Chief Minister and the minister for Sport to allocate money so the Arafura Games can return. It means so much to people. People have presented petitions and there is a huge interest in having these games. For Asian engagement, it does not get better than that in a sporting context.

The member for Greatorex, the Sport minister, might be shocked, but I commend expansion of the Sport Voucher Scheme. It is a great idea to get more people, especially children, involved in sporting activities. I have spoken about the Sport Voucher Scheme many times and what it does and does not cover. The Australian Sports Commission defined sport and recreation as 'sport and active recreation'. When the sports vouchers first came in – active recreation is used by many registered sports and has now been included. It has been expanded to ballet and other things, which is great.

Previously some children could not learn to swim because they had not done something prior and were not registered here and there. Member for Greatorex and Northern Territory government, well done for expanding the system. Anywhere we get more children and families active and involved in sport is a better feeling for community. Getting everybody down to the sports ground, swimming complex, hockey field, cricket field, footy field or basketball court – we need our children to be involved and to look after them. I commend the government for expanding that.

With the increase in power and water costs we saw a sad situation at Richardson Park. The Northern Territory Rugby League is leaving Richardson Park, which is a real shame because you never want to give up your facility, especially one the size and with the history of Richardson Park. I remember playing there as a young fellow, and I am sure a few people in this Chamber did the same thing. It was a mecca for rugby league in the Northern Territory. I saw some idols there and met friends. That is what the sport means and what the facility meant for so many people.

I am sure Northern Territory Rugby League did not make the decision to move out lightly. It was an escalating cost, and predominantly the upkeep of the facility is power and water costs – keeping the big lights on for night games and the general upkeep. In the end it could not be done and it is sad that Northern Territory Rugby League has
moved from Richardson Park. In my former existence as a sports advisor, I saw the proposal they brought in. It was a good, complex proposal to move out of Richardson Park and into the Marrara Sporting Complex. It was a costly exercise, but the former Labor government was working closely with the Northern Territory Rugby League to further the proposal.

I am fully aware that a former member promised NT Rugby League it would get that facility if elected. Lo and behold, the CLP was elected and that promise has not been delivered to NT Rugby League. We saw the sad situation of NT Rugby League moving from Richardson Park after many years and a lot of history.

One thing about Territory sport, sporting people and volunteers is they are resilient. The sport will continue. There is a fantastic new facility which will be used by Palmerston Raiders, a proud member of the initiative of the previous Labor government. I am proud to have been part of a government which delivered over $50m worth of sport and recreation facilities in Palmerston. There was the water park, the Palmerston Magpies facility upgrades, the soccer oval at Gray was upgraded, the brand new Palmerston rugby league facility, as well as tennis and netball upgrades. These totalled over $50m, which the former Labor government delivered for the people of Palmerston and the rural area. We are very proud of that record, and perhaps one day soon there will be a budget allocation to see NT Rugby League in a new facility to ensure the sport keeps growing, as should happen with every sport and recreation opportunity. Every club should be able to grow its sport to maximum participation.

I attended meetings in Alice Springs last weekend and, sadly, the funeral of a very colourful person, Eddie Taylor. His funeral gave me the opportunity to have lots of different meetings in Alice Springs. One of the highlights, after such a sad occasion and a great farewell to Eddie was, on Saturday morning, to go to the Pat Gallagher Netball Centre in Alice Springs. I hear good things about the member for Greatorex there and the work he does.

I expected to see the member for Greatorex but he was not there. However, somebody sledged me from the barbecue so I thought he may be there, but it was somebody who knew me. I stayed for about half-an-hour to talk around junior netball in Alice Springs, which I fully support. It has a huge participation rate and we need to provide further opportunities to enhance the sport and participation rate.

I spoke to a few of the netball people who have been involved in Alice Springs netball for a long time. They know a lot more about netball than I do, are very passionate and, like most people involved in their sports, volunteer their time to enhance their sport and get more people along.

The Pat Gallagher Netball Centre is at capacity. The many young athletes running around were impressive. I lived in Alice Springs and know the strength of netball, and sport, in Alice Springs. It is as strong as the Darwin region and throughout the Northern Territory – Tennant Creek, Katherine and Nhulunbuy I am sure – the upgrades to the tennis centre at Nhulunbuy several years ago.

I will touch briefly on the Redtails. Any opportunity to create a pathway for young men should be looked at. A lot of work was done on that program and more will be done, regardless of the fact they have not secured funding, because there is a passion to do the right thing and improve people’s lives. All in this parliament want to do that.

We are all here to do the same thing. We might say a lot of things and sometimes it goes beyond civility – you call it coward’s castle. I believe we are here for the same thing: to do some good for other people. We all put our hand up to represent people in our electorates throughout the Territory and to stand up for Territorians from a Lands and Planning issue to a regional issue, a sports issue – across the different portfolios. If you throw away the skins we are here for the same thing: to improve ‘Territorians’ lives. Some of it is a thankless job, it is a tough job and we keep going along. I am sure Cabinet has many robust discussions, but members fundamentally believe they are doing the right thing.

As a new member in opposition, it is our job to hold the CLP government to account, and we will continue to do that.

Ms WALKER: Madam Speaker, I request an extension of time for my colleague, pursuant to Standing Order 77.

Motion agreed to.

Mr VOWLES: Thank you very much, member for Nhulunbuy.

This is not a great budget for Territorians. Children and Families is down $8m. Money was cut in the Lands and Planning budget and land is being cleared without anybody’s knowledge, which goes beyond any common sense I know of. Land has been cleared at the Totem Road and Dick Ward Drive corner, which I spoke about in adjournment last night. The member for Brennan, the Minister for Lands, Planning and the Environment, is a good bloke most of the time and is working his hardest to do his job. That is what we expect from him, and I know he will do his utmost to find a solution to the Totem Road and
Dick Ward Drive land problem. He will find answers and tell the Larrakia people, and other interested Territorians who are quite passionate about that area, what happened and how we can make sure it does not happen in any future development of light industrial zones in the area.

The ‘No More’ campaign has been funded $200,000. I said at the start of my political career that if someone does something good I will commend them on that. The ‘No More’ campaign needs more funding. Considering a budget is allocated I commend the government for that. I was deeply involved in the ‘No More’ campaign when working with the Department of Justice and closely with Charlie King and a few others – mainly Charlie King – and travelling around Indigenous communities with the campaign. I am proud of Charlie and what he has done, as well as Catholic Care.

I thank the Chief Minister and Cabinet for allocating money to that important program. The person running that campaign knows what he is talking about. He has dedicated his life to improving other people’s lives and backs that up with his actions. It is a good program and it is fantastic this government has funded it. I look forward to an announcement the program is expanding.

Ms FINOCCHIARO (Drysdale): Thank you, Madam Speaker and thank you, member for Johnston, for that extremely inspirational, enlightening and rather long speech. It all adds to valuable debate.

I support the Treasurer’s budget delivered this week. On all accounts it is a fantastic budget. I have not heard a bad word about it except from our close and dear friends on the other side who, I am sure, say the opposite of everything we say for the hell of it.

I attended, along with the Treasurer, the Chamber of Commerce lunch, the Property Council breakfast, the Palmerston Regional Business Association breakfast this morning – that is my favourite – and I have a long history and close affiliation with the PRBA, and Yarrawonga is in my electorate. Many of the members of the PRBA are businesses based in Yarrawonga.

At all three functions – I know there were more, I only managed to get to three – there was a resounding endorsement of the budget, and that was extremely refreshing to see. It was humbling, and an indication we are on the right track as a government and are steering the Northern Territory in a direction people want it to go, and that is extremely important. To that extent, we have garnered the support of the business community and that, no doubt, flows on to mums, dads and constituents in our electorates. Congratulations to the Treasurer for his efforts this week. Compared to last year, it has been quite easy for you, Treasurer.

I would like to talk about a number of things in the budget. I cannot get to them all, and not all are relevant to my electorate, but there are some standout things we are spending money on. However, it is not spending money for the sake of it; it is spending money on things that will change people’s lives, make a difference in our community, and form part of our strategic direction for the Northern Territory. We are taking this place somewhere and everything in this budget has a purpose. Perhaps in isolation you cannot appreciate its purpose, but when you read the budget as a whole you can see we are steering the Territory in a certain direction. The Treasurer and I had a good conversation about that last night and I know he is incredibly proud of the direction he has taken this budget.

It is no surprise we are releasing land as fast as is humanly possible, a very difficult thing to do. It is not just a matter of bulldozing trees and whacking a house on it a few weeks later. A long process goes into it, and we have released more land than any government in the Northern Territory’s history. That is a tribute to all my colleagues in Cabinet and the Minister for Lands, Planning and the Environment.

We see that as key to driving down the cost of living. It is no secret there is a housing shortage in the Northern Territory, and everything we are doing, including the changes to the First Home Owner Grant, is in line with putting more houses on the market. That is something we have to do. There is no going back on that, no shying away from it; it is something we must do and Palmerston, the amazing city that it is, is a perfect area to release more land. It is a perfect area for growth and we welcome that growth in our community. It always has been a place for families and Palmerston continues to attract first homeowners, young families, and even our wonderful and highly respected seniors into our community.

It is, in my view, and I know my colleagues the members for Blain and Brennan believe it, the best place in the Northern Territory to live and we continue to work very hard to make sure it is. The land releases in Zuccoli and Palmerston north are a small example of how we are contributing to creating a better future for Territorians, particularly Palmerston residents.

For those who come in and out of Palmerston regularly, down Wishart Road particularly, you would have noticed an industrial development occurring there for quite some time now. I am
proud we have allocated $5.9m to continue those works, which will see the release of 14 more lots and some transport infrastructure in and around that area of the Wishart Road industrial precinct. That is important if you think about where Palmerston is strategically located, and it is no coincidence INPEX decided to put the workers’ village near Palmerston. Having its bus depots in Palmerston and Wishart industrial development is another example of being close to the port, close to Palmerston and close to INPEX. We are strategically located in the hub of the biggest project in our history and are proud to play a role in that. The Wishart precinct is wonderful.

I will give a plug to Café 300. I have heard its Spartan burger – a Greek-named burger. Perhaps the member for Casuarina has enjoyed one there. It is a fantastic café and many busy people going through the area are enjoying its services.

Generally speaking, across the Palmerston area there is $23.9m for infrastructure headworks for land release, as mentioned earlier. Obviously that is a small part of a much bigger package. There is $6.5m for land release projects in Palmerston north and Humpty Doo. Again, we are starting to break down some of the figures into areas.

