



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
12TH NILA HANSARD – 19 DECEMBER 2007**

PRAYER

Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this House, direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island, Amen

CONDOLENCES

Honourable Members I call on condolences, are there any condolences this morning?
Mr Tim Sheridan

MR SHERIDAN Thank you Mr Speaker, this House records the passing of Timothy Keith Quintal on the 11th November 2007. He was the youngest son of the late Thornton George Ellis Quintal and the late Barbara Annette Quintal. Tim was born in Sydney in 1961 and attended school there. As a boy he played soccer for the Dee Why Signets until his arrival on Norfolk Island in the late 1960's when his family returned home. He was a popular young man with a ready smile and he loved his football playing with the Greens. His club mates formed a guard of honour for him at his funeral. After leaving school Tim worked in transport in New Zealand for about a year then returned to work at Foodland as a storeman. He then moved to Sydney working for the plumbing company ACE Gutters. He returned to Norfolk and worked with Peter Pumpkin Knapton and then Sandy Horrocks before going back to Sydney to work with his brother Michael as an asbestos remover. Tim really enjoyed sport and was a dedicated supporter of the Manly Sea Eagles. Tim later applied for and was justifiably proud to be accepted as a driver of trains with the New South Wales railways. A formidable responsibility. He was a friend to many and a very favoured uncle. He will be remembered as one of Norfolk Island's delightful characters and will be sadly missed. To his brother Shane, Nick and Michael and their families, to his many friends this House extends its deepest sympathy. Mr Speaker may he rest in peace

MR SPEAKER Thank you Mr Sheridan. Honourable Members as a mark of respect to the memory of the deceased, I ask that all members stand in silence please. Thank you Honourable members.

PETITIONS

We move to the matter of petitions. Are there any petitions this morning?.

GIVING OF NOTICES

Are there any notices?

QUESTIONS WITHOUT NOTICE

Are there any questions without notice?

MR B CHRISTIAN Thank you Mr Speaker, a question for the Minister for Health. Minister does the Government currently subsidise or promote a quit smoking programme in Norfolk Island and if not would the Minister commit to promoting future programmes

MR GARDNER Mr Speaker and I thank Mr Christian for that question. Probably within the last ten days or so I've written to the director of the Norfolk Island Hospital and also copied that to the Government Medical Officer, Dr Mitchell suggesting to them the preparation of a submission to Government for the Government to assist in maintaining quit smoking programmes in Norfolk Island and to provide not only that but consideration to support for also subsidising the necessary medications that would assist people in the process of giving up smoking and tied to that, a consideration of an educational programme for the school as well. I don't know whether that goes far enough but certainly it is something that I'm giving serious consideration to and as soon as I receive a response from the GMO who is obviously very passionate about this subject and the director of the Hospital I intend to bring that back to Members for their consideration

MR B CHRISTIAN Thank you Mr Speaker, a question to the Minister for Finance. Would the Minister inform the House as to why there has been no retail price index released since March of this year and when will the next RPI be released

MR N CHRISTIAN Thank you Mr Speaker, I actually don't know the reason at this time, but I'll take it on board to find out and as Members will be aware we have requested the assistance of the Australian Bureau of Statistics to update our RPI but certainly I don't think anybody has given any direction for the current one to cease to be compiled so I'll take that on board

MR SHERIDAN Mr Speaker a question for the Minister responsible for the KAVHA area. Minister can you update the community as to where the new management plan/policy is at, at this point in time

MRS JACK Mr Speaker thank you and thank you Mr Sheridan. The current CMP or Conservation Management Plan for KAVHA is currently being considered by myself and the Chief Minister. I've also asked for the Minister for Tourism and Health to participate and give me his comments. Those comments are to be sent back to the Environment Department in the Commonwealth and added into the draft. The draft is hoped to be on public display no later than mid January

MR SHERIDAN Mr Speaker a small supplementary. Have all the landowners within the KAVHA boundaries been consulted with regard to the boundaries and the Management Plan or CMP that is being considered

MRS JACK Mr Speaker regarding the boundaries for KAVHA. Those are issues, that are of concern to some but which remain as set, as was set when I took over this role. People have sought removal of those boundaries from their land. One took it I believe to the Supreme Court. They lost their case. Others have submissions with the Administration. I have asked the Public Service to deal with each of those submissions although whether they are automatically negated over the incredible overextension of the time to work with it I would have to re read the Act Mr Speaker. As far as the Conservation Management Plan landholders and land owners within the Kingston and Arthurs Vale Historic Area will be able to make their comments regarding the draft CMP when it goes onto public display and their submissions can be made to the relevant authority to be considered I beg your pardon

MR SHERIDAN Minister did you make mention in a recent press release which indicated that the proposal for nomination of KAVHA for world heritage listing was on track

MRS JACK Mr Speaker for the world heritage listing I may well have. I don't have the document in front of me so I always like to have it here to reread what I said but I believe that the intention would be to say that it is on track for being

placed by the relevant section within the Commonwealth to ICAMOS no later than the beginning of February I believe

MR B CHRISTIAN Thank you Mr Speaker, a question for the Minister for the Environment. Has the Minister received a report investigating the effective disposal of waste for Norfolk Island

MRS JACK Mr Speaker thank you and thank you Mr Brendon Christian. That report that was due mid November was running late. It was received by officers within the Administration late on Monday. I haven't as yet received it, although my understanding is that it will be delivered electronically to me during the meeting today for me to begin reading. I have the Public Service dealing with some of the question that I may have and that they may have and it is hoped that I may be able to get it out to executives within the next couple of weeks

MR B CHRISTIAN Thank you Mr Speaker, Minister what are the proposed time lines to act on this report and when can the community expect to see some progress as committed to some five years ago

MRS JACK Mr Speaker I can't and I won't try and give time frames because too often people say, well you're not holding to them. The situation is that we realise the importance of better dealing with our waste and our need for greater recycling. The community already is doing a tremendous effort but there's always room for improvement especially in this day of attitudes towards a safer environment, climate change, sustainable energy and the like. So, what I can assure Mr Christian is that the report once dealt with, we will move as fast as is possible on notifying the community, advising the community of projected time frames and or equipment to be used and all possible solution of ridding our systems of the municipal waste that we need to get rid of on island, and that time frames will try and be dealt with as appropriately as possible

MR SHERIDAN Mr Speaker I have a question here for the Minister responsible for Customs. Minister are you aware of the importation of four pallets of alcohol from the ship which completed unloading yesterday apparently without the proper authorization and paper work and which was manifested as beverages

MR N CHRISTIAN Thank you Mr Speaker, I am aware that there was an importation of four pallets of wine I understand it to be, it was brought to my notice yesterday and I've had discussions with the collector of customs this morning. It appears that the wine was imported by the Colonial Hotel of Norfolk Island, it was included in goods consigned to Island Industries and declared as beverage, I don't know whether that was a true description or not because you can have alcoholic and non alcoholic beverages. What has become apparent Mr Speaker is that neither myself nor any officer of the Administration that holds delegation either from myself or a previous Minister for Finance authorised the importation of that wine and I notified the collector of customs this morning that an investigation would be under way

MR SHERIDAN Mr Speaker a question for the Minister responsible for the airline. Minister can you advise if the Norfolk Air operation is part of the Norfolk Island Administration's responsibility in regard to the financial administrative and operational matters

MR N CHRISTIAN Thank you Mr Speaker, at the moment Norfolk Air operates as part of the airport GBE so as such the airline is owned by the Administration of Norfolk Island

MR SHERIDAN Mr Speaker a supplementary then. Minister if so, if Norfolk Air is operating under a GBE as part of the Norfolk Island Administration why

are Norfolk Air employees not required to comply with standard administrative requirements such as the HR Policy and salary relativity

MR N CHRISTIAN Thank you Mr Speaker, there are many areas at the Administration that operate differently. For instance, within the Administration you may have permanent employees. They are engaged on terms and conditions that are determined by the organisation, they abide by the rules that are in place at that time. We also have a situation where we have casual or temporary employees. We also have contracted officers engaged by the Administration and their terms and conditions of employment are reflected in their contract of employment and may not necessarily reflect or co-incide with something that would be in place for a non contracted public sector employee. Norfolk Air operates in a commercial environment and as such we have to be able to respond fairly rapidly to changing conditions in the marketplace and I thought it was appropriate that when we were staffing the Call Centre I had set time lines down for when I needed the transfer to be made from Ozjet to our own system and it was prudent then to engage staff from a manpower type organisation or provider of labour and the recruitment process that was followed there, was a merit based system similar to the one employed by the Administration and was made quite clear to the people applying for those jobs that when Norfolk Air was created as an entity in its own right they would be offered the opportunity to transfer to the new entity at that time on terms and conditions that was set by the entity itself. I might say in reviewing and considering where we go with Norfolk Air I've looked back at various proposals that have been put forward over the past few years in respect of our we treat our GBE's, whether we corporatise them or whatever, and there have been a number of recommendations that we corporatise our GBE's but there's also been a number of recommendations and one in particular from our Legal Services Unit that HR itself be outsourced and corporatised and this basically is an acknowledgement that the Administration itself is a fairly small body of people but it must provide human resources to administer a wide range of areas and a corporatised body would probably be more able to provide the services to the Administration that the Administration requires, in a corporatised situation rather than being lumbered in as part of the organisation itself, so it's basically an ability to better deliver services

MR SHERIDAN Mr Speaker just a follow up there please. Minister considering that all that aside with regard to what you've just said with regard to HR may be outsourced etc, considering that Norfolk Air at this point in time is under the umbrella of the Administration, why was not the recruitment of those positions within Norfolk Air conducted through the normal Administrative processes

