



PALMERSTON CITY COUNCIL

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The Secretary
Standing Committee on Economics, Finance
- Public Administration
House of Representatives
Parliament House
CANBERRA ACT 2600

House of representatives Standing Committee on
Economics, Finance and Public Administration

Submission No: 309

Date Received: 21/10/02

Secretary: Gardell

**Supplementary Submission to the Enquiry into
Local Government and Cost Shifting
(House of Representatives Standing Committee on Economic,
Finance and Public Administration)**

Thank you for the opportunity to address the Committee.

The City of Palmerston made a formal written submission on July 12th, 2002. However at the conclusion of its verbal presentation on October, 8th 2002, in Darwin the Council was invited to make a supplementary submission.

We would now like to expand upon some of the material raised in that submission.

First Term of Reference

Local Government's role in the Northern Territory is limited compared to elsewhere in Australia – particularly in relation to planning and development and public and environmental health.

Given Council's low revenue base (rate revenue of 5.9 million in 2001/2) it would be difficult for Council to take on an expanded role. However because local government is closer to the community there is a tendency for it to become involved in areas which are the direct responsibility of other tiers of Government. One topical example is law and order. In a recent survey 41% of respondents nominated 'crime' as a neighbourhood issue of concern to them (up from 11% in 1999). 12% of respondents sought more active involvement by the Council in crime prevention measures.

It is difficult for Council to resist this pressure which brings with it potential for an indirect shifting of costs yet at the same time the Palmerston Police Station is 5 officers (or 40% of establishment) below strength (see copy of NT News article attached).

Since Federation the maintenance of law and order has been the prerogative of Central Government yet foreshadowed changes to *the Northern Territory Local Government Act* would see:

- public security and safety, and
- substance abuse

added to the list of (permissive) functions of Councils further reinforcing the community expectation that local government will play a bigger role in this area.

Second Term of Reference

Council notes that since the introduction of untied Federal Financial Assistance Grants to local government in 1994 Commonwealth grants to local government have risen by around 10.8% whilst the average State Government contribution has only grown by 6.6%.

Of particular concern to Council is that the Northern Territory Government has not committed to passing onto local government any share of the rapidly growing GST revenue or any other growth tax.

It is difficult to provide comparative data for Palmerston because of the rapid growth experienced by Council in recent years however Library funding is an example of where the Government contribution has not kept pace with requirements.

The public library service is essentially undertaken in partnership with the NT Government. This service is popular (used by some sixty percent of residents) however funding has not kept pace with the dramatic increase in the cost of bookstock attributed to the declining value of the Australian dollar.

In addition no capital subsidies are available to assist with the construction of a new library (or library extension) necessitated by the rapid growth in recent years.

The Palmerston Library is currently 620m² in size. An appropriate standard suggests that 925m² would be appropriate to serve the current population of 25,000 people or 1325m² if we allow for growth at the rate

of 3% pa over the next 8 years (to 2010). This estimate is very conservative (37m² per 1000 people).

Council needs to spend approximately 2.5 to 3 million dollars on its library. A significant sum from a rates base of only 5.9 million dollars. No subsidy is available.

There is also a strong perception that the Northern Territory Government does not encourage an entrepreneurial approach by Councils. Departmental emphasis is seen as "regulatory" rather than 'capacity building' and the Local Government Act itself is seen as restrictive. For example borrowings require ministerial approval and foreshadowed changes to the Local Government Act would see operating and financial leases with a value of \$10,000 or more (or with maximum total values of \$35,000) requiring ministerial consent.

Third Term of Reference

The District Centre of Palmerston provides retail and commercial services to the rapidly growing outer Darwin Region. As such the City of Palmerston is well placed to provide library and other services to the wider region. However lack of resources provides a very real constraint as the following figures indicate.

As at June 30, 2002 the Council owned fixed assets excluding land of \$75 million.

New assets transferred to Councils ownership during that year totalled \$5.7 million however Council's total rate revenue for the year was only \$5.9 million.

Councils operating deficit after depreciation and excluding developer contributions was \$2.7 million.