A really fantastic line item in the budget I know my colleague, the member for Brennan, fought for whilst in opposition and during our time in government is the duplication of Roystonea Avenue. There is $5.5m allocated in the budget for that. That is around upgrades to the intersection of Roystonea Avenue and Temple Terrace. It is an absolute nightmare. Of course we all sing the same tune on this side when we talk about Labor hating and neglecting Alice Springs; we talk about Labor hating and neglecting Palmerston as well. How that intersection was allowed to get to the situation it is in is despicable. It shows how little Labor was in Palmerston, because anyone in Palmerston would know that intersection needs massive upgrades, not to mention access to the super clinic where there is a huge issue in peak times, particularly for ambulances trying to get in and out. That should be a fundamental and basic thing, but it is not. There is also the congestion it causes on Roystonea.

That is a practical example of how $5.5m, which, when you think of it in a $6.1bn budget, is a drop in the ocean – that will have a massive impact on the lives of people in Palmerston, and that is what we are talking about.

We have heard the Treasurer talk a lot about rats and mice in this budget. Those rats and mice collected will make an enormous impact not only on Palmerston residents, but on rural residents as well – certainly our Defence going to Robertson Barracks in the morning.

Palmerston hospital plays a key role in the budget. It is important and my colleague, the member for Blain, spoke about it. It is something the three of us are keeping an extremely close eye on. We meet with the Minister for Health regularly and lobby our colleagues regularly. This project is moving and I cannot wait to see the works happening on site.

The Minister for Infrastructure is intrinsically linked to this project. The members for Brennan, Blain and I will be meeting with him more regularly to make sure his side of the project is ongoing. We want to see roads in there. We want to see the upgrade to Temple Terrace and the Stuart Highway as soon as possible. It is high on our radar. It is a fundamental strategic part of our plan as government, and we will not be taking our eye off that ball.

We heard Labor carp, whine and scaremonger, which they are perfect at. They really are the perfect opposition. Minister Conlan always praises them for being the best opposition in the Northern Territory’s history, and they definitely take it out for scaremongering.

There is $2.2m to extend Rosebery and Durack preschools. Durack school is in my electorate. It is getting $1m to upgrade the preschool, which is desperately needed.

Amongst other infrastructure, Labor neglected to keep up to date with our schools or even build any schools in Palmerston. Rosebery is the first school they built in God knows how many years. Durack is welcoming that extension as it gets massive amounts of preschoolers. We have a large Defence community in Durack and are very much looking forward to that. They are on an awkward, small parcel of land so we have had to be clever with extensions, but, nonetheless, it is welcome and will be 100% utilised. I speak on behalf of everyone in Durack when I say thank you to the government for realising their full potential.

Community safety is a massive concern for Palmerston residents and a massive platform of our government. We are continually doing things to strengthen community safety. It is part of our mantra, part of our plan for the Territory. We want to drive down criminal activity and recidivism. All those things are at the forefront of our minds.

I would like to thank all police officers at Palmerston Police Station. They do an amazing job and their initiatives and clever ways to address crime, antisocial behaviour and deal with our young Territorians is amazing and a testament to
them. We would be nothing without them, and this budget helps give them the tools they need to fight crime in even smarter and more efficient ways in Palmerston.

The member for Blain should be congratulated on securing five new CCTV cameras for the Elizabeth River boat ramp. That is a fantastic outcome. The Palmerston Game Fishing Club is thrilled about it, as is everyone else in Palmerston who utilises not only the boat ramp but the jetty to the side of it. That is an excellent result for Palmerston, just one in a number of initiatives helping to create a safe environment for our community.

I mention some crime statistics which illustrate how focused we are on this. When the official crime stats are released on Friday I am sure you will see that not only has property crime plummeted but assaults are also on the way down. Quarterly assault figures comparing March this year with March last year show that, Territory-wide, assaults have dropped by 19%. Assaults are 13% less in Palmerston and, over the year to March 2014, total property offences are down 1%. House break-ins have dropped 37% and commercial break-ins are down 18%. These are amazing figures. We have not solved the world’s problem, and crime will always happen, but we are focused and targeted. We have put our police on the front line where they deserve and need to be, and we are achieving some fantastic results. Thank you to the Northern Territory Police Force, that is all of you.

On a separate note, the Northern Territory Civil Appeals Tribunal supports the justice system. When I practised as a lawyer, time after time clients would be aggrieved about an administrative decision of government. If they had enough money I could spend time deciphering which legislation their appeal mechanism came under. Often the decision was not reviewable by one of the many separate tribunals, and options were only to go to the Supreme Court. Unfortunately, pursuing a Supreme Court trial is not only expensive but very daunting, and more often than not completely over the top for the claim. When I came into government it was one of the first things I spoke to the Attorney-General about, thinking it was something LCAC might look into. However, I need not have worried because the Attorney-General had this in his mind as a project we needed to get going. It goes towards reducing red tape, is much more expedient in the way people can address their grievances, is accessible and affordable, and is fantastic. I am a huge advocate. Studying law in a different jurisdiction gave me a great appreciation of it and I cannot understand why we have not had one to date.

The Northern Territory CAT will require amendments to an estimated 117 acts. It is ridiculous how many pieces of legislation canvassed civil appeals, and we will now have a one-stop shop. It is excellent. Well done to the Attorney-General on that one ...

Mr Elferink: My pleasure.

Ms FINOCCHIARO: There you are! You say his name and he magically appears.

In my electorate we have a special school at Palmerston Senior College. I spend a lot of time at schools and the special school. It is fantastic. The teachers blow my mind; they are all amazing. I love going to assemblies and other activities with them. It is great, and I know it is a passion of the member for Brennan to construct a new special school in Bellamack. The member for Wanguri said Henbury needs upgrading, but this Berrimah Line concept – we can work some way towards removing that. The $20m going towards that facility is really needed. At the very least I can agree with her on that, so that is something we are doing to deliver for children in our community.

I am proud of some of the things we are doing to ease cost of living pressures. The Treasurer said there is no other jurisdiction in the country with initiatives like the sport voucher or the childcare subsidy to help ease cost of living pressures. It does not help completely, but at least we are doing something and a lot more than everybody else. It takes the edge off and is a credit to our government to recognise the pinch points and deliver initiatives.

That includes other Northern Territory early childhood service subsidies – a $5.9m commitment subsidised at $30 per week, which is $1445 a year, for the cost of day care for children under the age of two, and $22 a week, which is $1067 a year, for children aged between two and five. Overall that was a 10% increase on what we were previously offering. It is fantastic and helps families decide whether they will return to work, who will return to work, will they work full-time, and what type of parenting arrangements they will have for their children. It includes family day care centres as well as childcare centres.

The Treasurer said it opens up another 1000 positions for children in our community. That is massive. One of the hardest things ...

Ms WALKER: A point of order, Madam Speaker! I draw your attention to the state of the House.

Madam SPEAKER: Ring the bells.

A quorum is present.
Ms FINOCCHIARO: Thank you, Madam Speaker and thank you to the member for Nhulunbuy for allowing me a refreshing break so I could have a drink of water and come back to my response to the budget with even more vigour than I approached it initially. I am ready, refreshed so let’s go.

I am talking about easing pressure on Palmerston families. The sport vouchers – everyone knows that was successful and I am glad the member for Johnston acknowledged it and cut the proverbial. He made the point that it is awesome and we have upped it, and that is exactly what happened. We recognised it was a successful scheme and parents needed more from it. It has gone from $75 to $200. That is huge and people in my electorate love it. I was lobbied by a bunch of parents whose children went to SAM’s dance class – I spoke about this briefly in adjournment – who said, ‘Why can’t our children use this voucher for dance?’ It was a perfectly good question and one we had heard time and time again, not only for dance but for Scouts, ballet and all types of recreational sporting and cultural activities. We recognised it need not be limited to sport. If our young people are engaged in things they are passionate about, things they love, things that keep them engaged and healthy we will back that all the way. We have expanded the scheme; it is massive now and will make a big difference.

One key part I am extremely proud of, because it is a passion of mine, is having young Territorians learn to swim. When I was at primary school it was par for the course. You woke up, it was swimming week, you went to Palmerston pool, learnt to swim and had to reach level seven. If you were young enough by the time you got to Year 7 to do bronze medallion, you had to do that as well. That was what you did.

Nowadays, after devolution and school councils working out how they want to spend their money priorities have changed. Now, by and large, many kids at school do not learn to swim or it is 100% user pays, which is obviously difficult. The Learn to Swim voucher opens this up and says to parents, ‘We see this as a key priority, we want to stop mortality rates.’ Drowning is horrific. I am not a parent, but I cannot imagine – it is unthinkable and unspeakable. For toddlers aged 0 to 5 not enrolled in school or preschool, as long as you complete the government’s Water Safety Awareness Program you are eligible, you get five free water safety lessons and then you can use the $200 voucher.

I have already seen that play out in my electorate. Teachers at Gray Primary School said, ‘We have been enrolling our kids in swimming lessons at the Goldfishbowl. There are some issues around that. Can parents please use these vouchers to pay for it?’ The answer was, ‘Yes, we will help you all the way’.

The minister’s office was extremely good and liaised with the Goldfishbowl, explained the process, and they were happy because the kids were coming through, parents were happy because they could use the voucher, and teachers were happy because their classes could attend the much-needed swimming lesson. It is a fantastic result. It is impressive and the childhood subsidy and the sport voucher are two key things to me.

On top of that we have our back to school payment of $150 per student. That goes a long way to help pay for text books, new uniforms and all the up-front costs you shoulder at the start of the school year. If only these little tacker grew a bit slower we might be able to get more wear out of uniforms. My mum used to buy the biggest one on the shelf and made me wear it for about five years. If I had to do it, maybe others do as well.

There have been changes to the Pensioner and Carer Concession Scheme. I spend a lot of time with seniors in Palmerston and look forward to having these conversations with you. There is a purpose behind this and I want to reiterate that it only applies to new members, existing members are unaffected by the change.

Something I speak to my colleagues all the time about is Tiger Brennan Drive. We have seen the two new roads open up on the Dinah Beach section of the road and that is fantastic. I am looking forward to the witches hats going from the other side of the road so we have two lanes in and two lanes out. I am sure that work is happening quickly because it is only a matter of some line marking and some new kerbs. Minister for Infrastructure, the sooner we get that happening the better. We also need to hold our federal counterparts to the commitment for the remainder of Tiger Brennan. That road needs to be duplicated. Everyone in the rural area and Palmerston wants a smoother ride into town. It is well overdue, the bottlenecks are horrendous and frustrating, and with all the new people moving to Darwin, which is fantastic, some are not as good at driving on our roads as Territorians. We definitely need two lanes to keep traffic moving. I keep my eye on that all the time and look forward to hearing of progress.

We have talked about cutting red tape with the Northern Territory Civil Appeals Tribunal. There is also $950 000 allocated for a red tape abolition squad and procurement reform. This is much needed and always commented on when you meet with business people or attend business forums. They are always talking about red tape; it is on the top of their list. It was very well received.
by the Chamber. One of the speakers said $950 000 might not be enough because it would disappear before the squad is set up, which is indicative of how bad things have become. Never fear, we are on to that and it has been a popular attribute of our budget.