MR N CHRISTIAN Thank you Mr Speaker, it wasn't, because I elected not to follow that process as the Minister for Finance and under the Public Monies Act, which I just happen to have here, I can refer Mr Sheridan to sections 38 of the Public Monies Act and Mr Speaker this empowers the Executive Member to do a range of things and section 38(1)© authorises the Executive Member to procure services on behalf of the Administration. I exercised my power under the Public Monies Act to obtain services for the provision of human resources in respect of Norfolk Air

MR SHERIDAN Mr Speaker just a follow up there. Minister these employees of Norfolk Air are they being paid in accordance with the standards of wages relative and applicable to Norfolk Island or are they the Australian standards that's being utilised

MR N CHRISTIAN Thank you Mr Speaker, as far as I'm aware I've circulated a memo to all MLA's outlining the terms and conditions that the people have been engaged on. They receive a flat hourly rate with allowances for entitlements and its within the Norfolk Island parameters, not the Australian ones

MR SHERIDAN Mr Speaker another one for the Minister for Finance. Minister I believe that the National Parks of Australia are currently upgrading the Duncombe Bay Road out to Capt Cooks lookout as part of a Commonwealth project which was fully funded by the Commonwealth. Minister because of the time frame in putting this project in place, and increased costs on island and the inability for the Commonwealth to increase funding, has it been necessary for the Norfolk Island Government to subsidise the Australian Commonwealth's project by utilising the Norfolk Island community's taxes so that the task can be fully completed

MR N CHRISTIAN Thank you Mr Speaker, not at all. I can shed some light on what's happened there. Members would be aware that the upgrading of the Duncombe Bay road formed part of the original package that was left to upgrade the Mt Pitt road. It also included the Palm Glen Road, however cost overruns on the Mt Pitt project for a variety of reasons meant that there were insufficient funds at the time to complete the Duncombe Bay road and the Palm Glen Road so what Parks has done, over the intervening years, is to continue to submit budget submissions to the relevant department to obtain the necessary funding to complete the upgrade of the Duncombe Bay Road out to Capt Cook Memorial. In the current financial year they were successful in obtaining the funds necessary to do that. However, when the job went to tender, and tenders were considered the tenders were actually higher than the amount of funds available to Parks so their options at that stage were to roughly complete half of the job and to await further Federal Government funding to complete the project. Part of the cost in all of that is that the Administration of Norfolk Island would be providing the sealing chip and the equipment and labour to actually apply the two coat chip seal. Now what happened there is that the Assembly Members and Executive Members considered amongst themselves whether it would be desirable or not for the project to come to a standstill. I think most of us were of the view that it would be desirable to finish the job so we undertook to write to the Parks people to see whether we could be of assistance. They came back and said yes, we could be of assistance, and they thought that the assistance that would be required from us would be in the order of \$135,000. We looked at what we were providing to the job and decided that we would like to partner the Commonwealth in completing the job so rather than charge the Commonwealth for our contribution we decided to make a contribution in kind. That then allowed the job to continue and as of yesterday I think I was informed verbally that Parks were now in a situation to complete the project from Capt Cook monument to the cattle stop at the top of the hill there so all in all I think it's been a pretty good outcome and some sensible decision making has been involved and the Administration whilst technically out of pocket, I consider the fact that we collect the registration, from the motor vehicles that drive out there as such, and given the fact that its probably the most visited tourism site on Norfolk Island , the contribution from the Norfolk Island Government was warranted

MR B CHRISTIAN Thank you Mr Speaker, in view of that question it might be appropriate to note that I myself played no part in those deliberations

SPEAKER Thank you Mr Brendon Christian. Any further Questions without Notice

MR B CHRISTIAN Thank you Mr Speaker, I'm not too sure, but this question may be for the Chief Minister. Minister is it currently a requirement for a person serving on Government Boards to fill out a list of pecuniary interest and if not, would the Minister consider initiating this practice in the interest of transparency

MR NOBBS Mr Speaker as far as I'm aware at this point, and I'm not 100% up to date on that one, I'm not aware that they do have a pecuniary register for those boards. I will find out and get back to you for the next meeting Mr Christian

MRS JACK Mr Speaker if I could just assist the Chief Minister I'm aware on my own Planning and Environment board that there is a requirement for people to state any possible conflict or interest that they may have on Development Application approvals under consideration at that meeting at the start of the meeting and it is preferable before, because if there are a couple then a delegate Member can be sought to take their place

MR SHERIDAN Mr Speaker another one with the Minister responsible for Minister for Finance . Minister back in March I believe consultants were employed to give opinions on harbour facilities for Norfolk Island which were due some months ago. When can we expect to see these reports, and why are they taking so long to complete

MR N CHRISTIAN Thank you Mr Speaker, I'll answer the second part of the question first. They are taking a bit longer to complete because it's a fairly complex task and lots of areas had to source information from second and third parties. The other principal reason as to why the report was delayed was the firm of Patterson Britton was actually swallowed up by a much larger firm and it took some time to bed down the new arrangements. And when can we expect the report. It's possible that I will receive a preliminary report before Christmas but I've been assured by Peter Horton of Patterson Britton that I should have the comprehensive detailed report by mid January at the latest and there have been some significant developments. In the original brief given to them I think I used words to the effect that the report had to be able to accommodate cruise ships of the type operating out of Australian ports and that brief was issued earlier this year. We've since had visitations from representatives of Carnival Cruises, that's the large American cruise line I think, and they own P & O Cruises in Australia. They have actually shed a bit more light on what their requirements would be. They are keen to visit Norfolk Island on a regular basis. They estimate that they can put thirty ships per year into Norfolk Island . They would require a port facility that can berth a cruise liner 260 metres long carrying 2500 passengers so that information was passed to Patterson Britton last week and will be incorporated into the report

MR SHERIDAN Mr Speaker a question for the Minister responsible for the Environment, Minister I believe the Water DCP was or is being overhauled and that new considerations were to be introduced. Can you advise us as to where this is at and why has not the time periods in the current DCP's not been enforced

MRS JACK Mr Speaker those time frames haven't been adhered to. There are issues within the capabilities of those to be met. There were also concerns from within the Administration over the abilities and the writings that they found hard, certain Members of the Public Service were finding hard to work to and so it has completely stagnated Mr Speaker. It's not a happy turn of events. Parts of it I should say and its specifically the part that Mr Sheridan would be referring to that seeks all tourist accommodation homes and places to be fully compliant by February of this year and compliant in the way of having enough water storage and to stop being reliant on bore water to reduce the strain on the sub aqua water system. It's not a good case to state that but when developments or renovations have taken place at various tourist accommodation houses those new tourist accommodation units have had to comply inasmuch as the water catchment area and in tank capabilities for receiving the water. The review, I've wanted a review of the Water DCP before the signs one was looked at and was told that the signs was more preferable to work to, so there are issues and work has to continue and we have to try and work and make it so that the tourist accommodation houses and some in particular that aren't adhering to where this Government and past governments and previous Governments want them to be in responsible collect of water, that we try and get those particular places into line. Mr Speaker having said that there are a number of tourist accommodation Houses that already do comply and have complied for some time. It is just trying to get a few to integrate a compliance

MR SHERIDAN Mr Speaker a question to the Minister with responsible for electricity. Minister I note from your press release in I believe last weeks paper on the possibility for consumers to sell their excess electricity from systems operated by individuals within the community but only if they do not have the storage capability. Minister How many systems are out there in the market place that do not require local storage systems for electricity for personal electricity that cannot be produced because of the right environment

MR N CHRISTIAN Thank you Mr Speaker, what I was trying to avoid there was the ability for somebody to be connected to our grid, taking advantage of the generous offer we are making in respect of renewable energy and basically storing huge amounts of energy and feeding it back into the grid so that they actually never ever get a bill from the Administration for our normal diesel generator power. The reason I specified that is because as I understand it, and I could be corrected on this, but the BP solar system which is the principal system offered by the Australian Office of Greenhouse Gas is such a system, it's a real time system that has no storage capability and power either just goes in and out accordingly to how its been produced

MR SHERIDAN Mr Speaker a question for the Minister responsible for the fuel. Minister I note comment from yourself that with the discharge of fuel from the tank over the last couple of days, that fuel will increase some 7 to 12 cents. Can you indicate how much will fuel be increased

MR N CHRISTIAN Thank you Mr Speaker, I would like to clarify a couple of things there. I'm fairly certain that fuel prices will rise. I can't quantify that at this stage because I haven't been notified by Norfolk Energy, that's the section of the Administration that's responsible, of what the new price will be but there's been a degree of misunderstanding in the community. What I had said in general conversation to some people was that it was possible that some of our fuels and that could be unleaded petrol, JA1 and diesel being the principle ones, that the price rise increases could range from 7 or 8 cents per litre to 14 cents per litre. That has been misconstrued by some in the community as saying that electricity will rise by 14 cents per unit. Well I've never said that, so I need to clarify that point. Mr Speaker I do expect that there will be a fuel price rise. I just can't quantify it at this time but what I will do once I'm aware of it, is follow my usual practice of publicising the new wholesale price

MR SHERIDAN Mr Speaker virtually a supplementary question. Minister in reflection on the possibility of the increase in the fuel prices would it then be necessary for the electricity to rise. Can you indicate how much that would be and when they would be rising

MR N CHRISTIAN Thank you Mr Speaker, a lot of things come into that equation. What I will do is sit down with the Finance Manager and the Executive Director and try and do a little crystal ball gazing if you like. If the rise is small in respect of diesel fuel, we may be able to absorb some of that rise and not pass it on to the consumer by way of increased electricity charges. If it's a medium term rise, we may determine to absorb that rise for the next three months and adjust that price at the end of that period and the adjustment we make at that time would take account of foregone income in the intervening period, however if the price rise is significant and we can't absorb it in the short or medium term, we would have no option but to then read meters immediately and issue amended invoices

MR SHERIDAN Mr Speaker virtually another one with regard to fuel and electricity,. It's all tied up. Minister I believe that you've taken out an insurance policy for future fuel increases as indicated in the paper last week by dabbling in what is called the edging markets. Is the cost of this policy some 5 cents per litre over 1.25 m litres over the next six months