In real terms this suggests that the Council is running an operating loss each year equivalent to some 45% of rate revenue. Clearly this is not sustainable in the longer term and equally clearly it presents a major constraint to the development of an expanded role for the Council within the region.

Fourth Term of Reference

The Palmerston Leisure Centre provides another example of how Council's knowingly but through no fault of their own can incur additional costs that impact upon the revenue base.

In 1989 a private developer in partnership with the Northern Territory Government built a swimming pool and leisure centre in Palmerston. At the end of the lease period the developer indicated a desire to terminate the lease.

Council was asked to take over ownership and management of the centre. The alternative was the closure of a desirable recreation centre and the loss of the only public pool in Palmerston – a desirable facility from an amenity and public safety (learn to swim campaign) perspective.

Whilst the Northern Territory Government transferred the centre to Council at no cost together with a small grant for improvements the Council is now committed to:

- \$120,000 pa operating costs (approximately 2% of rate revenue)
- \$450,000 capital outlay for refurbishment (funded by way of a loan).

Fifth Term of Reference

There is a need for structural reform and better delineation of the roles and responsibilities between the tiers of government.

Sediment and Erosion

The NT Department of Infrastructure, Planning and Environment controls sediment and erosion through the Soil Conservation and Water Acts.

For whatever reason (possibly resourcing) the Act is not adequately policed. In a rapidly developing area like Palmerston with large scale land clearing for residential subdivision this has significant financial implications.

In the past 12 months Council has expended \$62,000 (or more than 1% of rate revenue) on:

- clearing open drains, pipes and drainage culverts blocked by upstream siltation
- removing siltation from roadways.

Other costs – not easily quantifiable – for Council staff include:

- site inspection
- provision of advice to residents – builders

- assessment of erosion control plan
- dealing with dust complaints
- liaison with DIPE.

Which equate to approximately one fifth of a full time equivalent staff member.

Litter

The attached extract from the NT News illustrates the problem.

Dumping occurs on Crown Land. Residents have an expectation that the Council will control this activity and maintain amenity within the City however the responsibility for cleaning up abandoned material rests with the land owner – usually the Crown. Whilst the Council has some control under the Local Government Act and prosecuted three offenders in 2001/2 other legislation also covers the illegal dumping of waste with significantly greater penalties viz the Waste Pollution Act, Public Health Act and the Litter Act (refer to NT News article attached).

The Government's position according to the responsible public servant is *that 'hard evidence is too difficult to get'* noting that government policy is to shame offenders rather than prosecute them.

In addition to addressing frequent complaints from residents and liaising with the Department of Lands in respect to the cleaning up of vacant Crown Land the Council incurs costs associated with prosecution and the removal of abandoned vehicles.

Approximately 50 vehicles are removed each year (at an approximate cost of \$2,200 per vehicle).

Council also maintains at its expense a land fill site for non household refuse. No fees are charged in an attempt to reduce dumping at an annual cost to Council of \$210,000. A Government subsidy of \$50,000 pa was eliminated in 2001/2.

Swimming Pool Fencing

Proposed Government legislation will see pool fencing become the responsibility of the NT Government – an apparent example of costs being shifted away from local government.

However Council has real concerns that the Government may not adequately resource this function as occurs with erosion control, management of litter and a range of other issues. The concern is that

in the likely event that it is transferred back to local government in 2-3 years time this lack of resourcing and an inadequate data base will see Council incur more cost than it would occur under the current regime.

Sixth Term of Reference

There is an inequity in the current system by which Financial Assistance Grants are allocated – at least in so far as it relates to the Northern Territory.

If two communities are compared*

Broome in Western Australia – population 10,981

Palmerston in Northern Territory – population 19,324

It will be seen that Broome receives a FAGS grant equivalent to, \$168.99 per capita (\$1,855,660) whilst Palmerston receive a grant of \$41.06 per capita (\$805,088).

*(Source: 2000-01 Report on the operations of the Local Government (Financial Assistance) Act – NOLG Canberra).