We are also encouraging investment, always looking at new developments and how to stimulate the economy and get people gainfully employed. Late last year the Minister for Lands, Planning and the Environment launched Maluka Views. We stood on site and said, ‘Maluka Views, here it is, send us your expressions of interests. What is out there?’

Money is being set aside for an entry road and headworks for a mixed use development. That is fantastic, and we look forward to seeing that come online. It will add a whole new dynamic to the city of Palmerston.

All in all, it is a responsible budget. I am no economist by any stretch and I have no hopes of being the Treasurer one day, but from the experts and professionals all I have heard is that it is a responsible, good and strong budget. I can identify many things which will change the way people live and help people in Palmerston to live a better life. For me, that equals a good budget. Whilst I may not be able to read the zig-zaggy charts, I know it is a good thing. It is far reaching and expands the width and breadth of the Northern Territory. Some people are saying it has not done this or that, but we cannot have everything. I would like many things in my electorate, but that is not the reality of life and you do not need to have it all. I commend the budget and the Cabinet.

Ms WALKER (Nhulunbuy): Madam Speaker, I think the Treasurer thought that had finished and we would move to the next item of business. I am sorry to disappoint him; it is my turn and I welcome this opportunity to respond to the Treasurer’s budget handed down on Tuesday. It is not the best budget ever, as claimed by the CLP; it is probably the worst by a mile. It is not a miracle budget, it is a mean budget. It is not a good budget, it is a horrible budget.

I will have a thing or five to say on my shadow areas of responsibility and in relation to my electorate and what is on offer for the people of northeast Arnhem Land, because there is little for people in the bush. To some extent it is pretty much okay for Darwin and Palmerston, but at the cost of the bush.

I have shadow responsibility for Housing so I will start there. This budget delivers very disappointing news for first homeowners wanting to buy into existing housing because they are now ruled out as ineligible. You can only receive the homeowner’s grant if building a new home. At least they have had the sense to raise the eligibility to property values up to $600 000. The previous cap ruled out far too many people. Labor’s My New Home and HomeStart Extra were successfully making home ownership dreams a reality, but not only did the CLP axe those schemes, this budget makes it harder for first home owners to get into the market. Restricting the First Home Owner Grant to the construction or purchase of a new home from next year is mean-spirited and short-sighted. It means hundreds of Territorians will no longer be eligible for the grant and that home ownership will be even further beyond the reach of young people wanting to live in the Territory. First homebuyers often look to established homes because they can be more affordable. Making it even harder for people to get into the property market does not make sense.

Infrastructure spending for public housing has also been slashed by $46m, ensuring that many Territory families will be waiting even longer to access a home. Combined with the fact proceeds from public housing asset sales is up by $9m, it shows how little the CLP government cares about providing adequate levels of public housing for Territorians. In the Chief Minister’s home town of Alice Springs, cuts to the First Home Owner Grant, coupled with the lack of land release, will hit the real estate sector and restrict new buyers coming into the market as well as those looking to sell and upgrade their home. I understand that local real estate agents in Alice have already said they are disappointed with the first home owner cuts. How will they feel today, realising this government has no real commitment to new land release in Alice Springs?

The CLP has slipped in a reference to works at Larapinta, yet a new Indigenous land use agreement has to be negotiated before any work on new blocks. The subdivision of Kilgariff created under the former Labor government was making good progress but stalled entirely under the CLP, which did nothing with it for 18 months.

It is of great concern that public housing dwellings are being sold and stock is not being replaced. The waiting list has blown out to six years for a three-bedroom house, unless you live in Nhulunbuy, where it is 10 years. We have gone from an acute housing shortage in Nhulunbuy to an oversupply. Do you think I received any sense from the Housing minister? I wrote to him several months ago asking what the plans were, and gave some good suggestions about how the excess housing stock in Nhulunbuy might be utilised. I was sent a stock standard letter which said nothing. It is six months since the curtailment announcement and we are no better off when it comes to housing, even though we will have an
excess of housing which will potentially be problematic.

The budget delivers $4.5m over three years for a remote Indigenous home-purchase strategy. The sale of public housing to tenants in remote communities raises many questions not only I am asking. Does it include the sale of accommodation built in recent years under SIHIP and its successor NPARIH?

What will be involved in the transfer of lease tenure arrangements given many of these homes are on Aboriginal Land Trust under 40-year leases or other lease arrangements? The CLP is keen for a sale, and is adding a $20 000 grant incentive to those who enter into the program to allow new owners. Supposedly there is $20 000 to renovate and maintain. How do we expect that money to be quarantined for that purpose?

We understand, as part of the remote Indigenous home-purchase strategy – selling of public housing in remote communities – properties will sell for between $80 000 and $150 000. What guarantee is the CLP giving that revenue raised will go back into public housing? What does your modelling tell you about how many tenants will take up this offer? What are the prospects of those tenants securing mortgages and having the capacity to deliver on them? I genuinely welcome an initiative which assists people into private home ownership, but that is not the aspiration of all Indigenous people living in remote Indigenous communities. Many are satisfied with the arrangement they have so I ask that question.

I turn to the Department of Children and Families, where staffing is down from 654 to 634 – 20 fewer employees. Between the 2013-14 and 2014-15 budgets in Children and Families there is $18m less for children at risk and vulnerable families. In child protection alone services are down. The 2013-14 budget was $58m, and it is down to $33.8m. Out-of-home care had a 2013-14 budget of $70m and it is now up to $79.3m, which is good. However, family support is down $2m from last year’s budget.

The budget books for child protection mention $2.1m of redirected funding to improve the management and accountability of out-of-home care services. There is $1.4m redirected funding for youth services in Katherine, Tennant Creek and Alice Springs.

People continue to highlight the short-sighted and backward thinking in defunding YSOS in Alice Springs. I note a residence for children up to the age of 10 needing out-of-home care will be established in Tennant Creek and I welcome that announcement. I understand it will provide short-term accommodation for up to six children while child protection issues are resolved. I look forward to estimates to see what efforts are being made to recruit foster and kinship carers to the system. We know the best environment for children is a normal loving family home as opposed to out-of-home care, which is less desirable, but we know costs have been creeping up for out-of-home care. It is not the ideal arrangement when it comes to that over foster or kinship care arrangements, but it is about what is best for children who need to be in care.

There is a marginal increase in remote safe places – only $60 000. So much for the CLP’s concern for victims of family and domestic violence. An amount of $60 000 is a drop in the ocean and $60 000 is less than what the Chief Minister paid for a charter plane from Vietnam to Darwin for a photo shoot with the Prime Minister when he came to Darwin. Also, $60 000 does not go very far for a government which talks long and loud about its concerns for victims of family and domestic violence, particularly in our remote towns. We see an increase in the local government budget; that is good and we welcome it. The local government sector, particularly those in remote areas in our regional councils, struggle to raise their own revenue through a rate base compared to their municipal counterparts, so seeing an increase in the local government budget is welcome.

At the same time the Treasurer, who is also the Local Government minister, spoke about giving greater responsibility to LGANT to oversee delivery of services. Surely that means we will see a reduction in that staffing number. To date he has avoided the question on the floor of the House, but we will continue to ask him how many jobs are expected to go from the Department of Local Government. There is $6m for an Indigenous job-matching program, an initiative of the former member for Arnhem and former Local Government Minister, Malanndirri McCarthy, but I note that there is only one year of additional funding. The former Labor government made a funding commitment for three years at $10m per annum. What does this mean for job losses and what for valuing local government employees who do incredible work in regional councils in remote communities?

They are not toxic. I notice the Treasurer has reintroduced the word toxic, a word the Chief Minister has used repeatedly in relation to the shires, now rebadged regional councils, and it is offensive. Local government is a big employer of local people in our remote communities. It is disappointing the job-matching program has only been continued for one year.

I have a copy of LGANT’s submission to the Indigenous Jobs and Training Review, which is
within the Department of Prime Minister and Cabinet and headed by Andrew Forrest. In their December submission they noted the Shires Indigenous Workforce Package, funded jointly by Territory and Commonwealth governments, has been very successful and employs 530 local Indigenous people. I am pleased the Treasurer has kept it in the budget but disappointed the certainty is only for one year.

There is an additional $1.5m for the West Daly Regional Council, the new breakaway council which is really all about fulfilling the aspirations of the member for Daly retaining his seat. It was an election promise to deliver on, but there is no clear indication of how those funds will be spent, whether they are adequate for this new breakaway regional council and whether an extra council is sustainable by the time you employ a CEO, CFO and the equipment. There is also the discussion we had around defining boundaries and how that has been worked out.

I note that the Department of the Chief Minister has a $10m strategic economic infrastructure grant program to ‘develop transport infrastructure for shires’. Given the brouhaha around changing the names from shires to regional councils you would think DCM, in the budget papers, could at least get it right. No, they are still referring to them as shires. The language will be on some people’s tongues for a while because it was a fairly costly rebadge from shires to regional councils.

I move to my shadow responsibilities associated with the environment. There is little comfort here with the Northern Territory Environment Protection Authority’s budget down $7.449m to $6.972m. When I hear cutting red tape and green tape it is too often code for cutting corners, cutting approvals, cutting the important phase of consultation from a government hell-bent on forging ahead with projects and development at any cost. It is a little rich from a government claiming to be transparent and accountable.

How current is this issue before us given the debate we had around the issue of water extraction licences? There has been a rush on handing out water licences with no assurance it is sustainable, and the continued denial of strategic Indigenous reserves and that whole environment of managing the precious resource that is water – I guess it comes as no surprise the federal government had axed the National Water Commission.

The Treasurer is well-known as a climate change denier, and the Treasurer has struck no balance between supporting the mining sector, development and the big end of town, and the need to manage and protect the environment. This point was clearly made in the Environment Centre NT’s media release in response to the budget and the lack of attention and funding for the environment.

It is disappointing to learn the Arid Lands Environment Centre is a casualty of funding cuts via the NTPA. In a letter dated 13 March they were advised:

**Due to budgetary constraints the Northern Territory Environment Protection Authority will no longer be able to offer operational funding beyond the 2014-15 financial year. Funding beyond this time will need to be arranged by Arid Lands Environment Centre from alternative sources or perhaps by introducing new business practices such as fee for service arrangements.**

This news is on the back of the federal government scrapping the longstanding operational grants through the GVEHO program. This is a truly disappointing development where the Northern Territory government does not want to support a healthy democracy. Community services cannot be run as a fee for service operation. Who will pay the Arid Lands Environment Centre to research and contribute to EIS submissions or inquiries? This demonstrates a deeply concerning trend of silencing opposing views and community education on the risks of mining, gas and other economic activities that can have detrimental environmental impacts.