MR N CHRISTIAN Thank you Mr Speaker, yes. As the article in the paper said, the insurance policy comes into effect on the 2nd January and remains in effect until the 30th June next year. It does cost five cents per litre for every litre of fuel insured and I've insured 1.25 m litres of fuel. That covers not only what I expect to use at the power house but in fact all diesel fuel that I expect to sell in Norfolk Island for that six month period. I'm only able to insure the diesel fuel at this moment because no other mechanism at this time is available to me to insure unleaded petrol or jet A1 in small quantities. The premium therefore for that was about \$62,400 somewhere around there for that six month period, and it's likely that that will be absorbed by the powerhouse on the basis that our annual electricity fuel Bill would be running somewhere around \$3m per year at the moment, so I intend to try and absorb it if I can

MR SHERIDAN Mr Speaker a supplementary there please. Considering the absorption of the insurance premium aside, there Minister, considering that you've said that there's some five cents per litre is required to cover these costs, plus we already have some twenty cents to the supply of fuel to the tanks in Ball Bay, do you not agree that by this Governments inability to negotiate fuel deliveries in their own right to the community of Norfolk Island, has resulted in a plus 25 cent litre penalty and also some 8 or 9 cents increase in the price of electricity as a result. Do you believe that the community has been dealt with fairly in these negotiations

MR N CHRISTIAN Thank you Mr Speaker, absolutely! The community has been dealt fairly and Mr Sheridan continues to ignore the facts that have been laid before him as a Members of this House. Those facts Mr Speaker are that those prices that became effective in October November under the new arrangements were actually six cents per litre less than what they would have been under the old arrangements had Mobil continued to own the facility so the consumer of Norfolk Island is a helluva lot better off as a result of the Administration owning the facility. We pay the providers of the fuel a set rate per litre and that covers their commercial mark up, the cost of their capital, in other words bank interest and the cost of gifting the facility in Ball Bay to the Norfolk Island community. On top of that we add 9 cents per litre or it might be about 11 cents per litre for the Administration to own and maintain the facility and we pay the local distributor something like 9 cents per litre to deliver it on our behalf so I can assure you Mr Speaker what we have in place is a very lean, mean and efficient operation

MR B CHRISTIAN Thank you Mr Speaker, a question for the Chief Minister, Minister would you inform Members of your progress of reviewing the Public Service as you committed to some six months ago

MR NOBBS Mr Speaker as many around the table and in the community are aware, we've recently completed a review by Deloitte's Company which was to establish the financial processing systems and double handling and efficiencies to be gained in those areas as well as ways that we are able to upgrade and integrate our software and hardware systems so that we could perform better through handling of data and being able to better assess the financial reporting in areas which is part of our review concept in that we do want to have a better idea of the bottom line, in all areas and for managers to understand the different costing aspects, or not so much understanding but to have better access to those costing figures, in moving on from there, there has been a fair bit of movement by the Chief Executive Officer on the specifying of the position descriptions through the Public Service so that we can give people within the service a better indication of the parameters that they work in which would not only encourage a better understanding of their responsibilities but also give them a better idea of job satisfaction. Other areas that we've considered is something that we'll be talking about later on which is the various corporate structure options that we may utilise for selected GBE's if possible, to enable them to work on in some cases, a more commercial basis. There's probably a range of areas as I brought to the table in

the meeting some two and a half months ago or two months ago. It covers the wider scope of detail of what's going on but there are basic overviews this week

MR SHERIDAN Mr Speaker a question to the Chief Minister. Minister who is the Minister in Australia, you may be going to make a statement on this later, and if you are leave it until then, but who is the Minister in the Australian Government responsible for Norfolk Island and its affairs

MR NOBBS Mr Speaker thankyou, and thank you Mr Sheridan, I understand that it's usually been the responsibility of the Administrator's office on Norfolk Island to pass on that information. I am aware that in the newspaper on the front page there was a photo of the person who was to be our Minister. At this stage although we fall in the Attorney General's and McClelland's portfolio, as yet we do not have a concrete indication of the exact Minister who will be handling Norfolk Island

MR SHERIDAN Mr Speaker thank you. A question for the Minister responsible for the airport. Minister what happened to the planned extensions for the customs entry hall at the airport being completed to provide space and to allow use of the x ray machine brought to the island by the late Tony Redstone

MR N CHRISTIAN Thank you Mr Speaker, I can't tell you Mr Sheridan. All of those things, the extensions and a number of other things were approved in the budget this year for the airport and I'm keen to see them completed. What the delay is I don't know but I'll make some enquiries to the Executive Director because there's also the car park being held up as well

MR SHERIDAN Mr Speaker another one with regard to the airport area. Minister is it correct that in order to complete the recent airport resurfacing a loan was negotiated with the Australian Government and part of this negotiation was a requirement to increase the landing fees at Norfolk Island. Has this occurred

MR N CHRISTIAN Thank you Mr Speaker, yes. I can give a bit of a brief history. I don't know whether two Legislative Assembly's ago, the Commonwealth was given a commitment that we would actually increase landing fees, but landing fees were originally about \$36 on a return ticket and that was set in about 1992. some time later possibly around the 97 mark that was lifted to \$54 I think on a return ticket and late last year or earlier this year, I'm not quite certain when the passenger movement charge lifted upwards to about \$80 on a return ticket and that procedure was put in place quite some time ago by Luke Johnson, when he was head of the Public Service and I actually didn't have to do anything, because he had already served the airlines notice, probably two years before the event that the new charges were coming into place so they just happened on the nominated date.

MR SHERIDAN Mr Speaker virtually a supplementary on that, Minister with the failure of the previous airline and the Australian Government agreeance to defer commensurate repayment of the loan for some two years, so as to allow the Norfolk Island Government to get the Norfolk Air operation up and running, the funds that were saved to ensure that the airline operated efficiently, could you indicate as to what sort of figure would have been saved by this agreement, by deferring the repayment for two years on the increased landing fees

MR N CHRISTIAN Thank you Mr Speaker, for three years I don't actually have the true numbers with me but I will attempt to answer the question factually, and basically I think the deferment for the loan repayment was two or three years. From memory we had to put aside \$800,000 to repay the money to the Commonwealth and in addition to that we had to pay to ourselves \$500,000 which is the interest that the Commonwealth has foregone, so that goes into the pool as well, so if you look at the fact that there was \$800,000 we've got about \$2.4m that we've saved

and that is the money that I've identified that we would use for the replacement of the fire engines, the RESA works and the new fire station.

MR SHERIDAN Mr Speaker I don't know who to direct this to but I'm sure one of the Ministers will pick up on it, it's in regard to registration of professional services, and the question is, as there is very limited protection for the consumers of professional services on Norfolk Island is it still proposed to initiate legislation to regulate professional services

MR NOBBS Mr Speaker I'll take that one on board. We have spent considerable time looking and discussing the options available here in regards to licencing and registering some of those operators and we are still actually exploring the ramifications of it in regard to our accepting payment to licence someone whether that puts some specific liability on us as well so we would need to explore all options with regard to that

MR GARDNER Mr Speaker if I could provide some supplementary advise in relation to that question. As it relates to the legal profession in Norfolk Island as Members would be aware there was a bill that passed this House probably 18 months if not longer ago, in relation to our legal professions known as the Legal Professions Act and that requires registration processes. It establishes proper audit regimes and the like. In recent months I've approved a commencement programme for the provisions of that legislation so I suspect that any day now those provisions will come into play so commencement of that is eminent in relation to the legal professions

MR SHERIDAN Mr Speaker you've just answered my supplementary question for me but I do have another one for either one of the Ministers. When will other consumer protection type legislation relating to other professional services such as accountants, real estate agents etc be introduced into this Legislative Assembly

MR NOBBS Mr Speaker I'll have to take that one on notice and have further discussion with my colleagues around the table to see how we can address some of the issues that have been talked about already and perhaps look at the methodology and the time line involved

MR SHERIDAN Mr Speaker a question with regard to salaries to the Minister for Finance or the Public Service. The salaries of the nurses at the hospital were increased to reflect the equivalent New South Wales salaries less their taxes, when will the teachers at the school be brought under the same umbrella or a similar arrangement

MR N CHRISTIAN Thank you Mr Speaker, I would think that I would pass that to the Minister for Education to answer

MRS JACK Mr Speaker, Mr Sheridan the Memorandum of Understanding that is between this Administration and Government and the New South Wales Department of Education and Training provides that teachers employed by the Administration shall be paid accordingly to the rates determined by the New South Wales Department of Education and Training and their union

MR SHERIDAN Mr Speaker I have one final question and it's to do with the Public Service pay claims so to the Minister for the Public Service. Minister on the basis that the Government was having some financial difficulty some two years ago the Public Service agreed to place on hold its wage claim and given the apparent improvement in Government funding when is an outcome of this pay claim expected

MR NOBBS Mr Speaker with the Public Service being under my portfolio I'll take the question from Mr Sheridan. I am able to say that after our 2007

budget the Legislative Assembly recognised the need to address the Public Service pay issue and at the same time we are planning to address where necessary the productivity, efficiency and career path opportunities within the Public Service and at that time the Executive Members gave a go ahead to the Chief Executive Officer of the Public Service to begin a process of negotiation with the PSA around mid July. I'm not actually aware of a great deal of negotiating taking place up to this point and I have personally encouraged the PSA President to take a wide ranging approach to the negotiations to ensure what options or opportunities are discussed. We have in the past lost Members of the Public Service by not adequately compensating them for their expertise or accreditations and it has been close to six years since consideration was given to reviewing the pay scales within the Public Service. The Executives and the Chief Executive Officer have met recently to discuss the issue of bringing this forward as well as the new pay negotiations as put forward and promoted in mid July and I must admit that I had hoped that we would have reached some form of satisfactory negotiated outcome by now that would see suitable pay levels throughout the service and perhaps performance based outcomes and efficiencies and I would have liked to have seen that additional money circulating in the economy as well at this point so I hope that goes some way to answering your question Mr Sheridan

