

be overcome and all these things, while of course all those things should happen – although I might say that people are only in gaol because they committed crimes and, therefore, should stay in gaol, no matter how many of them there are - the reality is that, in 1901 when the six states became a Federation, there was no suggestion those six states were perfect.

I do not think there is any suggestion that the six states, at the moment, are perfect. Of course, the Northern Territory is not a perfect place either. However, just because we are not perfect we should not move to the next stage. It is possible to do more than one thing as well. While matters to do with health, education, public safety, and any number of things are extraordinarily important, it is also important that you balance that life with recreational things, plus constitutional development. So, I feel that this is a natural progression - something like the train which the Leader of the Opposition referred to from the late Bern Kilgariff.

While I appreciate and respect that position, I do not agree with it. You need to keep doing things, otherwise you will be - I believe the expression is, justice delayed is justice denied, as mentioned by a famous American jurist.

I thank also the member for Macdonnell for her comments. They were similar to the member for Nelson and, once again, I remind her of the significant importance of us doing the right level of consultation with our Aboriginal community, and I invite her to be part of any discussion, should she wish.

As a final comment, I certainly do not agree with the comments that have suggested getting rid of states altogether. My view is that the kind of people who have been making public comments about getting rid of states tend to have been former Prime Ministers not, in fact, the people. You would expect that former Prime Ministers who, perhaps, did not like dealing with states, might say that kind of thing.

I reflect also that the last time we were under the direct control of the Commonwealth - and I refer you to something which would be very familiar to members in this House - in 1976 we had a new hospital built in Darwin by the Commonwealth. I was Health minister from 2001 to 2003, and I went out to the Royal Darwin Hospital - and it is quite different going out as a minister. I remember walking around the property with Dr Len Notaras. I said to him: 'What are all these ditches around the hospital, Len?' He said to me: 'Well, that is the moat, minister'. I said: 'What do you mean that is the moat?' He said: 'Well, you see those snow ledges up there. When the snow melts, it is going to go down into the

moat and we will have no issues'. He told me how our hospital was designed on the Woden Hospital in Canberra and also another hospital in Canada. I must say, even the Commonwealth might have noticed we are living in the tropics and it was probably 35°C at the time.

Madam Deputy Speaker, I thank all speakers today, and particularly thank the Statehood Steering Committee.

Motion agreed to; report noted.

ENVIRONMENT PROTECTION (BEVERAGE CONTAINERS AND PLASTIC BAGS) BILL (Serial 136)

Continued from 23 February 2011.

Mr HAMPTON (Natural Resources, Environment and Heritage)(by leave): Madam Deputy Speaker, I move that the bill be now read a third time.

Mr ELFERINK (Port Darwin): Madam Speaker, we on this side of the House were going to take this matter into committee. Unfortunately, we have only 10 minutes to touch on these things, so I will only touch on one issue. Because of the issues I raised, and the member for Brennan so ably raised yesterday, we will not be required to take this into committee. However, the government has chosen, by its strategic approach to introducing this bill, a perilous approach to the future of container deposit legislation, not only in the Northern Territory but for the nation as a whole.

I do not have time to revisit all the details of the operation of the *Mutual Recognition Act 1992*, as I outlined yesterday. Suffice to say the government has now, by its own admission in this place, acknowledged it does not have in its possession the required acquiescence of the other jurisdictions under the operation of the *Mutual Recognition Act 1992*. The consequence of this is that this bill may not yet find its way into Schedule 2 of the *Mutual Recognition Act 1992* and, as a consequence of that, the government of the Northern Territory will, in all likelihood, find itself having to fight the legitimacy of this legislation in a court.

The government assures members on this side of the House - and Territorians as a whole - that it has the required legal advice to give it great comfort that it is prepared to take this risk. One thing I know about court cases is that you are never certain of the outcome. Moreover, why would a government set itself on a course of having to spend, in all likelihood, hundreds of thousands of dollars in legal fees on a court case which it may or may not win?