Who will hold this government to account in regard to the environment? Cutting operational capacity reduces the ability of organisations like the Arid Lands Environment Centre to build capacity in the future. I hope the ALEC survives but its ability to thrive has been significantly affected.

How can government afford $500 000 to upgrade the Alice Springs drag strip but cannot find $70 000 per year to ensure an environmental voice is present in the decision-making process? What other organisations undertaking valuable work in the environment sector have had their funding slashed or ceased?

One which comes to mind is the Environmental Defenders Office of the Northern Territory and around the country. Established under the former government and been axed under the Abbott Coalition government, with funding ceasing at the end of June. The Environmental Defenders Office is a very important community legal service which supports people in the Northern Territory who wish to raise environmental issues and seek specialist legal advice around environmental matters.
Friends of Nightcliff and people concerned about the outrageous proposal to build a man-made island at Nightcliff have tapped into the Environmental Defenders Office and the Environment Centre NT for support and advice with lobbying, but also with specialist advice. The Environmental Defenders Office has visited Nhulunbuy, listened to the concerns of the residents and helped the local community to hold government, as the regulator, and Rio Tinto to account on its operations during the curtailment.

I have shadow responsibility for Community Services. There is substantial change in department and outputs, and much of that has to do with changes from the Departments of Regional Development and Women’s Policy last year to the Department of Community Services this year. We have had a merry-go-round and reshuffle of responsibilities across these agencies. Most of the regional development functions went to DCM and have now been either gobbled up or lost in regional coordination and economic development in the Department of the Chief Minister.

It is important to note that the National Partnership Agreement on Remote Service Delivery which underpinned the A Working Future policy approach ends in June this year. There is no sign of this government or the federal government being interested in renewal. Senator Scullion hinted at this earlier when not renewing the appointment of the Commonwealth Coordinator General for Remote Indigenous Services, an independent statutory office, which was on the back of the sacking of the Territory’s Coordinator-General Olga Havnen well over a year ago.

I welcome the establishment of an Indigenous Male Advisory Council with a budget of around $200 000. It is something men in the communities I represent talk to me about from time to time. However, we see no movement or resurrection of the Women’s Advisory Council. Madam Speaker, as member for Goyder I know you pushed for that as opposition spokesperson on women’s policy and said the CLP would deliver that if elected.

The language services budget has declined a bit. The Aboriginal Interpreter Services is a crucial service which went from strength to strength under Labor. There are about 10 000 interpreters in the AIS at varying levels, recognising the need for these services for Indigenous Territorians, especially in a time when they provide services across a number of areas. One of the greatest demands is as court interpreters – specialised legal language and helping Indigenous Territorians who do not have English as a first, second, third or fourth language navigate through the court process. Sadly, we have more Indigenous and disadvantaged Territorians going through the courts, thanks to the some of the legislation the CLP has introduced, including mandatory sentencing for assault, which will see people with a minimum three-month sentence. The judiciary is not happy with that because any discretion they might have in sentencing has been removed.

The Parks and Wildlife agency, which I also have responsibility for, has a declining budget. If we were to take into account CPI, we are looking at about an 18% reduction in funding. It is a very important organisation for conservation and parks protection, a good employer of Indigenous people and a training provider.

This reduction represents a systematic gutting of the commission which is responsible for maintaining the ecological biodiversity and cultural and heritage aesthetic appeal of the Territory’s parks. As a result, we see all those things under threat from such cuts. It flies in the face of the CLP’s plan to enhance tourism within the parks and the importance placed on tourism by this government.

Programs such as FrogWatch have been cut – $200 000 cut last year. It did not volunteer to surrender that funding, let us be clear about that. FrogWatch has been replaced with nothing in real terms, meaning cane toads are breeding and travelling unabated as we speak.

The Territory’s parks cannot sustain such a cut in funding, and I implore the government to shift priorities to make sure they are in adequate shape when tourists show up. I suggest they will make up the shortfall by commercialising premises under the Parks Tourism and Recreation Masterplan. The minister, who is passionate about her portfolios, needs to be thumping her fist on the Cabinet table and insisting any profits from the commercialisation of assets in our parks are reinvested back into the Parks and Wildlife Commission, not into consolidated revenue to pay off debt.

The Treasurer, at the Chamber of Commerce luncheon on Tuesday, accused Labor of putting profits into what he described as ‘fancy programs’. I am not sure what he considers to be ‘fancy programs’, but he said he would not be putting money into them and instead would be paying off debt. That is a warning to the member for Stuart. You need to tell the Treasurer he can pay off debt however he likes, but keep his hands off money generated through the Parks and Wildlife Commission.

I do not have shadow responsibility for education but will comment on a few things. The member for Nightcliff is shadow but is absent, and
 Territory students face another year of education cuts in the CLP government’s latest budget. Education is incredibly important but not important enough for the Northern Territory government, which has reduced funding from $555m in last year’s budget to $531m. Federal Treasurer Joe Hockey told ABC radio on Wednesday he made no apologies for his decision to push funding for schools and hospitals to states, and the Commonwealth would work through the details. I hold real fears, as do families around the Northern Territory, for what this means for the future of education funding in the Northern Territory.

The CLP Territory government continues to cut, and $80bn has been wiped from health and education over the next ten years via the federal government. That is $8bn a year, which is $2bn more than the annual Northern Territory budget alone. Government schools continue to take a hit from this mean-spirited and uncaring CLP government. It shows an extraordinary lack of understanding for education and the value of teachers and other resources in schools. Again, at the Chamber of Commerce luncheon the Treasurer said it was not about buildings or how much we pay teachers, it was about best outcomes for kids. As a former teacher, as a parent of school-aged children and someone who sat on the benches with the Labor government, I knew the focus was always on quality teachers who need to be recognised for their quality and dedicated service.

Mr Elferink: Trust me, we are trying to pay them but they keep saying no.

Ms WALKER: You need to pay them a lot more than you are offering, it is not adequate.

Mr Elferink: It is about the money? They say it is not.

Ms WALKER: It is, to a point, about the money. I do not speak on behalf of the AEU, but to pay any public servant less than CPI is basically robbing people.

Mr Elferink: It does not speak on behalf of teachers. I am trying to give them — in three years’ time they will receive $100 000 per teacher, which will make them amongst the best paid in the country. All they have to do is sign up to it.

Ms WALKER: If the member for Port Darwin would allow me to continue, he has had his opportunity in this debate. I wish I had with me the photograph of him saying; ‘Your jobs are safe’. Clearly they are not safe. We have lost hundreds of public servants and know teacher and other school support worker positions have been slashed. Matthew Cranitch proudly said he delivered a teacher to this parliament but I have not heard the teacher speak up about how unfair the cuts are. There are three teachers on this side of the House and we are wised-up to exactly what you are doing.

A quick word about the Indigenous education review — I am seriously alarmed, and am not alone, about proposals to send children from remote communities to boarding schools. It will be compulsory. I am also concerned about the associated cost. I notice $40m in the budget for it. That money was allocated by the federal Labor government for three boarding facilities in the Northern Territory. One has been delivered at Wadeye, and one was to have been delivered in my region of northeast Arnhem...

Mr McCarthy: A point of order, Madam Speaker! Pursuant to standing Order 77, I request the member be given an extension of time.

Motion agreed to.

Ms Walker: Thank you, Madam Speaker and member for Barkly, because I have a few things to say.

I turn to my electorate in remote northeast Arnhem Land. This budget delivers very little for Nhulunbuy, given the community, by the end of the year, will have dropped from a population of 4000 to as low as 1500 people. This is alarming. The announcement was made on 29 November and we are just six months shy of that. We have seen nothing of the economic report commissioned by the Chief Minister who, on 29 November, said he expected to have a draft economic report in six weeks' time.

Nearly six months later and we have heard nothing about what the future holds for Nhulunbuy. Not one new job has been created, not one new business has opened. Quite to the contrary, businesses are closing and people are leaving. The Minister for Primary Industry and Fisheries touted a live buffalo export trade out of Nhulunbuy but has provided no details about that whatsoever. There is no evidence, no study, absolutely nothing but a lot of hot air.

This is extraordinary at a time when the CLP government is touting the developing the north plan. ‘Let’s talk about tomorrow today’ is what heads up the very expensive advertising campaign on TV, glossy brochures and newspaper ads. It is all talk no action.

I assure you that people in Nhulunbuy and the wider region have been talking about tomorrow for
the past six months. They are getting a little weary of talking about tomorrow: they are very anxious about what will happen at Christmas when the community empties. So much for Senator Nigel Scullion and one of his Cabinet colleagues whose name I cannot recall – the minister responsible for small business – who eventually was shamed into visiting his electorate around February, perhaps a little later. He said they might be able to relocate some Defence people, might relocate a call centre or perhaps some agency could relocate there.

The Gove Community Advisory Committee requested that the Northern Australia Development Office be located in Gove. It is not about Darwin, it is about the north, so why not locate a new office in Nhulunbuy? No, the more than $2m allocated to that office is in Darwin so another layer of bureaucracy will be signing off and approving more advertising and glossy brochures. That does not create jobs in Nhulunbuy, and I assure you people are unhappy about it.

I did not see anything in the budget other than some revoted works around the Central Arnhem Road. For all the talk about $440m to seal the Central Arnhem Road there was nothing, not a cent. It is one of the things the Chief Minister talked up, ‘We need to seal the road’ and there is nothing here. I doubt he has any clout in Canberra whatsoever. Clearly they are putting roads into electorates where they want to hold the seat. Everybody in Nhulunbuy recognises, because it is a Labor held seat at Territory and federal level, there is no interest or commitment from the CLP government or their mates in Canberra to make any genuine commitment.

All we have had is $2m from the CLP government to match Rio’s commitment to establishing a regional development corporation body that will, apparently, drive business forward. I am not sure what they will do.

I have called repeatedly for structural adjustment packages – nothing. There is not one cent from the federal government. Tony Abbott has not even had the courtesy to respond to my letters or phone calls to his office. I understand he will be travelling to Nhulunbuy for a week or so in June, and no doubt will be back for the Garma Festival, but there is not one cent from the federal government.

When there was downturn in the manufacturing sectors around Australia, whether it was SPC, Toyota – with the BHP steelworks in Newcastle in the late 1990s both federal and state governments were there. We have been abandoned – out of sight out of mind. Hard-working taxpayers in Nhulunbuy have had no support and people are angry about it.

We understand Rio Tinto had an operation which was no longer commercially viable, but it would have been if gas had been delivered. However, the Chief Minister thought he could stump up, put his big boy pants on, negotiate with Rio and tell them they could not have the gas they were promised. He would give them less and he lost that. If he was calling their bluff he lost because they said, ‘That’s it. Without the gas we cannot operate.’