SPEAKER Any further questions Honourable Members. There being no further questions we conclude Questions Without Notice and we move on

PRESENTATION OF PAPERS

Are there any Papers for presentation this morning Honourable Members

MR N CHRISTIAN Thank you Mr Speaker, I table the Financial Indicators for October 2007. Mr Speaker at the end of October 2007 the revenue fund continues to perform well. Revenue from all sources stands at 91.5% of budget with other taxes, earnings of Government Business Enterprises and GST being the strong performers. Overall expenditure has been limited to 91% of budget. For the month of October 2007 the budget forecast a deficit of \$49,000. this compares with an actual deficit of \$96,000 in the corresponding period last year. The actual outcome for October this year is a surplus of \$72,000. On a pro rata basis the first four months of the financial year remained on target. At the end of October 2007 the budget estimated a loss of \$196,000 compared with an actual deficit of \$453,000 in the corresponding period last year. The actual result that we have delivered for October is a much more pleasing deficit of \$142,000. Mr Speaker in respect of revenue fund capital works and purchases totalling \$185,000 and to date we have spent \$25,500 of that. Mr Speaker total cash at bank in non trust accounts totals stands at \$8.4m which is consistent with the long term average after removal of forward ticket sales and just for information at the end of October 2007 the amount of money in forward ticket sales was just short of \$3m. The overall revenue fund position at the end of October also remains healthy. We are able to recover all of our known commitments and retain reserves of \$196,000. Mr Speaker, The September results for Norfolk Air is very satisfactory as well with a return to a positive cash flow. The airline has generated an operating profit of \$170,000 which is adjusted to a net profit of \$86,000 after spending \$83,000 in advertising and promoting. Mr Speaker the airlines cash reserves at the end of September 2007 after carrying forward profits from the 06/07 financial year stands at \$291,000 and that's the September results for the airline Mr Speaker so I'm giving you two months of airline results in the one month here. Mr Speaker for the month of October the airline has produced solid results again with an operating profit of \$324,000 and after spending \$26,000 on advertising we end up with a net profit for the month of \$298,300 and the position of the airline at the end of October for the financial year to date is that we have reserves of just on \$600,000. that concludes that one for the October financial indicators Mr Speaker. Thank you

MR GARDNER Mr Speaker I table the Inbound passenger statistics for November 2007 and move that the paper be noted

SPEAKER Honourable Members the question is that the paper be noted

MR GARDNER Mr Speaker again, pleasing to see an increase in the arrival numbers to Norfolk Island for this last month, somewhere in the region of about 11% give or take over last years figures. When looking at these figures we can see that there's been a noticeable change in the Victorian numbers, and that's principally owed to the introduction of a direct service out of Melbourne on a weekly basis, and in actual fact, when you look at the numbers, that contributes the most significant portion in growth as far as numbers are concerned for the November figures. Also just analysing the figures it's pleasing to see an increase out of the New Zealand market for November compared to the last couple of years. As yet I think I alluded to it last month, I think it's probably too early as yet to assess the impact of the additional marketing and promotional support and on ground support or representative support in the New Zealand market at this stage that we voted through in the budget sessions earlier this year but I expect that we probably will be able to see solid trends one way or the other as far as assessing the success of that initiative probably I would think by about March of next year we'll be able to get a firmer grip on just how the New Zealand market is responding to that injection of support. There are a couple of other matters. Obviously there are certainly suggestions abounding that Norfolk is now becoming the catchword of the month in some of the areas in Australia renowned for travelling to Bali and other places, that now we're becoming seen as a place worth visiting in advance of other international destinations that's positive to hear. How that will pan out as far as visitation numbers are concerned will be interesting in the following months. The other issue that obviously from a tourism perspective that I'm keen to come to grips with is meeting our targets as established both by Econtech and also our Tourism Strategy and that is to lift visitor numbers and a need to do that in conjunction with the airline services coming into Norfolk Island and just how we are going to achieve those. Certainly I don't want to jump the fence as far as responsibilities are concerned but its certainly something that I'm conscious my colleague the Minister for Finance who is responsible for the airline is working on with his people in just how far we can expand our net as far as services is concerned in underpinning our visitation numbers or our expected visitation numbers to meet our targets. Thank you Mr Speaker

SPEAKER Thank you. Further debate Honourable Members. There being no further debate, the question is that the paper be noted and I put that question

QUESTION PUT
AGREED

Thank you.

MR N CHRISTIAN Thank you Mr Speaker, I table the Financial Indicators for the month of November 2007. Mr Speaker the revenue fund has performed exceptionally well in November 2007. Income to date has achieved 98% of the forward estimates. The customs duty has moved from 56% of budget in October to 96% of budget at the end of November. Other taxes have achieved 112% of budget, earnings from GBE's is currently at 96% of budget, and GST is running at 103% of budget. Interest from investments stands at 98% of budget. GST has been the star performer. We had budgeted for an income of \$455,000 and we have received \$567,000 for the month of November. Expenditure has been contained to 91.5% of budget and at the end of November 2007 the budget had expected to be in deficit \$49,000 which compares with an actual deficit of \$119,000 in the corresponding period last year. The result for this year is a surplus of \$238,000. Mr Speaker on a pro rata basis the five

months of the financial year was forecast to produce a deficit of \$245,000 which compares with an actual deficit of \$572,000 last year. The actual outcome stands for the first five months of this financial year, as a surplus of \$96,000. Capital works and purchases has not moved from the October figure with only \$25,500 having been spent to date. Mr Speaker at the end of November 2007 the overall revenue fund position remains healthy. We are able to meet all of our known liabilities and we retain a surplus of \$213,000. Mr Speaker cash at bank in non trust accounts stands at \$12.5m which is about \$1.1m more than last month. Most of these additional funds reside in the airport GBE and to date no apportionment has been made between the airport and the airline because that information is not yet available but I suspect that the bulk of the increased funds held actually relate to forward ticket sales and at this stage I can't give you any information on the November performance of the airline because they haven't been completed as yet but I expect that it would have at least performed as well as it did in October

MR MAGRI

Thank you Mr Speaker I move that the paper be noted

SPEAKER

Honourable Members the question is that the paper be noted

MR MAGRI

Thank you Mr Speaker when developing the 2007/08 financial budget I talked with the Finance Minister about the island's finances and about some of the forecasts that he had made about expected revenues from GST the airline and customs duty. Mr Speaker the financial indicators tabled today continue to confirm the Minister's projections and that the island is continuing to strengthen its financial position. This coupled with a range of financial reforms such as the new treasury function and the adoption of international financial reporting standards sees Norfolk heading in the right direction. I look forward to the 2008/09 budget where we can continue our socially responsible agenda in areas such as health education and welfare and constantly seek to improve and build upon the system we are already very proud of. Thank you Mr Speaker

SPEAKER

Thank you. Further debate Honourable Members. There being no further debate, the question is that the paper be noted and I put that question

QUESTION PUT
AGREED

Thank you.. Any further Papers Honourable Members

STATEMENTS

We move to Statements of an official nature. Are there any Statements this morning Honourable Members

MR GARDNER

Mr Speaker I have a brief statement on the general direction that our tourism industry is taking and also within the statement an opportunity to provide some acknowledgment if I might Mr Speaker to some of the very hard working people involved in I guess, I think it fair to say the turn around in our fortunes that we've experienced in recent months, as far as tourism is concerned and also responsible for the overlay of some very positive comments and feelings within the industry that we are currently expecting and it goes without saying that after a couple of years, or three years at least of some very trying times in Norfolk Island that its nice to get our head above water and I think it is fair to say that we are confident of being able to maintain our head above water going forward and actually hit the beach running in the not too distant future. But Mr Speaker in my statement I wish to acknowledge those responsible for the

organisation of the recently convened tourism awards in Norfolk Island and to thank those people, particularly the Members of the Norfolk Island Government Tourist Bureau and their Chairman, Mr Wally Beadman, Mr David Buffett, for his contribution to the organisation of the awards and all those others who are involved, including the Young Ambassadors, the judges who came to the island for the purposes of judging the awards and all those persons that were big enough and brave enough to actually toss their nominations into the ring and support what I think has turned out to be an exceptional event within the Norfolk Island context. Mr Speaker some Members who were in attendance on the night of the awards would have had the opportunity to welcome Mr Terry Watson from Tweed Tourism who has been successful in taking up the role of our General Manager for tourism in Norfolk Island. Terry and his wife spent a week or so on the island during the awards week making themselves aware of the environment in which they are going to work, and meeting representatives of the industry, both locally and also the wholesale industry from off island and those persons included Judy Jarvis and Spuddy Buffett and John Hashi who have been partners in the industry for a long time in Norfolk Island so it was valuable for him to be able to meet them first up so I would like to formally welcome him and his wife to Norfolk Island although they are not on island just at the moment, they've gone home to pack up their wares and enjoy Christmas on the mainland before returning to take up the post in early January and in welcoming Terry to the island I think it's appropriate that we acknowledge the contribution of Mr Steve McGuinness, his wife Anne, and their family to the community of Norfolk Island over the last two and a half years and I think it is fair to say the exceptional contribution he's made in very difficult and trying times for the industry, and as far as I'm concerned, having held the portfolio twice in that period of time, that clearly I found Steve to be unwavering in his support for the Government's efforts and the Legislative Assembly's efforts and the industry's efforts to try and turn around the fortunes of tourism in Norfolk Island and I'm sure that he will go away from Norfolk Island enriched with that experience because I don't think it's anything like the Thredbo experiences that he's been through in the past. This is a completely different environment to operate a Tourism Advisory and Management role, but I think he's done that very successfully and certainly is very highly admired within the industry both locally and offshore and I certainly wanted today to formally place on the public record my acknowledgement and my grateful thanks for his support and for the efforts that he's made for tourism in Norfolk Island over the last two and a half years and I would like to wish both Steve and his wife Anne and family every success in their future. Thank you