This is presumably because Broome is seen as disadvantaged compared to many other Western Australian jurisdictions (i.e. metropolitan Perth) while Palmerston is seen as advantaged compared to many other NT jurisdictions. From a national perspective this make no sense and it is obviously difficult for Palmerston to provide similar services to other regional cities in Australia based on the current funding regime.

Palmerston's \$41.06 per capita compares unfavourably with grants received by, for example, the City of Frankston in Victoria (\$51.69), Blue Mountains Council in NSW (\$63.06) or Salisbury in South Australia (\$59.88).

If these funds were distributed on a needs basis from Canberra as opposed to a per capita basis to the States and then a need basis within the State the goal of Horizontal Equalisation would be better served.

Yours sincerely


Rodney Donne
Chief Executive Officer

9th October, 2002

Officers under stress

By JOHN LOIZOU

Some Territory police are so stressed they are avoiding being called back to work by not answering their home phones or leaving them off the hook, it was claimed last night.

Deputy Opposition Leader Mike Reed also said 30 per cent of Territory police stations are undermanned.

Both allegations were denied by Police Minister Syd Stirling.

But Police Association president Vince Kelly told the *Northern Territory News* last night he would not be surprised if overworked officers took extreme measures to keep their spare time.

"It's a stressful job," he said. "Excessive overtime doesn't help anyone."

Detective Sergeant Kelly said the Police Association annual conference last month was held every station in the Territory was undermanned.

He repeated a call for an extra 150 officers and an independent inquiry to assess the NT's police needs.

Mr Reed said officers were particularly stressed at Katherine and often refused to answer their phones or took them off the hook to avoid being called back to work.

Mr Stirling said Katherine was five officers below its establishment strength of 53.

Continued, Page 2

Cops take phones off hook

From Page 1

In a written reply to Mr Reed at the Estimates Committee hearings, he said the shortfall was offset by the attachment of a supernumerary sergeant and auxiliary to the station.

He said two recruits will begin work there early next month.

Figures provided by Mr Stirling show Palmerston police station is also five police below strength and that recruitment of police did not match resignations last financial year.

There were 78 resignations — 50 ranked constable or above, 15 auxiliaries and 13 Aboriginal Community Police Officers.

There were 52 recruits — 27 constables, 24 auxiliaries and one Aboriginal Community Police Officer.

Mr Stirling told the committee the Government would recruit 57 police officers by January.

There would be a course for 30 recruits in October and one for 27 in January.

Mr Stirling said this was part

of a program to take the total size of the Territory's police force to more than 830 officers by June 2005 and — allowing for attrition — increase police establishment numbers by 50 officers in its first term.

Twenty of these will be assigned to the drug squad.

Mr Stirling said the extra drug squad officers were essential to the government's zero tolerance of drug production and distribution.

Tough job to catch culprits

By SUELLEN HINDE

Catching offenders who dump illegal rubbish is not easy, say Palmerston and Darwin councils.

Without an eyewitness to the act, offenders usually can get away with it. Palmerston council has prosecuted three offenders through the courts in the past year while Darwin City Council has had eight cases in court since 1997.

Palmerston City Council Regulatory Services manager Bob Johnston says a good example of this was a case where an offender was seen driving his car onto vacant land with about 20 tyres on the back and driving out without the tyres but could not be prosecuted "because no one saw the tyres leave the vehicle".

Mr Johnston said Palmerston council takes illegal rubbish dumping seriously. "The aesthetics of our area is very important to us," he said.

Dumping car bodies on vacant land was the biggest rubbish problem faced by Palmerston City Council.

Most car bodies were being dumped at the southern area of Palmerston known as Bellamack.

"There was a road structure put in several years ago as part of subdivision development and there are a lot of tracks in there. What we have found over three or four years is that a lot of people are driving mainly stolen cars in there, abandoning them and setting fire to them," Mr Johnston said.

Council removes around 45 car bodies from the area each year.

Under the Local Government Act the litter laws were simply that a person was not allowed to dump litter anywhere in the council municipal area and rubbish could be defined as any item of rubbish. Fines range from an on-the-spot infringement notice of \$50 up to a \$2000 fine if prosecuted through the courts.