People hold him single-handedly responsible for reneging on the gas deal and putting out the sign saying ‘we are closed for business’. He picked the wrong company to take that fight up with, and as a result we see a reduction in GSP in the Northern Territory of 2%. That is millions of dollars, and I doubt Darwin has yet realised just how it will hit businesses and the flow-on effect.

Because I have taken it up to this government, supported by my colleagues on numerous occasions, do we see $13m for the Gove District Hospital upgrade in the budget papers as revoted works. I hope, because I do not trust the CLP government, it will deliver on those funds. They are not promised; they are committed. Gove hospital services a wide region. I know, having been on a CareFlight evacuation in the last couple of months with one of my kids, if you need emergency treatment you have to wait several hours to be flown to Darwin. We need a state-of-the-art modern facility at Nhulunbuy hospital for emergency medicine.

It has nothing to do with the fact we are losing a large chunk of our non-Indigenous community. A wide population continues to grow and people need access to state-of-the-art facilities. If it is good enough for Alice Springs to have an ED upgrade – Tennant Creek had one funded under Labor – then it is good enough for Gove hospital. What is not good enough is to take $13m out of Gove and spend it where it better suits the needs of the CLP government to meet its election commitments.

I will be holding the Health minister and the Chief Minister to account to deliver on those projects. I have sought briefings through the Health minister’s office. Unfortunately, correspondence has been pretty ordinary. I have been denied briefings from the Health minister’s office. I am tired of following up with e-mail to let staff know when I will next be in Darwin because they ignore it.

I have fed back to people in Gove that the Health minister’s office is not interested in updating the people of Nhulunbuy, via their local member, on
the progress of important health infrastructure around an emergency department and an aged and disabled facility. We are desperate for an aged and disabled facility and some progress has been made on it. It is not about politics, it is the only region in the Northern Territory which does not have an aged and disabled facility.

I was disappointed to learn, ahead of any announcement the Attorney-General would make, that the drug and alcohol rehabilitation centre in Nhulunbuy is being closed. It was constructed in 2007 after years of lobbying and hard work by then local member, Syd Stirling, and community leaders so people could receive treatment on country, be in close proximity to family and have proximity to cultural obligations and ceremony.

That building will be handed to Corrections to be a prison camp for low-level offenders currently camped at Gulkula. I welcome a facility not unlike the Barkly Work Camp, which was driven by my colleague, the member for Barkly, but there has been no consultation about this. We would love to have a Corrections facility, but we also want our drug and alcohol rehabilitation centre. We do not want one or the other.

This government gives with one hand and takes with the other. That is not good enough. My phone has been ringing hot. Meetings are being lined up in Gove and the minister will discover, with his responsibility for Corrections, that he will have quite a fight on his hands from people in Nhulunbuy who are rallying.

Madam Speaker, I thank members for the opportunity to contribute to this debate. I cannot wait until estimates, for all those hours I get to question various ministers with tricky questions about why they are spending money here, there and everywhere.

Mr TOLLNER (Treasurer): Madam Speaker, I was entertained listening to the member for Nhulunbuy. I am quaking in my boots at the thought of being grilled by her at estimates. They say they leave the best until last, and this case was no exception.

I thank everybody for their response to the budget statement. It has been interesting listening to the very partisan views expressed. One side got it right, the other did not. That is my one-eyed view. At the end of the day we will see how it all washes out and how the Northern Territory fares as a result of the budget.

I am confident the Northern Territory will find itself in a better place. I was particularly disappointed with the Opposition Leader’s response, which I listened to in detail. In fact, I did a few numbers based on her response. With all the whining, carping and whinging about what the government was doing and the cuts the government was making that Labor would not make, I calculated there was at least $620m to the budget bottom line. I do not know if the budget deficit could tolerate another $620m ...

Mr Elferink: Another $100m every six minutes of speaking time.

Mr TOLLNER: The Attorney-General interjected with, ‘Another $100m every six minutes of speaking time’. That is what it was like in government, with the Leader of the Opposition throwing money around like confetti and not interested in outcomes or anything apart from getting money out the door. That is why we found ourselves, when we came to government, staring down the barrel of a $5.5bn debt and a $1.2bn deficit and no plan from the previous government to repay that money.

Interestingly, in the Opposition Leader’s reply there was no mention of repaying the money, committing to a time frame and saying, ‘It will take us 10, 20 or 50 years to get back to a balanced budget’. There was no commitment whatsoever; it was completely open-ended. As far as the Opposition Leader is concerned, debt is nothing to worry about. It does not matter how much you have, just keep spending money.

On this side of the House we are very concerned about intergenerational debt. I do not want my kids wearing my debts, and I would hate to die leaving my family lots of bills. Most people, as they go through life, want to leave a legacy for their children. I know a number of families who work hard, live frugal lives and put money away to make sure their kids get a better start in life than they did. That is admirable, and as a government we should try to emulate that. We should work hard for the next generation and make sure they get a better chance in life than we did. Racking up debt and living in excess is not the way to do that, and whilst it might be a short-term sugar hit that gets some brownie points for the Opposition Leader, it means nothing in the long term.

When I first came into this place in 2008, someone told me we had to support Kevin Rudd’s stimulus package. I had been in government for three months and was told, ‘You have to support Kevin Rudd’s stimulus package’. I said, ‘You must be joking’. He said, ‘Will you tell everyone in the northern suburbs they do not deserve $900?’ I said, ‘Of course.’ This guy looked at me like I had come from Mars. He said, ‘Mate, you are politically suicidal’. I said, ‘What happens now is immaterial. What happens in four years’ time when we go to an election is what matters. If you think that in four years’ time people will be thanking me for supporting Kevin Rudd giving
them $900 – in four years’ time people will be asking how the hell can we deal with all the debt?’

Look, federally, at how quickly things turn around. We saw 11 years of sustained economic growth with the Howard/Costello government working diligently, living frugally and putting money away to the point they had $50bn in the Higher Education Endowment Fund. $50m sitting in the Future Fund, the Telecommunication …

Mr Wood: That is the wrong budget.

Mr TOLLNER: No, I am talking about federally in 2007 and how quickly things can turn around. There was money in the Telecommunications Fund and Australia was in surplus. We had a number of surplus budgets, one after another. We then had the election of Kevin Rudd, Julia Gillard, and Kevin Rudd again in a period of six years, and in that time we went from a surplus budget with money in the bank to now being $667bn in debt. These guys crow about that as if it is an achievement. It is not, and there is nothing to show for it except probably another 20 years of budget cuts.

They were mailing cheques to dead people. We now have the pink batts inquiry. The main thing was getting money out the door with no concern about how it was being spent and if proper checks and balances were in place for some of the programs. The Territory got some reasonable infrastructure out of the Building the Education Revolution. The former Territory government did a reasonable job of administering that money, but we have seen what happened in the rest of the country. What a shambles! What an embarrassment! All that money was wasted. The NBN fiasco – $50bn for technology that will be defunct in 10 years’ time but we had to have it. Kevin Rudd called us the smart nation. How smart was that? We see the same thing occurring in the Territory. The great legacy of the previous Labor government in the Northern Territory is a prison.

The Minister for Correctional Services is pretty thrilled he has the best prison in Australia, prison Mahal, the six-star prison with every whiz bang thing under the sun. Is that the type of legacy you want to leave; the greatest thing you have done for the Territory is build a prison? How appalling.

Madam Speaker, we have taken a different direction with this budget. We have aimed to do three things, and, as I said at the outset, it is about securing our children’s future. The first thing to do is make sure we do not pass them debt. We made a concerted effort and, whilst I would like to take all the credit, that is not fair. The reality is every minister, every chief executive, every manager of a government department has done their fair share of heavy lifting, born pain and taken flak, but we cut an enormous amount of waste from the public service.

I like the way the member for Nelson reminds everybody they now have $200 sport vouchers. Why is that? That is not money we do not have. That is savings we made which enabled us to do it. We cut the debt legacy by $1.3bn saving us $55m a year. Adding $5m for the Sport Voucher Scheme is not a big ticket item in that context, but is due solely to the tough decisions this government has made. Not only are we looking at paying debt, we are looking at supporting families.

Part of the Sport Voucher Scheme is about supporting families and reducing the cost of living for families, making it easier for people. It is a cost families do not have to pay. It is the equivalent of getting $200 tax free in your bank account. It is also a wonderful way of ensuring kids enjoy an active and healthy life whether it is playing soccer, footy, cricket, basketball, swimming lessons for toddlers, learning the clarinet or joining the Boy Scouts or Girl Guides. All these things are important to a young person’s development. We make no bones about supporting families; we are proud of the way we support families.

Childcare is very expensive in the Northern Territory; people with young children know that. For two working parents or single mums or dads it is difficult to make ends meet. Whilst no other jurisdiction in the country provides a childcare subsidy, we do and have expanded it. We have increased the subsidy and have expanded it to include family day care as well, making another 1000 places available.

The third point is our focus on economic development. We have an imbalance in the Northern Territory between the public service and the private sector. The Northern Territory is overly reliant on the public service. We are a little out of kilter and are blessed because to rectify that we do not have to sack people, we create more private enterprise. If we were in an economically mature jurisdiction it would be difficult to get private enterprise to invest money and expand private enterprise, but in the Northern Territory there is an enormous amount of blue sky. We can quickly open mines, get farms operating, tour businesses operating, help people into private enterprise and attract more private investment. That is another advantage we have in the Northern Territory which does not exist in any other part of Australia.

They are the three things: reducing Labor debt, cutting the cost of living and driving economic growth across the Territory. This budget is clearly focused on those three things and I am
enormously proud of it and the team I am a part of. The guys and girls around me have done a lot of heavy lifting and it would be wrong not to thank the Treasury department. Jodie Ryan and her team have been magnificent in pulling this budget together.

Whilst I thank members for their contribution to this debate, I also thank the hundreds of public servants who worked to do the heavy lifting in this regard.

I will leave it at that, wind up this debate, go to a second reading and get it off to the committee.

Motion agreed to; bill read a second time.

Mr TOLLNER (Treasurer): Madam Speaker, I move that the committee stage be taken later.

Motion agreed to.

LOCAL GOVERNMENT AMENDMENT BILL
(Serial 73)

Continued from 26 March 2014.

Ms WALKER (Nhulunbuy): Madam Speaker, I am sure members opposite will be pleased to know I do not have a 6000-word contribution to this debate, but I do have a few things to say.

The opposition does not oppose this bill, which is a bill to amend the Local Government Act. We understand many of the amendments contained in the bill have come from the local government sector itself, especially through the work of the Local Government Administration and Legislation Advisory Committee. This committee was established to provide advice to the Minister for Local Government and Regions, and the Department of Local Government on legislative, administrative and operational issues relevant to local government in the Northern Territory.