MR NOBBS

Mr Speaker I would like to give an end of year summary. Mr Speaker I think that each December we find ourselves wondering how we managed to squeeze so much out of the calendar year, and 2007 has been no different. As members of an Island community there is such a wide spectrum of activities and events that make up our annual program, and it is our sense of community and pride that drives us all forward to achieve each new year's goals. 2007 has been a year of many major changes, achievements and challenges. In many respects we have shared the same challenges as other small communities - small islands and global challenges as well. The big picture for Norfolk Island, as always, is to protect our environment, enhance our prosperity and plan a future that is sustainable. I have no hesitation in stating that our current Assembly has left no stone unturned in exploring better opportunities for our island home. We have also made many of the difficult and sometimes overdue decisions in many areas. This is exemplified in the Strategic Plan for 2008-09, the consultation draft of which I tabled in this House last month. The plan is a comprehensive document setting out the goals and measurable objectives of the Norfolk Island Government over the remainder of the term of the 12th Assembly. Among other important goals, it sets out our plans for economic growth and diversification, infrastructure development and maintenance, improving the quality and delivery of community services, enhanced consultation and the promotion of fairness, opportunity and responsibility. I want to thank the many people who have provided comment and input on the consultation draft of the Plan, especially those community members who supplied constructive and detailed comments. The Plan will be finalised early in 2008,

then printed and mailed to all households in Norfolk Island. I would like now to comment on a few areas where we have taken decisive action in line with the goals I have just outlined. We have approved various necessary upgrades to the airport infrastructure and equipment which will be required in the short term to ensure that our main revenue source – tourism - maintains its current momentum, a momentum capably driven by the five-year tourism strategy. Norfolk Air has displayed our tenacity and ability to compete in a challenging international marketplace. Using minimal staffing with maximum effort and expertise, we have exceeded comparative historic results for scheduling and yield while maintaining continuous contact and negotiation with our business partners OzJet. Norfolk Air has also produced substantial profits which have been allocated to promotion of Norfolk Island in major markets in unison with Norfolk Tourism. The creation of the new Hospital working group has enabled the use of various local expertise to assist in the development of plans and evaluation process of funding options for construction. The public service has recently completed an assessment of all financial processes and has progressed well towards implementing our international financial reporting systems, that will not only ensure our compliance with international standards, but also enable us to gather accurate and relevant financial data whenever required. This process initiates a program to upgrade our data management systems and will no doubt enhance our efficiency with regard to financial matters, an important stage in the review of the public service that this Government has undertaken. We have taken early steps to communicate with the incoming Rudd Labor Government in Australia, inviting the Prime Minister and several other portfolio Ministers to visit Norfolk Island, and offering to provide detailed personal briefings here or in Australia on the many services we provide and on relevant policy issues. The Econtech economic modelling initiated by the 11th Assembly has proved to be a powerful tool for assessing our ongoing economic performance with particular regard to revenue and tourism numbers, and ensuring that we are able to support all our servicing and social welfare areas. We have commissioned updated modelling from Econtech, which we expect to receive this week. The cost of living in Norfolk island has been utmost in our minds and discussions: reducing costs in areas such as telecommunications, “insuring” our fuel costs against further increases, reviews of GST and RPI as well as encouraging low cost “green” power generation are moves we have commenced or completed. As a government, we have also put our support behind TAFE and tertiary opportunities, targeted tourism, new industry assessment and social welfare support system analysis. This is a brief overview of some of the important matters dealt with as a government in 2007. There are many more, but I cannot cover everything in a statement such as this. As an Assembly, we have a consistent and proactive weekly meeting schedule to ensure detailed and informed debate on all issues that occur on Norfolk Island or external matters that may affect us all. At this point, I would like to thank the Members for their dedication to doing the very best we can for our Island, and to wish them all a happy and safe festive season. The process of assessing and implementing any change into our economic environment will always be sensitive, so our commitments over 2007 have included expanding our availability for consultation to our community, through radio, newspapers and public forums. Special thanks are due to everyone who has participated in those processes, as is my gratitude to the radio station, Greenways Press and the Norfolk Window, as well as other media on and off island. I couldn't go any further without thanking our Assembly support staff, Secretary to Government, Research Assistant, CEO and every member of the public service, statutory bodies and advisory boards and committees for their support and efforts over the last year – thank you very much. I would like to finish by wishing everyone at home or away the very best festive season and a happy, healthy and prosperous 2008. I look forward to putting every effort into the New Year on Norfolk Island. Thank you, Mr Speaker

MR MAGRI

Thank you Mr Speaker, on Norfolk Island the festive period generally coincides with plenty of opportunities to celebrate and I just wanted to take this opportunity to wish everyone on Norfolk a really happy Christmas and to encourage everyone to be careful on the roads. Mr Speaker, the Norfolk Island Government respects the judgement of individuals and the decisions that they make with

regards to road safety. However, the Government also recognises that proper education about road safety issues is a key link in a person's ability to ensure that he or she makes informed and prudent decisions about safe behaviour on the roads, in their own interests and in the interests of other road users. Mr Speaker, in recognition of this, the Norfolk Island Government is undertaking a road safety campaign over Christmas and New Year. Members are probably aware that our Deputy Clerk, Ms Gaye Evans, takes part in a programme at the school to encourage the use of the Norfolk language. Ms Evans asked her students to think about road safety, and they came up with some excellent ideas. One of these is a poster encouraging people to wear seat belts, which will appear in this week's Norfolk Islander. We will also be placing advertisements and radio announcements about road safety, some of them based on the ideas put forward by the students. I know that the police will also be vigilant over the festive season, so that drivers who act irresponsibly can expect to face the consequences of speeding, drink driving or other unsafe behaviour. Mr Speaker, the Norfolk Island Government will be introducing a comprehensive road safety programme in 2008, but in the meantime and especially over this festive period, I ask everyone to consider that we all will be better off being five minutes late than dead on time. Thank you, Mr Speaker.

SPEAKER Thank you Mr Magri. Are there any further statements of an official nature Honourable Members. We proceed

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 9

Honourable Members, I have received the following Message from the Office of the Administrator and it is Message No 9 which reads that on the 27th November 2007, pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following laws passed by the Legislative Assembly, the Criminal Code Act 2007 (Act No 11 of 2007), the Criminal Procedures Act 2007 (Act No 12 of 2007), the Court Procedures Act 2007 (Act No 13 of 2007) and the Sentencing Act 2007 (Act No 14 of 2007) and that message was dated the 27th November 2007 and signed Owen Walsh, Acting Administrator

REPORT FROM STANDING COMMITTEES

Honourable Members are there any reports from standing committees.

SPEAKERS REPORT FROM THE PUBLIC ACCOUNT AND ESTIMATES COMMITTEE

Honourable Members, as Chairman of the Public Account and Estimates Committee I wish to inform the House that the inquiry undertaken by this Committee to establish whether the cost, under the current arrangements, to maintain the public grounds and reserves in Norfolk Island provides value for money spent and whether current arrangements are capable of improvement, is nearing completion. The Committee has concluded its deliberations and the taking of evidence and the report to the House is currently being prepared

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 10 SUPPLEMENTARY APPROPRIATION BILL 2007/2008

Honourable Members, I have received the following Message from the Office of the Administrator and it is Message No 10 which reads that on the 18th December 2007, in accordance with the requirements of section 25 of the Norfolk Island Act 1979 I recommend to the Legislative Assembly the enactment of the proposed law entitled "A Bill for an Act to authorise supplementary expenditure from the Public Account for the year ending on 30 June 2008" and that message was dated the 18th December 2007 and signed Owen Walsh, Acting Administrator

Honourable Members we move on to Notices

NOTICES

SUPPLEMENTARY APPROPRIATION BILL 2007-2008

MR N CHRISTIAN Thank you Mr Speaker, I present the Supplementary Appropriation Bill 2007-2008 and move that the Bill be agreed to in principle

MR GARDNER Mr Speaker point of order. I wonder, is leave supposed to be sought for the introduction of this bill

SPEAKER According to Madam Clerk, no leave is not required

MR GARDNER Mr Speaker I defer to her experience and expertise

SPEAKER Not for a Supply Bill

MR N CHRISTIAN Thank you Mr Speaker, I will continue now that we have clarified that little point. The purpose of this Supplementary Appropriation Bill is not intended by any means to spend more money than we had intended to with the original budget. It is a mechanism that allows us to top up the Roads GBE and the reason that this has come about is the result of the Administration now having ownership of the fuel importation business in Norfolk Island. Under previous arrangements the Fuel Levy Act would have applied and the 20 cents per litre collected under the Fuel Levy Act would automatically have been directed to the Roads GBE because that is its principal source of funding. Under the new arrangements the Fuel Levy Act doesn't attach itself to the Administration so what we do when calculating the wholesale price of fuel is to actually include a mark up which the equivalent of what the road levy would have in fact be. Now the mechanism for getting this money from Norfolk Energy to the Road GBE requires passing of Supplementary Appropriation and how it works is that Norfolk Energy collects the money, I can then transfer the money to the revenue fund, but I cannot transfer the money out of the revenue fund to the Roads GBE without appropriation and that's what we are doing here today and the amount that we are seeking to appropriate is \$400,000 and that is what the Finance Manager estimates would have gone to the Roads GBE under the old arrangement and that money will go in progressively as fuel is sold over the remainder of this financial year

MR GARDNER Mr Speaker if I might just clarify my reason for raising a point of order earlier. It certainly wasn't intended to try to prevent the process from going ahead. It simply was just a matter of clarifying the process as normally Appropriation Bills or Supplementary Appropriation Bills would normally appear on the notice paper prior to insertion into the programme so that was the purpose of raising the matter, just to ensure that the proper processes were being followed