But if the offence was liable to cause injury or danger to the health of a person then the courts could award a maximum penalty of \$3000.

Mr Johnston said in most cases if people were approached after littering and asked to pick up the offending material they did so.

"The most serious case we had here was when a person dumped a lot of used syringes from a drug house at the rubbish tip," he said.

But the case did not result in prosecution because of the lack of evidence. Darwin City Council said the biggest problem areas in its municipality were generally on vacant crown land.

"People can drive into it or away from it without anyone seeing them," a spokesman said.

In Darwin the problem areas were at Buffalo Creek and around the airport.

A council spokesman said if people witnessed someone illegally dumping rubbish they needed as much information as possible, including the type of vehicle, registration details and dates and times of the offence.



Ms Ryan in Leanyer yesterday ... dumping a hazard. Picture: KELLIE BLOCK

Birdwatcher finds junk in woodland

By PAUL DYER

Heather Ryan often comes across illegal dumping while birdwatching near her home in the Darwin suburb of Leanyer.

Rubbish is dumped in light woodland near the entrance to the sewerage ponds.

She said there is also dumping in the drain that runs along Fitzmaurice Drive.

"It's the same down Buffalo Creek Rd, even though it's signed 'No Dumping Allowed'."

Ms Ryan, 51, who has lived in Leanyer for three years, said she had found all manner of junk dumped.

"It's mainly garden fill and palm fronds and things like that, but there are also car parts, old fridges, and just rubbish in general," she said.

She once found a pile of barramundi dumped in the bush.

"I smelt it first," she said.

Ms Ryan said the illegal dumps were an eyesore posed a number of risks.

"It's a hazard, it's bad for the environment and it could be a risk for people who use the area, especially if kids use their trail bikes."

"If one of the children went

through the grass and suddenly came across a pile of rubbish, they could get hurt."

Ms Ryan often tells Darwin City Council of illegally dumped rubbish.

"They appreciate that you call in and let them know because they can't supervise every area around town," she said.

"They rely on the community."

Littering laws behind the times

By SUELLEN HINDE

Dumping illegal rubbish in Alice Springs has become such a large problem that the council believes current legislation needs to be updated.

Alice Springs Council by-laws manager Clem Wheatley said dumping illegal rubbish in the municipality was a "huge problem".

"It is appalling to see a people should be ashamed of themselves," Mr Wheatley said.

People were dumping household rubbish on vacant blocks, washing out cement trucks into drains and dumping car bodies.

He said under current legislation it was "exceptionally difficult to do something about it".

"Litter provisions in the Local Government Act should have been

updated 20 years ago because they are too broad," he said.

"Council needs some sort of teeth to do something about this."

He said legislation could be amended to be more specific and include steeper fines which may deter offenders.

Mr Wheatley said there were anomalies in the law because "you can get a \$50 fine for dropping a cigarette butt and a \$50 fine for dumping a car".

"To prosecute offenders we need to have a witness to them dumping the rubbish or get an admission from the offender," he said.

Mr Wheatley said most illegal dumping occurred on crown land.

"This could be avoided if authorities restricted car access to that land through strategic barriers," he said.

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Loads of rubbish anger residents

Tighter waste laws on way

By PENNY BAXTER

Laws are to be tightened to deal with people causing environmental or public health hazards through illegal dumping of waste.

Barbara Klessa, the Health Department's manager for environmental health, urban division said that next year the Public Health Act would be amended to become the Public and Environmental Health Act.

She said the change would give the Government more power to investigate and penalise people responsible for public or environmental hazards.

Ms Klessa said the role of environmental health officers was to investigate each complaint as to whether it posed a public health risk, such as disease or illness.

She said things like contaminated waste or material dumped where it could pollute water sources, could be considered a risk to public health.

Other examples included something which emitted toxic fumes or smoke or dead animals left to pollute a dam or creek.

Ms Klessa said other items which are sometimes dumped and cause a potential public health risk include syringes, medical waste, food, dead animals or toxic substances such as oil.