We are supportive of the ongoing development of the 2008 Local Government Act, corrections to any errors in the act, improvements based on experience with the act and sensible amendments that assist in reducing red tape and removing ambiguity and improving the operations and strength of our councils.

It is pleasing to see local government developing in the bush. I am told by the department’s CEO that in the last year we have passed an important milestone – not one qualified audit among our new councils. That is a great achievement thanks to the hard work and persistence of so many people in our local government sector. It is a shame to hear the Local Government minister continue to use the word ‘toxic’ when describing the shires. That is a great insult to people who work very hard in the shires, whether as employees or elected members. Since their creation on 1 July 2008, they have evolved, come a long way and worked incredibly hard. I ask the Local Government minister to cease referring to councils or shires as toxic because they are not.

This achievement with audits is a fantastic one, especially given the state of disarray inherited by many of the new councils in 2008. In some circumstances, large amounts of unfunded superannuation entitlements to staff, non-existent asset registers, run down assets, poor workforce development and large amounts of accumulated debt is what they inherited, which is why the whole local government reform process was undertaken.

The opposition supports amendments which clarify the steps a council has to take in notifying the Northern Territory Electoral Commission of council vacancies. They are to be advised as soon as possible but no later than within 10 days, thereby enabling a trigger for council by-elections to fill unexpected vacancies.

I note that councils continue to be concerned about the cost of unanticipated by-elections, and we still have a motion before the House for debate in General Business supporting amendment of current legislation to enable local government bodies in the Northern Territory to determine who conducts their local government elections. As long as the government does not repeat last week’s efforts to completely highjack the three-and-a-half hours of GBD time, we may get back to the member for Nelson’s motion on that subject and see it through.

We understand the desire of council to choose its own election service provider or conduct its own election, especially in the case of relatively simple by-elections. Hopefully we get to that debate in these sittings – no, we have lost that opportunity. This was prepared in anticipation of it coming on for debate last week.

In relation to periods of local government elections, the bill also makes clear the requirement for councils to have a caretaker policy in place to provide clear guidelines on the decisions that can and cannot be made by a council during the period of an election – the so-called caretaker period leading up to general council elections. Having conventions that apply to this caretaker period has been a long-standing practice of Commonwealth, state and territory governments for many years. It is timely that this is also required at the third level of government in the Northern Territory, as local government continues to grow, evolve and have capacity to make important decisions which affect the budgets of councils and the day-to-day lives of the residents of a council area.
Similarly, we support the amendment leading to changes for more flexibility in the administrative arrangements for local government disciplinary committees. These committees can be established to consider complaints against councillors and breaches of the local government members’ code of conduct. There was a lot of interest in how issues of conduct and breaches of the code of conduct would be dealt with on introduction of the 2008 Local Government Act, with memories of irregular conduct in many of our former community government councils still fresh in people’s mind, as well as the conduct of a past Lord Mayor of the City of Darwin.

The issue of review of conduct was dealt with by aligning the management of disciplinary issues in local government with the kind of principles applying to members of the Assembly, hence the establishment of a committee to consider disciplinary complaints. These amendments provide capacity for a panel of suitably qualified people be available for appointment to disciplinary committees that may be established to consider any complaints and circumstances of irregular behaviour by a councillor. This will provide additional flexibility to ensure any disciplinary committee can go about its business in a timely way. It is important that inquiries are dealt with in a timely fashion so issues are dealt with and councils can get on with their business, conducted at appropriate and expected standards.

Likewise, we note the bill provides new powers for a disciplinary committee to require a witness to provide evidence to the committee, with a penalty of up to 100 penalty points for failure to provide required evidence. The bill also increases the penalty for a breach of the code of conduct to 120 penalty points.

The bill also proposes allowing elected council members to be able reduce their allowances if they want and that allowances, once set in an annual council budget, cannot later be changed in that same year.

I understand the suggestion for these changes came through the Local Government Administration and Legislation Advisory Committee, where it was suggested there should be a provision for a council to reduce allowances for councillors if it wanted to. We have a proposed amendment which seeks to remove ambiguity and make that option clear.

In my consultations on this bill, some elected members of councils also suggested it would have been timely to consider the alternative of an independent tribunal to review and establish elected member allowances and entitlements, casting an independent eye over responsibilities and contemporary standards that apply in other jurisdictions. I am interested to know if that option was considered and why the current proposal was settled on.

We welcome new arrangements to allow the portability of long service leave entitlements among eligible members of the Northern Territory local government workforce. This is an important initiative to assist the retention of staff in the local government sector, and to facilitate opportunities for local government workers from different councils in the Northern Territory with no loss of long service entitlements. One of our key objectives in establishing new local government in the Territory with our local 2008 Local Government Act was to foster the establishment of a strong, professional, local government workforce, and we have come a long way to achieving that objective.

We also worked to assist development of this workforce in our bush councils and to further grow Indigenous participation in local government work through our five-year $30m local government jobs package. We are interested to see what further initiatives this government brings forward to continue development of the strong, mature and homegrown local government workforce in the Northern Territory, given its critical role in delivering services, especially much needed services in bush communities. Having just stepped out of the budget reply, I note local government funding for the Indigenous employment program, Indigenous participation, is only for one year.

The minister has indicated local government regulations are to be changed so the chair of council audit committees cannot be a council member or a member of local government staff. We agree with that measure to bring independent advice and perspective to the work of council audit committees. These committees are important for ensuring overarching scrutiny and monitoring of audit requirements and operational activities of councils. The audit committees will also be important in overseeing disbursement of new funds being made available by the government to newly-established local authorities, working at the local community level in regional councils.

We welcome, as we did in a previous bill before the House, the establishment of local authorities and the strengthening of local voices in communities. It was always the Labor government’s intention that voices needed to be heard.

The bill also seeks to improve the act by employing legal definitions found in other legislation to reduce ambiguity and uncertainty. As an example, the same definition of school as
the one that relates to an exemption on the rating of school properties.

While we are happy to support the amendments outlined above, I draw attention to other amendments which would benefit from further explanation by the minister.

The bill seeks to make it mandatory for a council member to cast a vote in deliberations of council. An ‘aye’ or a ‘nay’ must be recorded. This change is argued on the premise the local government electorate has a right to know where its elected members stand on matters which affect them. The bill further proposes that a council chair must exercise a casting vote where that may be required. The issue we draw attention to is that members of this Assembly can abstain from a vote. We are not under the same obligation this legislation proposes, and we are interested to know if this is a change the government would propose for this Assembly.

Another issue of concern is the proposed amendment to the act to amend the current requirement of councils to maintain web-based records, for example, minutes, budgets and records of local authority deliberations, for three years rather than indefinitely, as is the case now. I note such records will continue to be available at the head office of councils. However, one of the key intents of our 2008 Local Government Act, and the requirement for the web-based publication of council records was to enhance the transparency and accountability of local government to residents and ratepayers, especially those limited in their ability to attend head office and who prefer the convenience and independent opportunity to review council records on the council websites. As shadow minister for Local Government I regularly visit websites, particularly of regional councils. They are a valuable source of information and I am able to access minutes from council meetings and understand what some of the issues are and what is happening.

With websites, one practical issue is while council terms are four years, records only have to be maintained on a council website for three years. While three years of records on a council website may seem reasonable at first glance, would it not be better to require that records be kept for a minimum of the council term to embrace the whole of a council’s four-year term.

Lastly, the opposition finds it curious this government is moving so quietly to remove the existing guidelines which apply to consideration of conditional rating. To remind members, conditional rating refers to the rating of pastoral leases or land occupied under a mining tenement. Current arrangements are that in order to rate such lands the councils must submit a rating proposal to the Minister for Local Government. The guidelines that have legal effect require that the minister consider the rating proposal in consultation with other ministers with responsibilities relating to the pastoral and mining sectors.

Importantly, the current guidelines set out the information required to be included in a submission for conditional rating, and they also set out time limitations on the minister for consideration of any submissions. The amendments put forward in this bill are said to reduce red tape and streamline consideration of conditional rating proposals. The existing guidelines are to be dispensed with and there will be no prescription for information councils have to include in any submission for conditional rating. The changes continue the requirement for the Minister for Local Government to consult with ministerial colleagues responsible for the pastoral and mining sectors before publishing a notice approving conditional rating.

However, the new arrangements do not continue the existing requirement where, in relation to pastoral leases, the minister must take account of the total impact of the pastoral rent levied by the Northern Territory government and local government rates, with a view to ensuring there is no unreasonable increase in the overall rent rate impost on pastoral leaseholders.

The bill, and dispensing of the current conditional rating guidelines, also appears to remove the opportunity for the minister to propose amendments or specifically reject a conditional rating proposal. Many Territorians will remember that, in reforming local government legislation in 2008, the Northern Territory Cattlemen’s Association and other partners ran a very active campaign to oppose local government rating of pastoral properties.

One of the enduring criticisms of those local government reforms was that the scheme of conditional rating outlined in the current guidelines overly inhibited the capacity of regional councils to rate pastoral properties and mining tenements. In October 2010 a local government submission from the Cattlemen’s Association alluded to this under the heading, ‘The pastoral industry is not a cash cow’.

The central issues in the rates dispute are the ability of pastoralists to keep paying ever-increasing annual rates on their properties as well as rent, as outlined above, and the relevance of shire councils to the pastoral industry. It was an issue then, and I think in today’s bill today it would remain an issue for the Cattlemen’s Association.
One of the enduring criticisms of those local government reforms was that conditional rating outlined in the current guidelines overly inhibited the capacity of regional councils to rate pastoral properties and mining tenements. We responded to strong arguments from the pastoral sector, in particular that rating of their properties was new, and while they were open to contributing to new local government, they wanted to ensure checks and balances limited the ability of councils to see these properties as cash cows and apply onerous rates.

There was also an argument that the pastoral and mining sectors were not large users of local government services and the pastoral industry was, at that time, limited in its capacity to contribute to local government. The solution was to allow for the rating of these properties under the checks and balances described in the guidelines I referred to. We are now well into the second four-year term of new bush councils and capacity for rating of pastoral properties and mining tenements.

Hopefully this change reflects a new acceptance by those sectors of conditional rating and regional councils so they are more accepting of local government rating of these properties. However, I have doubts about the level of consultation government has undertaken with these sectors. Our contact with industry bodies has shown uncertainty about the changes and the impact on members.

As Territorians know only too well, the CLP promised to be an open and accountable government in its 2012 pitch to voters. I call on the minister to be clearer on the extent of consultation with affected industries on changes to conditional rating. In particular, we would like to hear how industry concerns about the valuation of pastoral properties have been dealt with and what upper limit to the rate levy the government has in mind to be applied to the valuation of individual properties, thereby realising the final value of rate to be paid to a local council.