MRS JACK Mr Speaker I just very briefly to give my support to this Supplementary Appropriation Bill being put forward. I see it as a housekeeping matter and as such, one to be dealt with so that proper budgeting and the continuation of work in the Roads GBE can continue

MR N CHRISTIAN Mr Speaker, I move that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

PUBLIC SECTOR MANAGEMENT ACT 2000 - RE-APPOINTMENT OF MEMBER OF THE PUBLIC SERVICE BOARD

MR NOBBS Mr Speaker I move that this House in accordance with subsection 10(1)(a) of the Public Sector Management Act 2000, recommends that the responsible executive member re-appoint John Robert Hughes as a member of the Public Service Board for the period 22 December 2007 to 21 December 2009. Mr Speaker I would like to thank Mr Hughes for further providing his time and expertise on this board as do many others who do on other boards

SPEAKER Any further debate Honourable Members. I put the question

QUESTION PUT
AGREED

The Ayes have it. That motion is agreed to Honourable Members

ROADSIDE BREATH TESTING

MRS JACK Mr Speaker I move that this House requests the responsible executive member to bring forward legislation to amend the Road Traffic Act 1982 to provide that a police officer who has reasonable cause to suspect that a vehicle is being driven by a person under the influence of alcohol may require the driver to submit to a roadside breath test. Mr Speaker the history of trying to get this type of legislation through is long and involved and pre dates my entry into this forum. But there have been many reports made over the years asking for such legislation to be drawn up, supporting the concerns shown by individuals in the community that driving under the influence of alcohol is of legitimate concern. We've had reports of Deb Church that was assisted and done by order of the government of the day to have done, provided a survey where hundreds of Norfolk Island residents and TEP's filled out the survey. We've had comments and papers I believe from local magistrates over concerns in the area, we've had comments and letters from community groups, from police, interested persons, various counsellors reports, medical GMO's at various times have put forward concerns and now I found myself that the various women's meetings I've held as well as people calling me in the private capacity talking to me in the shops that their concern of drink driving of being of great concern, that they are worried over the safety of their children or grandchildren and they would like it dealt with and this motion is in today in response to the concerns shown by the community who come to me with those concerns. Over the years there's been the issue of do we nominate and legislate to go for random breath testing or selective breath testing or choosing the person. There've been problems with both. I've gone for picking up people who are specifically getting calls in their driving, their method of driving, that the police have concern over. I have said to various people that at times, Members around the table have had problems with random and they feel that police could start picking on various people and whether Members like to hear it or not, the 100% response has always been so what. So what. Let's get the people who are giving us cause for concern off the roads if that's what it needs and I would have to agree in certain instances Mr Speaker because the number of times people around this table may have had concern following others home with their method of driving and then they'll say, well can't the police stop them. Well the police can stop them, but then they have to prove in the court's and give reasonable concerns and prove with reasonable accuracy to the courts on why they pulled the people up.

before, we have to look a bit more responsibly at the seat belts and particularly of our children. Throughout the festive season there is more opportunity for intoxication and I personally have seen several quite dramatic outcomes from people who have had too much to drink and attempted to drive. Now the point that Mrs Jack made earlier, was that this is roadside not random, and so I would imagine that in the legislation that she's alluding to there would be some specific reason for testing which would no doubt be a prescribed form that the police would have to provide detail of, the reasons for pursuing or pulling over that person who perhaps needed the blood alcohol test and I suppose other things that we do need to contemplate here, and are available in other places are transport systems to get those people who are able to test themselves in a local drinking facility if they find themselves above the limit then at least there's the option for transport home rather than having to bring their own car home in a poor state but I'm actually happy to see this on the notice paper and I do look forward to a lot of discussion on this one, Thank you

MR SHERIDAN

Mr Speaker it's very interesting this motion that's come to the table here but the way I view it, and we're only debating the motion that's on the table, at the moment, there's a lot of peripheral areas outside of this that will come into it, but as the motion stands now, as the Minister Magri suggested, the police already do have that power to pull persons over who they have reasonable cause to suspect the vehicle is being driven by a person under the influence so that's already in the Act. The only thing that Mrs Jack is bringing to the table is that the driver has to submit to a roadside breath test. At the moment, there is a procedure in place where the officer can determine if that driver has been or is driving under the influence and that is by a blood test. And this is the only thing that's being changed. The capability of the officer to immediately know whether or not that driver is driving under the influence or not. As it stands at the moment, I believe that a driver has to agree to a blood test, it must be written and signed and the process is too convoluted and this is more than likely why the police do not go down this track, because the process is just too cumbersome, so the way I see this, is its just the end result, it's just the process that is trying to be changed. The rest of the motion is already in the act. It's just the roadside breath test. We do have the mobile breathalysers now and everybody knows that I manage a hotel and of course serve alcohol, so of course no doubt I do drive with one or two under my belt but I believe that this is a more reasonable way of determining whether people are driving under the influence then the more convoluted process that is in place at the moment so all I see this is, a process to clean up the Act to make it more workable. Other people have suggested other ways of determining whether you are under the influence or not, and one such suggestion was in house breathalysing machines. I know from experience that when these were introduced into Australian clubs they were just like the condom vending machines. You put a straw in the hole and the blew in the hole, and you raise the bar to see whether or not you are intoxicated or not. Well they soon went out of vogue, or the police soon removed them from the premises because at this stage I was very young, but the younger people in those days, they would have a competition to see how many bars they could get up to on the machine so really it made the problem worse and defeated the purpose of the machine so they were soon removed from the clubs and hotels so I don't think that's an answer to the problem but as this is just a motion for the Minister to go away and do some homework and put it back on the table, the Minister doesn't have to do anything if he doesn't want to so, but I suppose if we move this he's obliged to do something, and I know that the Minister is working on this problem at the moment, so I wouldn't have any hesitation in supporting the motion at this stage

MRS JACK

Mr Speaker when the Ministers and Mr Sheridan were talking of the self determining breathalyser machines and various clubs, I just thought of the failings that self regulation has, and if a person has had a few too many then the idea of judging whether the gauge in front of them is telling them the truth or not is one that would become oh well, the machine is probably broken. I can just continue but I thank Mr Sheridan for his support here. He is quite correct. It is easing up the

process making it a lot faster, taking a lot of the angst and the paper work out of it, breath test positive back to the cop shop. Very simple Mr Speaker. Thank you

MR N CHRISTIAN Thank you Mr Speaker, I would like leave to move an amendment to the motion

SPEAKER Honourable Members is leave granted. Leave is granted Mr Christian

MR N CHRISTIAN Thank you Mr Speaker, I move that the motion be amended by deleting all words after the first two, after "member" and substituting instead the following words "determine the views of the community in respect of roadside breath testing by way of referenda"

SPEAKER Is the amendment agreed to Honourable Members. Debate on the amendment

MRS JACK Mr Speaker I won't be supporting the amendment. I've made my position very clear. I'm in this House to try and take some of those hard decisions and I'll stand by my view. Thank you

MR ANDERSON Mr Speaker I won't support the amendment

MR N CHRISTIAN Thank you Mr Speaker, I move that the question be put

SPEAKER The question is that the question be put

QUESTION PUT

SPEAKER Could the Clerk please call the House

MR SNELL	NO
MR BRENDON CHRISTIAN	AYE
MR SHERIDAN	AYE
MRS JACK	NO
MR NEVILLE CHRISTIAN	AYE
MR NOBBS	AYE
MR GARDNER	AYE
MR ANDERSON	NO
MR MAGRI	AYE

SPEAKER The result of voting Honourable Members, the Ayes six the Noes three, the motion is agreed

I put the question that the amendment be agreed to

QUESTION PUT

SPEAKER Could the Clerk please call the House

MR SNELL	NO
MR BRENDON CHRISTIAN	AYE
MR SHERIDAN	NO
MRS JACK	NO
MR NEVILLE CHRISTIAN	AYE
MR NOBBS	NO
MR GARDNER	NO

MR ANDERSON
MR MAGRI

NO
AYE

SPEAKER The result of voting Honourable Members, the Ayes three the Noes six, the amendment to the motion is defeated

We move to the motion and Mrs Jack I seek a final motion

MRS JACK Mr Speaker I move that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

MR GARDNER Mr Speaker are you not going to seek further debate before asking that question. I feel as though my rights may have been breached

MRS JACK God forbid

SPEAKER Is there any further debate Honourable Members. On advice Mr Gardner you are entitled to speak on the motion if you would like to continue please do so