"One problem is when people dump old car tyres which can provide breeding areas for mosquitoes, or if they are burnt they create toxic smoke," she said.

On average six environmental or public health complaints are made in the Top End each year. Anyone with a public or environmental health complaint should contact the Health Department on 8922 7377.



Mr Curtis near a dumped car wreck on vacant land in Owston Avenue. Picture: KELLIE BLOCK

By PENNY BAXTER

A pensioner has called on the Palmerston City Council to clean up an "unofficial" dump which has been used by residents for years.

Lionel Curtis, 59, said the council had ignored the problem for years and done nothing to stop residents dumping their rubbish on the vacant land in Owston Ave, off Chung Wah Tce.

The Woodroffe resident said he

"Kids pinch cars, trash them on the road and then dump them. And nothing much seems to be done to stop it"

— Pensioner Lionel Curtis

had seen dead pigs, car bodies, bottles and other household goods dumped at the site.

"It has been like this for years," Mr Curtis said.

"You have to have a car to get to the area and it seems people just can't be bothered going to the dump."

He said he raised it with the council in June but it seemed nothing had been done to stop people dumping their rubbish there.

"They have cleaned it up a bit but people are still dumping their rubbish — it is unsightly," Mr Curtis said.

"Kids pinch cars, trash them on

the road and then dump them. And nothing much seems to be done to stop it."

A sign has been erected warning people not to dump rubbish at the site, but last week there were still three to four car bodies, soft drink cans, cartons, general rubbish and bottles strewn everywhere.

"What is the point of having a council when they aren't doing anything," Mr Curtis said. "It seems to be a case of 'out of sight, out of mind'."

"They are going to have to bring in big fines to deter people."

Wetland used for discarding junk

By PENNY BAXTER

A Top End wetland is being jeopardised by the illegal dumping of building refuse, car bodies and household junk, it has been revealed.

The 40ha wetland used to be part of a mining lease in Holtze, on the corner of Wallaby Holtze and Tulagi roads, opposite Palmerston.

But the area of crown land is now teeming with birds and wildlife.

Neighbour Thisbe Furich, 35, said the illegal dumping has been going on for the past 12 months.

Burnt out car wrecks, landfill, household rubbish,

a dilapidated cement mixer and old trailers are littered all over the wetland area.

Ms Furich said an entry road into the area, which existed when the land was being mined for sand, provided access to anyone wanting to dump rubbish.

She said the area contained magnetic termite mounds and, in the wet season, was home to jabirus, ducks and kangaroos.

"It is a really valuable wetland and people are just using it as a rubbish dump," Ms Furich said.

"A friend saw a group of men tow out a boat trailer to the site, get out their power tools and generator, and cut it up into scraps.

"We think they were just testing out their power tools and then they left their mess there."

The concerned resident said she regularly went out to the site to clean up some of the rubbish but it was too much to deal with.

Ms Furich said she had contacted the mines and energy section of the Government to ask them to close the road to stop access for illegal dumping, but nothing had been done.

"We have been living out here for 35 years and it is awful to see such disrespect for the wetlands," she said.

Dumpers shamed

By JOHN LOIZOU

Territory Government officials try to shame rather than prosecute the illegal dumpers of rubbish on Crown land.

"The hard evidence is too difficult to get," said Greg Lambert, the public servant who oversees any investigation of illegal dumping.

"So if we can trace anyone who has dumped rubbish, we usually warn them they face a fine of up to \$2000 if they don't pick it up," he said.

He said prosecutions, although rare, would be effected under the Litter Act. It was also possible to prosecute under the Waste Pollution Act but this was more to deal with industrial pollution, with possible fines of \$250,000.

Mr Lambert said householders were not the worst offenders.

"We find the dumping on Crown Land is mostly done by contractors.

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18 October 2002

House of representatives Standing Committee on Economics, Finance and Public Administration	
Submission No:	309
Date Received:	21/10/02
Secretary:	Perdell

**The Secretary
Standing Committee on Economics,
Finance & Public Administration Committee
House of Representatives
Parliament House
CANBERRA ACT 2600**

Dear Sir / Madam

Inquiry into Local Government and Cost Shifting

Please find enclosed a supplementary report highlighting the inequity of the current basis of Commonwealth Road Grant distribution to South Australian Councils.