Also, I would like the minister to be clear on what he has told the pastoral sector will happen to the current principle that the value of the rent applied to pastoral properties will be considered in any annual review of conditional rates applied by local government.

As I said, the opposition does not oppose this bill. We see the merit in updating the Local Government Act, particularly when it is informed by the practical experience of those working in the sector. While the bill before us continues the work of continuing improvement to our local government legislation, and much of it is at the suggestion of the local government sector, it is not clear how much consultation there has been with elected council members and other industry sectors affected by the changes presented in the bill.

While we support work to improve the legislative framework for local government in the Territory, we have yet to see any real progress with the work we started on the long-term financial sustainability of the regional councils.

We have seen some cash splashes to local government in the bush, including the most recent announcement of direct grants to local authorities for local priorities. We have not sent any public disclosure of the financial costs of the new West Daly Regional Council, other than $1.5m in the budget handed down on Tuesday, or analysis of the ability of this new council to deliver expected services and be self-sustaining in the long term.

We have not seen how assets will be carved up between the new West Daly Regional Council and the existing Vic Daly Regional Council. We have no overall sense of how changes are affecting the improvement of services or the long-term financial impost on Territory taxpayers. We have seen no public disclosure of the taxpayer-funded refresh of the Deloitte local government financial sustainability work started by our government in 2012.

Similarly, why can the Local Government minister not be clearer with councils on when they will be hit with the new street lighting charges, reportedly an increase from $1.7m to nearly $4m? These new costs will pass directly to Territory families and businesses through increased local government rates.

While we do not oppose the changes to the Local Government Act before us today, we call on the minister to be clear on the extent of consultation with the local government sector and other affected stakeholders in relation to the changes before us today. I also ask when we will see more evidence that he is supporting Northern Territory local government in a holistic way and not just cherry-picking, favouring the bush and trying to sure up his government’s waning support in that sector.

I thank the minister’s office for providing me with a briefing. I thank the CEO and officers from the agency who were present to answer questions, and I look forward to hearing more contributions on this debate.

Mr WOOD (Nelson): Mr Deputy Speaker, I thank the member for Nhulunbuy for a precise and concise analysis of the bill, far greater than I can give. It shows the member for Nhulunbuy puts a big effort into her shadow portfolio. As you can see from her contribution, she has raised some of
what the government is intending in this legislation, but also put in some warnings about issues in relation to conditional rating. Rating of pastoral properties has been an ongoing matter.

It is strange when a cattle station like Rosewood, on the Western Australia/Northern Territory border, pays rates to Western Australia on one side and the Northern Territory on the other. There is a vast difference between the two. A number of stations on the Queensland/Northern Territory border – one is Lake Nash and I am trying to think what is on the other side – I bet they pay a different rate than the Queensland stations ...

A member: Urandangi.

Mr WOOD: Urandangi is not a station. One of the best meals I ever had was at Urandangi a couple of years ago. The lady comes from a small town called Edenhope in Western Victoria, a place I spent my holidays. It is amazing who you meet in the middle of nowhere, and Urandangi is in the middle of nowhere ...

Mr McCarthy: There was a riot outside the pub a couple of weeks ago.

Mr WOOD: I heard that. There were none when I was there.

We digress. This is a dog’s breakfast of local government amendments because there is range of amendments. I thank the minister’s staff for the briefing and, except for one item, support the bill.

There are gradual improvements, and one presumes local government associations are putting them forward. You would hope local council and councillors had some input and that the Local Government Association of the Northern Territory took it to each of the councils saying, ‘What do you think?’ There is a presumption on a matter I will speak about; I am not sure if it has gone to everyone.

Many things make good sense – making it more flexible for the minister to pick from a range of people for disciplinary committees. The caretaker policy – when I was a councillor no one ran off with the bank account after an election was called. However, you need to have it just in case. The allowance can be decreased, which is strange. When someone decreases their allowance let me know. It does not happen very often, probably not at all, but if a council is struggling financially or councillors feel they need to contribute to keep a council solvent they might decide to reduce their allowance. In those circumstances you would have legislation allowing it. I do not know what would happen if they did that. Will you hit them with a code of conduct for reducing their allowance? It would be strange if it was voluntary and did not fit within the definitions.

I also noticed changes to the definition of ‘school’. Perhaps the minister should provide the definition of a GOC so it fits within a rateable business. You say you are opening it up for competition – one mob does not have to pay rates but I bet if Origin came to the Northern Territory it would be paying rates. That needs to be looked at. A GOC needs to be on equal terms with the industries it is competing with.

There were other issues as well. We are down to conditional rating again, which will be difficult. I wonder about the agreement made with the Cattlemen’s Association where there would be a reduction in lease payments to match the increase in rates, but what is it achieving? Government loses money and local government gains money. You may as well hand local government a cheque and save yourself all that work.

It is important because it raises the issue of Aboriginal land. One of the major problems for a regional council in the Northern Territory is how much it receives from rates.

I believe they have far too many services to take on. I hope I am not speaking out of turn and Mr McGill does not give me a shake of the head, but the Victoria Daly CEO said it has about 104 different contracts. A council’s job is to grade roads, collect rubbish and keep the footy oval slashed – basic things. To hear it has 104 other responsibilities through contracts – you wonder where we have sent them. Since introduction of the big shires I have been concerned that we created a regional council that was so big with so much complexity that we took away the opportunity for Aboriginal people to manage their own communities.

We have some very good Aboriginal CEOs. However, the complexities of the change and the requirements have become so great that we have made the hurdle higher than it needs to be. We can discuss and debate that another day.

There is an issue in relation to a surcharge being imposed by a council when the agency is satisfied, on the report of a local government inspector, that the council has suffered loss as a result of dishonesty and serious illegality. That surcharge could not exceed the amount of the loss suffered by the council. I do not know where that has come from, but one of the councils had a concern about it. There have been various concerns about who can be chair of an audit committee. Many things are relatively minor, but as with many things in local government, minor things can be quite important.
The minister would understand that I have an objection to this bill in relation to a councillor not being able to abstain. I am allowed to abstain here, and I regard it as my right, although it is not written anywhere. I understand why councillors want it. I called Damien Ryan, Mayor of Alice Springs and President of the Local Government Association, who is keen for it to happen. I told a Litchfield councillor he would not be able to abstain and he was horrified. That is why I raised the issue with you previously. Do all councillors know of this change and that they will not be able to abstain, or has it been done at a high level?

If you allow this to happen – a councillor cannot abstain – what happens when I walk out the door before a vote? Is that an abstention? I will say, ‘I am going home and will not be here for that part of the meeting’ . Have you the right to do that?

I thought the Darwin Rates Amendment Bill was coming on tonight and was told by the shadow it is not. However, if I knew the Darwin Rates Amendment Bill was coming up, I could not abstain and did not want to vote either way because there are things I do not agree with, I would go out before debate. That is the way to get around this. I do not know how it would work if I came back later.

My concern about abstaining is there are times – I abstain in this House sometimes because I could not be bothered picking up someone else’s agenda, especially with censure motions. There are times when something comes out of the blue, I have not had time to prepare, do not always agree with the censure and do not necessarily want to be identified with it but have some sympathy with what has been put forward so I do not vote.

There are occasions when the opposition and the government have policies I do not agree with. I use the example of the debate on workers compensation for 457 visa workers a few years ago. The government wanted a maximum medical allowance of two years. The opposition, now government, did not like that and thought the insurance companies would suffer – pardon me, not speaking from the government’s point of view. However, the insurance companies were talking rubbish because they would not give us the figures, and I did not agree with either of them. I believe a worker on a 457 visa should get the same care and monetary repayments an Australian worker receives.

I needed to abstain because if I voted against the government, even though I might have explained myself in Hansard it would have been reported as a no. I wanted to be recorded as a no because I did not agree with either side. Abstention is important for me.

Perhaps on a small council it is not such a big deal because there are only a few people and it can be easily recorded that you have voted no because of this and that. When people in this House are listening to a debate or check the Hansard, they might want to see who voted on a particular issue. They might not bother with what was said; they just want to see who voted which way. If someone wants to chase me up I have to explain myself. They may be cranky and wonder why I voted the way I did. If they ask me why I abstained I can say I did not agree with either.

I will use another comparison. When we debated the apology I was criticised by an ABC breakfast announcer who later worked for the Labor government. Again, I did not vote on that because I felt we should not apologise to a group of people who said they were the Stolen Generation if we did not apologise to all the single mothers who lost their children. They were taken away because the mums were not married. At one point in time the solution seemed to be to take kids away. I felt I could not apologise to those people when I should be apologising to the mums too.

I was accused of sitting on the fence. No, the CLP had one view, the ALP one view, and I had another and I was damned if I would agree with either side. Abstaining allowed me to give my opinion as an Independent. You can have a Toyota, a Holden, a Ford or a Nissan; we have many opinions and being able to abstain allows me to have a third opinion if I am the only Independent in the House.

I will use the right to abstain because I do not want to vote against it – there are many good things in the bill. If I did that I am voting against the principle I am arguing – supporting the right to abstain. I hope the minister understands my approach to this debate.

I thank the minister for bringing this on. Perhaps estimates is the place for more discussion. There are many things I want to say about local government. Unfortunately, I become sad when I see the state of my own local government. I am not picking on people, but it is unfortunate it is going through a difficult time. Regardless of whether I agree with some of the policies of the council, it is difficult after being president for a long time. I hope that council can pull itself together because it is there to work for the people. If I was cranky today it is because I sometimes feel we are more worried about belting each other. I congratulated the member for Stuart.

I did not want to get into that debate, but there was an important principle. We are belting one another up when there is work to be done. We are here to serve the people. Sometimes we serve ourselves rather than the people and I
become disappointed. Many issues in local government need discussing and it is not as easy as you make out.

You say you are bringing in changes; you have changed the name. I can change the name of my car but it is still the same car. The name change does not make much difference. You said the reason is people feel they have entered a new era. Well, good luck.

The era I want to see is roads fixed, the footy ovals slashed and the rubbish picked up. The member for Port Darwin is keen to have a board look after employment. That is a replication of bureaucracy. Councils are already set up with people employed to work. They have a workshop, equipment and staff to pay wages. Why create another bureaucracy? Why not use that council, which knows its region, as the employment agency? Forget private groups, I do not know why we have them out bush. They seem to make a lot of money trying to create jobs when there are none. Councils can create jobs and give people opportunities.

I would like a good debate on giving councils more opportunity. We have discussed the dignity of work, but pride in the community is part of what a council is about. Council is not just the roads and rubbish, but bringing out community pride. If you can tap into unemployed people and make sure they receive a reasonable wage – the cost of living out bush is pretty high so wages have to reflect that – councils can be part of increasing pride and getting people off welfare.

Minister, I agree with 99% of the amendments but will abstain.