MR GARDNER Mr Speaker I made some note somewhere when Mrs Jack asked whether the Minister responsible for police would assist with an amnesty and things like that, well I don't need to remind the Minister that any amnesty for an offence under the Road Traffic Act would be something that would be acted upon the advice of the Minister responsible for that particular Act and not the Minister for police, even though as the Minister for police if that is what the Minister wanted to do I would be more than happy to encourage the police to participate fully in such an amnesty. Mr Speaker a couple of the previous speakers have spoken about the various provisions under other legislation that require now clubs and the like to pursue the ultimate aim of ensuring that everybody abides by and endorses the responsible service of alcohol policies, and earlier in the day I think Mr Brendon Christian asked me questions about cigarette smoking and the like, and generally in the community there's a concern that smoking isn't good for you, I think everybody recognises that and in some quarters a recognition that alcohol is equally bad for you, not just for your health, but also the additional problems, whether it's domestic violence and leading to other criminal activity, but this one is specific to the Road Traffic Act and drink driving legislation and so its something that as a responsible Government we need to give some consideration to this and if there's a view that we need to have wider debate on that well let's have the wider debate. We've dealt with the matter of the referendum. That ultimately might be something that the House infer the consideration of the matter may wish to progress but I think at this stage there has been significant debate on it, we have been reminded many times that before we could expect support from the Commonwealth for the roads programme for example, that we would have to bring into place appropriate provisions that reflect those that exist in other jurisdictions within the Australian context which include solid drink driving legislation, road standards and that sort of thing, and I know that certainly there was a leaning toward wanting to do that to ensure that we could support our roads programme. Now the views may well have changed, we haven't put that question in this Government that we have the necessary resources readily available to us to improve our road situation under our own steam and so thanks for the kind offer, but we'll just get on with things in our own way, if that's the case, well so be it but I think that it's fair to say that not only in the same way that we are addressing cigarettes that there's been a lot of work done with the alcohol matters, as other speakers have said, in regard to responsible service of alcohol and other licencing measures and the like, and so you know obviously that's commendable. Now there is clearly a view as the Minister stated in her opening remarks, a desire by sectors of the community who want to take another step and let's face it, this is another step and it has had it's fair share of controversy in years gone by but we just can't continue to ignore it, and I'm not suggesting that the Minister for Commerce and Industry is indicating that he want to

ignore it, he's clearly doing a lot of work in regard to this matter and this motion simply requests him to go away and as part of amending bill to the Road Traffic Act give consideration to having roadside breath testing. He raised the question of fairness and equity before in his debate. He's been asked to prepare a Bill that would provide fairness and equity so I don't see it as being an issue and if the work is already progressing, fine, I'm happy to see that work progress and happy to see the Minister report back to the House on the progress that's been made. The question then arises, do we really need a motion to ask the Minister to do what the Minister is already doing and in some quarters you'd say no, but the Minister has very clearly said that he's doing it, so there's no harm in passing a motion that ensures that, that happens. The Minister has indicated clearly that he's wanting to address these issues, he's wanting to address these issues in a fair and equitable manner, he's wanting to give consideration to other ways of addressing the problem, fine, the proposal on the table is one way of addressing it but that doesn't prevent, as I said before, the Minister incorporating into an amending bill all of the other options that may present themselves and it comes back to the House and we debate the detail because the devil in the detail is something that will be contained in the bill itself that comes back to the House and can be amended on the floor and can be changed to our hearts content. That's the way the legislative process works and so look, I'll look forward to the Minister bringing something back to the House. Whether the motion receives full support, I intend to support the motion whether it receives the full support of the House or not. The Minister has already given us a clear indication that he's working on it so I expect some time in the future that he will bring a bill to the House. If the motion today is defeated and the bill doesn't bring back those aspects there is absolutely nothing to prevent a Member introducing as a detail stage amendment those particular amendments into the Bill. Thank you

SPEAKER Thank you Mr Gardner. You certainly provided more debate on this very important matter and I so conclude. Mr Magri

MR MAGRI Thank you Mr Speaker I just didn't want this debate to end with anybody thinking that I'm not absolutely passionate about making our roads as safe as possible and I just also wanted to respond to the one suggestion by the Minister for the Environment about an amnesty. That also is something that I probably wouldn't consider given that currently under our Road Traffic legislation driving under the influence is a crime and that I wouldn't intend to allow an amnesty for someone to commit a crime

MR SHERIDAN Mr Speaker I move that the motion be put or adjourned

SPEAKER Mrs Jack you have the right of reply

MRS JACK Mr Speaker thank you very much. I thank Mr Sheridan for wanting to settle the matter as I would but I also appreciate the needs of the community to have further input into this and to contact relevant Members to make their feelings felt, so it's with that idea in mind that I would like to adjourn this debate and make it an order of the day for a subsequent day of sitting

SPEAKER Thank you Mrs Jack. The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

TOURIST ACCOMMODATION ACT 1984 – PROPOSED TRANSFER OF TOURIST ACCOMMODATION UNITS FROM “AUNT EM’S GUEST HOUSE” TO “BOUNTY LODGE APARTMENTS”

MR GARDNER

Thank you Mr Speaker I move the motion as it appears on the notice paper. Mr Speaker this matter and the subsequent two matters all deal with the transfer of tourist accommodation licence registrations from one property and in the case of all three of these, and I hope you will allow me to discuss the three matters generally, and then as is required, put each of the motions separately but because they are inter related I think its important for that and for the sake of repetition as I think that Members by the time we get to the third one, will be sick of hearing my voice, but as Members would be aware and the listening public would be aware we amendment the Tourist Accommodation Act 1984 two or three months ago to allow for the transfer of individual licences from a tourist accommodation House to another place in Norfolk Island and as a result of those amendments some in the industry have taken up the opportunity, we've dealt with one at an earlier time which I think was from Peace Cottage to the Colonial Hotel of Norfolk Island. We have another property Aunt Em's Guest House as many of those listening would be very much aware as being at the forefront of tourist accommodation on Norfolk Island for many many years but the current owners and proprietors of that property are now looking to exit the industry and in exiting the industry are providing an opportunity for other s in the industry to take up those registration of those units that have become available to improve their position and to build on the successes that they've already enjoyed in the industry. Mr Speaker the first one of those matters and the one before us at the moment deals with the transfer of registration to Endeavour Lodge, and as I've discussion with Members already, there are a number of subsequent complications if this motion were to get up, for the proprietors of Endeavour Lodge, which include which include a need to ensure that they meet all of the other statutory requirements, and built into the wording of the motion and subsequent two motions are matters for consideration by this House as to whether they think the conditions of transfer if agreed to are sufficient for the purposes of transfer and will satisfy our requirements as a Legislative Assembly in giving consideration to this or whether they need to be modified, to either remove some or place some additional components into it that would need consideration in the subsequent planning and approval process for the registration and operation of those properties. The difference in these motions from the previous ones that we dealt with is that I've built into it for consideration by Members a need to think about time frames that with the initiative to change the legislation that we expect applicants to on the whole comply with the requirement to go through the planning process and construct so that we avoid what was an issue on the introduction of the amending legislation some months ago, avoid the want or desire of people to maybe bank these things until some other time down the track. Well very clearly my intention in introducing the bill which was made very clear in the House was that these are an underutilized resource currently in the marketplace that can be better utilised and that we want to see them utilised. I've already explained to Members at the Legislative Assembly from anecdotal evidence that I've received that many of the higher star rated tourist accommodation Houses within the island are actually booked out for many months in advance, right through to May and June of next year in some cases and that one of the driving initiatives of the amending legislation was to utilise those licences that were transferred as a tool to gradually improve the standard of tourist accommodation that was available in Norfolk Island and we would rather see that done sooner than later and hence in these three motions before us, I've included a time frame as I've indicated to Members. That time frame is intended to be indicative only but to very clearly indicate to applicants that it is the Legislative Assembly's desire to utilise that resource with some immediacy. Now one is conscious of the planning environment that you have to go through, and in the case of Endeavour Lodge a need for the applicants to consider seeking an amendment to the Norfolk Island plan for example for them to be able to construct this registered unit on their property which currently under the Norfolk Island Plan they are prohibited from doing so for the construction of new properties. Obviously it can run through the process with the scope,

scale and intensity provisions of the Norfolk Island Plan, allow for it to be constructed in the current environment, so be it. My preliminary advise indicates that that may not be the case but that is a matter for the applicants. Today we are dealing with the issue of the transfer of the registration of a licence and the conditions that we believe should be imposed on that. We are not here to decide whether we are going to approve the construction of the tourist accommodation house to which this registration attaches. We are not here to consider the colour of the roof, how it's going to be operated, we are only here to consider the transfer of the licence registration in regard to each of these licences and each of the properties that are before us today. I've made that very clear in the introduction of the legislation and subsequent debate on the transfer of the first licence that both the vendor and the purchaser need to be clearly understanding that there potentially may be impediments to the purchaser actually being able to realise the full value of the transfer of a registration and those include things that I've already told you. We can't commit a bank to giving the funding for somebody to go and build these things. Those are matters entirely for the consideration of the applicant and neither can we commit the Norfolk Island Planning Board to approving the construction of these, because they are bound by the requirements of other statutes, not the statute of which we are dealing with today, which is the tourist accommodation Act 1984 and the provisions for the transfer of registration of tourist accommodation units. I spoke earlier about some of the additional requirements conditions of transfer that attach and just for the listening public, those who haven't had the opportunity to maybe read the Norfolk Islander over the weekend or have seen the notice paper, those conditions which would attach to an approved transfer of registration if the House saw its way clear to do that today in regard to all three of these, and each of them are identical, is to firstly comply with the statutory requirements for ownership and operation of tourist accommodation and that's dealt with by the Tourist Accommodation legislation. The second requirement is to comply with statutory planning and building requirements for the siting and construction of tourist accommodation. Those are entirely separate statutory requirements which is our planning and building legislation which we have in place, in compliance with the Norfolk Island Plan and as a separate matter, they are required to comply with those things if they want to get them ahead, and as I've said, and I need to repeat it because I think some don't understand that just because we might approve the transfer of registration is not a stamp of approval for any other statutory requirement that exists under other legislation in Norfolk Island we are dealing simply with the question of the transfer of registration and reminding the applicants in the approval process, of the need for the them to comply with all of those requirement. The third one is it must be constructed and maintained to a minimum four star standard under applicable Norfolk Island tourist accommodation grading standards. That again was an issue that was raised in discussion or debate on the amending legislation some months ago to allow for this type of transfer and though there were some queries raised by some Members I think it's fair to say that there was an expectation that we want any approvals given under this to at least comply with that minimum standard and the last one of those requirements is the twelve months transfer time frame that I talked about. Now Members may have a view that they want to delete those. I would be interested in Members comments or amend them or place additional constraints on them. On that's been bandied around this morning and certainly was alive and well in questions without notice was the question of development control plans for water and was it an issue that the Legislative Assembly at this stage needed to concern itself with as far as the transfer of these registrations. I think in the short time that I've had to consider that, I think that it is something that is the subject of consideration by the Planning Board in considering a development and the scope of the development and its own requirements certainly to apply the provisions of that development control plan to any of these developments. That's my own personal view and I'll be interested in other Members views on that particular point. Mr Speaker I'm comfortable to progress with this matter to finality today, but again I'll be guided by Members of the Legislative Assembly if they wish to take more time to consider the implications of this in relation to all three of these matters but at this stage as I've made perfectly clear I think, we are dealing with the question of the transfer

of the registration. There is nothing in my view that prevents the transfer of the registration and therefore I commend the motion to the house