This is to be included as an appendix to our submission, which has been previously forwarded to you.

Should you have any queries, please direct them to the undersigned.

Yours faithfully

**Phil Cameron
MANAGER CORPORATE SERVICES
philip.cameron@whyalla.sa.gov.au**

Encl

PC:MA

INQUIRY INTO LOCAL GOVERNMENT AND COST SHIFTING

Local Road Funding

A well maintained road network is vital for the economic and social livelihood of Whyalla and the greater region.

Although Council provides considerable monies for the provision of this vital infrastructure, it is clearly beyond the reasonable means of the community to maintain and upgrade the existing local road network to the identified levels required.

Many of Council's sealed roads are now reaching the end of their life.

A recent infrastructure study of Council's road network has indicated that \$1.6 million should be spent annually on maintaining and upgrading this asset.

Council's identified road grant from the Commonwealth this year totals only \$270,683 and this leaves Council the impossible task of funding the gap in its infrastructure renewal program.

South Australian Councils currently only receive a 5.5% (\$24 million) share of the Identified Roads Grant under the Local Government (Financial Assistance) Act from the Commonwealth Government.

Information obtained from the South Australian Local Government Grants Commission indicates that on a per capita basis, South Australian Councils receive the lowest quantum at \$16.11 per person. South Australian Councils also receive the lowest per kilometre allocation at \$325.64 when compared with other States (refer **Annexure "A"** and **"B"**).

Whyalla City Council expresses its strong objection to the Federal Government regarding the methodology used to calculate the distribution of Federal Road Grants allocated to the States and seeks a more equitable allocation to South Australia of Commonwealth Road Funds.

As a suggestion, a more equitable system based on equal weighting of road length and population could be used to proportion the future distribution of Road Grants from the Commonwealth to the States. This would increase South Australia's allocation from 5.5% to 9.71% (refer **Annexure "A"**).

Council is also aware that (according to figures from the Australian Automobile Association) the Federal Government collects approximately 38.1 cents per litre from petrol and diesel, annually this figure is approximately \$12 billion. In terms of dollars put back into roads only, \$1.8 billion per annum is spent nationally on road funding or 6 cents of every litre.

Council also urges the Federal Government to review and increase the total allocation of funds for road funding.

Whyalla City Council's infrastructure renewal program will increase significantly over the next 25 years. Council must at least triple its expenditure for the next 3 to 5 years.

This will only be possible if the Federal Government:

- reviews and then increases South Australia's share of the Local Road Grant Funding
- increases the total allocation of road funding available to the States from funds collected from fuel excise

Commonwealth Identified Local Road Grants for Local Government and Roads to Recovery Grants

State Entitlements 2002-03

State	Allocation (Estimate) (\$mill)	Proportion (%)	Total Kilometres (30,06.01)	\$ per Kilometre	% of Local Road Network	Estimated Resident Population	\$ per Capita	Proportion Based on Equal Weighting of Road Length and Population
New South Wales	129.22	29.01	142,922	904.10	22.19	6,642,879	19.45	28.04
Victoria	91.82	20.62	128,394	715.14	19.94	4,854,133	18.92	22.35
Queensland	83.45	18.74	145,584	573.18	22.61	3,670,459	22.73	20.67
Western Australia	68.10	15.29	121,562	560.19	18.88	1,918,805	35.49	14.33
South Australia	24.48	5.50	75,163	325.64	11.67	1,518,874	16.11	9.71
Tasmania	23.60	5.30	14,054	1,679.35	2.18	473,252	49.87	2.30
Northern Territory	10.43	2.34	13,670	763.18	2.12	199,868	52.20	1.57
Australian Capital Territory	14.28	3.21	2,603	5,486.38	0.40	322,638	44.26	1.03
TOTAL	445.37	100.00	643,952	691.62	100.00	19,600,908	22.72	100.00

* Please note road kilometres for the ACT have not been updated from 1999 figures.