Mr TOLLNER (Local Government and Regions): Mr Deputy Speaker, I thank members who contributed to this bill. Member for Nelson, do not be embarrassed about your local council, many more are in the same boat. It is a fact of life that councils, from time to time, will go through highs and lows. I am sure Litchfield Shire will come into strength again.

I also commend the member for Nelson for being a very good Litchfield shire president. I was a constituent of his for a number of years and can say, firsthand, he was a much better president of local government than he is member of this House. The fact he did such a good job is probably how he found his way into this place, but he was a stand-out councillor, a great president and is widely loved by people in Litchfield. There is a small tribute for you member for Nelson, do not say I never say anything nice about you.

The first thing I should probably do, out of respect for the member for Nelson, is address some of his concerns. The issue of abstaining – member for Nelson I have a soft spot for the points you make. Having been in federal parliament, I know you can be recorded as abstaining. I asked the Clerk, when you stand behind that bar, are you recorded as abstaining? Sadly, you are not.

The same rules do not apply here as in federal parliament. It has a similar bar and if you, as a member of parliament, want to be registered as abstaining, you stand behind that bar to register the fact. Here, things are passed on the voices, and I thank the opposition for supporting this legislation. Your abstaining will not be recorded as abstaining. You might well be out of the room when the ‘ayes’ and ‘noes’ are heard, but your non-voice will not be recorded. Whilst you say you will abstain, I imagine the bill will pass on the voices. Your reluctance to vote will not be recorded, and that is a downfall in our system.

Let me address a councillor not being able to abstain. Prior to 2008 and the reforms made at that time, the only reason someone could abstain in councils was if there was a conflict of interest. We undertook significant consultation with the local government sector on these changes and this is something it asked for. However, curiously enough, it wanted it reinstated because it wanted elected members to take a position.

I found that curious and, anecdotally, was told many people out bush are reluctant to take a position on anything. They do not like arguments and do not like being asked to decide one way or the other. Sadly, that becomes the norm unless something is put in place to rectify it. It is not me driving this. As I mentioned, I have a soft spot for exactly what you said. It should be someone’s right to abstain, but when local government is telling me this – I have a strong view on devolving authority from the Territory government to local government, and as you have probably noticed we are doing that as much as possible. It is almost incumbent on me to say, ‘If that is what you want, that is what we will do’.

That is the reason the abstaining part is in there. If someone asked me if I wanted the choice to abstain I would say yes. However, when I am told, overwhelmingly, that people in local government want what was there prior to 2008 reinstated, who am I to say no, particularly when I am saying, ‘It is your local government, you run it, how do you want to do it?’ along the lines of self-management, self-regulation and that type of stuff. I cannot ignore that and that is the reason it is there.

I thank the member for Nhulunbuy for supporting these changes. I spoke to the member for Nhulunbuy before asking if she intended to go to committee. She said, ‘Yes, but you might be able
to answer some questions which might alleviate my reason to go to committee’s. Member for Nhulunbuy, I hope I can go some way in responding to some of your concerns.

I will not list the questions you gave me by number, but I will try my best to respond. Councils were consulted heavily through the process of developing these proposals. They made various comments on each of the proposals, but, in general, are extremely supportive of these amendments. The Administration and Legislation Advisory Committee, made up of representatives of LGANT and local government managers of Australia, supports these changes.

Clause 8, requiring members to vote, was initiated by the City of Darwin, interestingly enough, member for Nelson, and supported in consultation with LGANT and the Administration and Legislation Advisory Committee. In regard to discipline committees, since 2008 a total of 34 complaints have been made. Only two matters are yet to be resolved, and I am advised these have only just been received.

The member for Nhulunbuy asked a question about the penalty for refusing to give evidence to a disciplinary committee. If someone refuses to give evidence, the disciplinary committee could report the matter to the department, which would then have the option of prosecuting. It would be up to a court to determine the guilt and appropriate penalty.

In regard to the caretaker policy, the department at LGANT will assist councils to develop that policy. The City of Darwin already has a caretaker policy in place and I commend it for that initiative. I presume this will be the basis for other councils to develop the same policy.

I will now talk about the portability of long service leave entitlements. The changes are to clarify how the current system works and have not expanded current arrangements. These amendments are about clarifying, cutting red tape and not making wholesale changes.

Regarding allowing elected councils to lower their entitlements, this proposal was initiated by the West Arnhem Regional Council and sent to all councils as part of the general consultation process. Ultimately, it is a matter for councils to decide, and this will give them increased flexibility. There are ministerial guidelines on the maximum amount of council entitlements, but it is up to councils to establish the appropriate level.

Regarding the role of local authorities, I would support any and all proposals for expanding the role of local authorities. We envisage local authorities will act as the principal point of consultation in communities. Regional councils have been given more than sufficient money to establish local authorities. This is on top of the $5m we used, on coming to government, to increase the operational subsidy we give to councils each year. It does not include the additional $5m which will be allocated for projects designated by local authorities.

In regard to conditional rating, the department will issue a practice note on what should be included in a submission to increase conditional rates above the CPI. This practice note will be developed in consultation with the mining and pastoral sections and LGANT. Regarding the possibility of unreasonable increases to pastoral leaseholders, this government is committed to a vibrant pastoral industry, particularly as it recovers from the disastrous and short-sighted live cattle ban the federal Labor Party, in consultation with Territory Labor, placed on live exports.

Any proposal to increase conditional rates above CPI will be carefully scrutinised. I imagine any minister would be loath to approve any increase not fully consulted on with our pastoral sector in the Northern Territory.

This year, with the latest UCV valuations, total Territory-wide revenue for councils from conditional rating has increased by the CPI.

The amendments are not all about increasing, decreasing or modifying the amount of conditional rating in comparison to current arrangements. The amendments are about streamlining the process, and this has nothing to do with the Deloitte report on the financial sustainability of councils.

Conditional rates arrangements will be the same as for other councils. It is not expected the new council will get a significant income from conditional rating.

Regarding the requirement for councils to keep records on the Internet, previously there was no minimum period for councils keeping documents on the Internet – news to me. These amendments place a minimum of three years – the member for Nhulunbuy is concerned that may be too short a time given councils have four-year terms. Many councils will keep information online for much longer. The three-year period is the amount of time decided after consultation with local government, LGANT and the Administration and Legislation Advisory Committee.

I will now cover audit committees. The role of audit committees is to monitor compliance by the council with proper standards of financial management, local government accounting
regulations and accounting standards. This could include all aspects of council finances, including money spent on local authorities.

Member for Nhulunbuy, I hope that goes some way in answering your questions, and hopefully it alleviates some of your concerns.

Ms Walker: Do the guidelines still exist for conditional rating?

Mr TOLLNER: Member for Nhulunbuy, I am advised there will be a practice note direction coming from the department to assist councils with that.

The member for Nelson raised the issue of rating on Aboriginal land. This goes to the heart of what is in the Deloitte report on the financial sustainability of councils. In relation to that, I am disappointed with the lack of contribution from the members for Namatjira, Arafura and Arnhem, who have been silent in this whole debate. I will explain why I am disappointed. Prior to them leaving this government’s benches we were discussing the appropriateness of rating Aboriginal land. I was convinced this is the direction we should take local government. No matter where you live in the Northern Territory you should pay rates. If the member for Barkly lives in Tennant Creek and comes to Darwin he drives on Darwin City Council roads and uses Darwin City Council services.

Similarly, if someone from Darwin goes to Tennant Creek they use Barkly Regional Council services. It hardly seems fair that some people are exempt from that. The changes to the Darwin Rates Act pick up all of the unincorporated land in the Northern Territory, and the next step is rating Aboriginal land.

Those three members seemed to think I was trying to start a war between Aborigines. I think the line was, ‘You just want a war with blacks fighting blacks’. I could not imagine anything further from the truth. I am keen to see local government and land councils working together in a cooperative way. For the record, with regional authorities something we have not seen is the merge of local government and land functions to the point where they work harmoniously and as one unit.

The reality is, in the bush it is extraordinarily difficult for local government to make decisions on Aboriginal land which impact on land councils. Land councils will often determine what can go where and local government, in some regard, gets the short end of the stick. The other side of the coin is land councils may want a road developed somewhere and if local government jacks up and says, ‘We’re not doing it’, things do not happen. It is my strong view that people need to work more closely together and more cooperatively. Rating Aboriginal land is the first step towards bringing land councils and local government closer together and seeing some cooperation between regional councils and land councils.

I raised that with the three bush members they said that was not the way to go and they would like to give me a proposal to do it better.

I waited for weeks to get a response from them as to how they could make it better. Obviously, nothing came about and we are having a debate. In the near future I will introduce a bill which includes the Territory government not standing in the way of land councils paying rates because currently, if I am correct, Territory government legislation gets in the way of rating on Aboriginal land. At least we can move one hurdle out of the way. I have received no input from those three bush members.

If you think about the bush, very few areas are as important as local government. I am heartened to see the member for Stuart paying attention to this. She has been in my ear quite a bit about how local government should be treated, similarly the member for Daly, and I am thrilled to see the member for Barkly taking an interest. I understand it is late at night and the member for Barkly has better things to do, but as a bush member he is so interested in what goes on in local government that he is here.

The member for Nhulunbuy has, not just as shadow minister, a deep interest in local government. That is appropriate when you have an electorate like Nhulunbuy. Obviously the member for Nelson, who cut his teeth in local government, has a deep and abiding interest in local government and that is fantastic. I like to bounce ideas off all you guys and see how they float. However, it is extraordinarily disappointing when the three members who scream the loudest saying nothing is happening in the bush are not here to participate in the debate. They are not here to put up an idea or say how they think things should operate in an area so important in the bush.

Having said that, I do not want to waffle on for too long because I know people are keen to get going. I have a speech in relation to councils but I might skip that. I thank Allan McGill, Chief Executive of the Department of Local Government and Regions, and Lee Williams for being here tonight.

Earlier tonight I asked the members for Nelson and Nhulunbuy if they wanted to take this bill to committee stage. They said, ‘No, we are happy if you can answer a couple of questions’. I thank the member for Nhulunbuy for giving me those
questions in advance. I hope I have gone some way to addressing them.

I asked Mr McGill and Ms Williams to go home and have a little lie down, but such is their abiding interest in this legislation that they insisted on staying. These guys are the epitome of the Territory public service, being here at 11.30 pm, not home watching the footy or doing whatever they do. I thank both of you for being here tonight.

Again, I thank people who contributed to the debate, particularly the members for Nhulunbuy and Nelson. I particularly thank all those bush members and people in remote communities who have come on board, and I commend this bill to the House.

Motion agreed to; bill read a second time.

Mr TOLLNER (Treasurer) (by leave): Madam Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr ELFERINK (Leader of Government Business): Madam Speaker, I move that the Assembly do now adjourn.

Motion agreed to; the Assembly adjourned.