MRS JACK

Mr Speaker I would just like to thank the Minister for making it perfectly clear on just exactly what we are dealing with today. If it hadn't been made to clear, Mr Speaker it was my intention to abstain from voting purely on the position that I hold as Minister for the Environment and for Planning because these at a later date will come to the Planning and Environment Board and across my desk and I want to make perfectly clear to all the community that what we are dealing with today is purely the change of ownership, the next steps that the people or the future owners must take involves completely different steps of statutory regulations and laws and they will be dealt with appropriately at another time so again I thank Mr Gardner for making it abundantly clear and so it is my intention to vote on the matter today and I have no trouble with any of the requirements that have been placed or with the time frames that have been stated, the four star standard. I wasn't able to participate in the original debate held in October but it certainly had my backing then and so I think this is a great way to make the resources of the island start to really work and I commend it. Thank you

MR MAGRI

Thank you Mr Speaker I don't have any personal interest in either of the above mentioned properties but my direct family do so for the purpose of hansard I will not be including myself in the debate and I will be abstaining from vote

MR NOBBS

Mr Speaker I welcome this coming to the table and in saying that, it further reinforces a lot of the decisions made earlier as Minister Gardner pointed out with regard to amending the Tourist Accommodation Act 1984 which enabled the transfer of registration of the tourist accommodation units. We have spent a considerable amount of time in talking about some of the issues that Mrs Jack and Mr Gardner have both talked about with regard to the time frames to progress transfer and implementation of the unit. Indeed as Mr Gardner pointed out, they are indicative only and of course as Minister Jack pointed out, the approval by the Legislative Assembly at this stage is not to be interpreted as a follow through. The usual planning issues and even if planned amendment is required it is still up to the purchaser, but I intend to support this. Thank you

MR SHERIDAN

Mr Speaker I've thought long and hard about this and I don't want to see this House putting itself in the position where we agree to something like this, to transfer a couple of licences to an area that prohibits the building of a tourist accommodation. I understand where the Minister is coming from in saying that it doesn't necessarily reflect that the Legislative Assembly has given the approval to build these tourist accommodation units so in saying that, I just don't want us to make a rod for our backs where we get a further application down the track for the building of these units or the changing of the Norfolk Island Plan to accommodate these licences that we are transferring and then feel obliged that we should but in saying that I think the Minister has made it quite clear that that is not the case and my views have been appeased a bit. But I do have a problem that the Minister may be able to reflect upon, just reading the information that he's given us, I note in the application for the transfer of the registration advise in the answer to question one, they say that they already have planning approval, for one two bedroom apartment and that they would have to get the plan changed and Development Application for two one bedroom apartments so we are transferring three licences, one if I read this correctly, which can be acted upon immediately because he's already got planning approval, is this correct.

MR GARDNER

Mr Speaker my understanding of the situation there is that this property or the owners of the property applied for an received compensation at the time that the quota was reinstated, some time ago I think, 2001 maybe 2002, I'm not sure of the year and please don't quote me on that and since that time the Norfolk Island plan has been amended and because the project had not been started or

constructed my understanding was that the current provisions of the Norfolk Island plan and its supporting legislation prohibit what was a previous approval from going ahead so again, that is a matter for consideration by the Planning Board when the application is made for planning under the current planning environment. I do not believe from any of the documentation I've seen that there is a current standing approval that is a legitimate approval under the current planning regime in Norfolk Island but as I said, that is a matter that the planning officers need to concern themselves with but as far as the transfer of these two registrations to Endeavour Lodge yes, we are aware that under the current planning environment that's prohibited, and I've already indicated that as far as the applicants are concerned there are two legitimate courses of action that they might pursue having that knowledge in mind that the plan clearly states that the development of tourist accommodation is prohibited in that zone. One of them is to actually submit the planning application and for the planning officers and the board be given consideration to those things that I mentioned earlier, the scope, scale, and intensity because as I understand it, there is an ability to give that sort of consideration but one needs to assess what that scope, scale and intensity on the increase of that development might have. That is a consideration for the planning board. It may result in approval. It may not. I'm not here to assess that. I'm not qualified to assess it and neither do we have an application that is asking us to consider that. We have an application that is asking us to consider whether we can transfer two licences for tourist accommodation from Aunt Em's to this property. The applicant can then follow the additional course of action if it runs into a brick wall with that first one. That is, to seek an amendment or variation to the Norfolk Island plan to take into consideration that it is a pre existing lawful use on that current property to allow for an increase in the scope, scale and intensity of the actual development that's in place. There is a third option yet that presents itself to the applicant, that that applicant if successful in actually getting this, can then apply for that registration to be transferred elsewhere. If it runs into a brick wall on that current property, they may wish to purchase a property within the current permitted zones on Norfolk Island for the construction of tourist accommodation and build a tourist accommodation in that zone or they may wish to transfer it on to yet another property in exactly the same way that Aunt Em's is looking to transfer it to Endeavour Lodge, so there are a number of options and I think that in fairness to any applicant, they are aware, or they should be aware of those options, certainly if they are going to expend significant sums of money on purchasing licences one would think, that in this day and age, people with wise business heads would make sure that they canvass all of the options and all of the impediments that might present themselves and certainly it is a matter that I emphasise time and time again with the amendment to the legislation to ensure that both the people who are selling or putting these licences or registrations of licences into the market place and the potential purchases, make themselves absolutely aware of all of the issues that they need to, to make a proper and informed decision before they commit to paying money. So in that regard, that's something that these applicants have raised in their application to say look, in their view they've got planning approval under that. It is not for us to consider. It's something for the Planning Board to consider. We are dealing with the transfer of the registration of the licence

SPEAKER Thank you Mr Gardner. Any further debate? The question is that the motion be agreed to Honourable Members and I put that question

QUESTION PUT
AGREED

MR MAGRI

ABSTAIN

Thank you. Mr Magri, your abstention is noted. That motion is agreed to

TOURIST ACCOMMODATION ACT 1984 – PROPOSED TRANSFER OF TOURIST ACCOMMODATION UNITS FROM “AUNT EM’S GUEST HOUSE” TO “ALL SEASONS COLONIAL NORFOLK ISLAND”

MR GARDNER Thank you Mr Speaker I move the motion as it appears on the notice paper. Mr Speaker as I said earlier in my introductory remarks for the previous motion, much of what has been discussed applies to this application as well save for some of the potential impediments the applicant may have as the Colonial where these are to be transferred to actually is sited in a zone that allows for the construction of tourist accommodation and so other than that factor, I think most of my comments as they relate to the last motion equally relate to this one. There is also the additional consideration and issue that was raised by one of the Members within the last couple of weeks about this was just questioning the trigger market share provisions of the Tourist Accommodation Act and I think that the trigger market share or 10% of the market is about 59 units. My understanding is that even with these additional two registrations being transferred to the Colonial Hotel they are still within the 10% trigger market share by I think two units so that is not an issue that becomes into play in relation to this one and I commend the motion to the House

SPEAKER Thank you Mr Gardner. Any further debate? The question is that the motion be agreed to Honourable Members and I put that question

QUESTION PUT
AGREED

MR MAGRI

ABSTAIN

Thank you. Mr Magri, your abstention is noted. That motion is agreed to

TOURIST ACCOMMODATION ACT 1984 – PROPOSED TRANSFER OF TOURIST ACCOMMODATION UNITS FROM “AUNT EM’S GUEST HOUSE” TO “BOUNTY LODGE APARTMENTS”

MR GARDNER Thank you Mr Speaker I move the motion as it appears in my name on the notice paper. Mr Speaker this application to Bounty Lodge actually goes some way or certainly raised some issues about the various requirements that people need to follow. The applicants in this case were obviously very keen to want to progress their development. They lodged a Development Application for this purpose and on reviewing of the planning requirements, the planning legislation and other statutory requirements it was made very clear that until such time as either a quota position under the quota arrangements was secured or through the transfer of a registration to which a quota position already applies that the planning board and the officers were prevented from dealing any further with the application so even though the application is well advanced from a planning sense, it can't be dealt with until such time as we deal with the transfer of registration and I know that some members are of a belief that the additional statutory requirements are somewhat cumbersome, they are the environment in which we are required to work at this stage. Obviously we'll have to continue to monitor the impacts and the cumbersomeness of those additional requirements as we progress further down the track but really it's just pointing out that we deal with one issue. There are statutory requirements in other areas that need to be complied with for people to realise the value of these transfers. Also my comments as they related to the previous motion Mr Speaker relate to this one, the Bounty Lodge as I understand it, is within a zone that allows for the construction of tourist accommodation in Norfolk Island but again, by approving this, we aren't approving that construction, that's dealt with in another area. Again, Mr Speaker I commend this motion to the House and I look forward to each and every one of these properties with some immediacy constructing this tourist accommodation and getting it into the market place because clearly, from my understanding and I'm sure from other Members understanding I'm sure that there is a demand for that level of tourist accommodation

SPEAKER Thank you Mr Gardner. Any further debate? The question is that the motion be agreed to Honourable Members and I put that question

QUESTION PUT
AGREED

MR MAGRI

ABSTAIN

Thank you. Mr Magri, your abstention is noted. That motion is agreed to

SUBDIVISION (AMENDMENT) BILL 2007

MRS JACK Mr Speaker I present the Subdivision Amendment Bill 2007 and move that the Bill be agreed to in principle. Thank you Mr Speaker just in order to provide some background on the proposed amendment, The Subdivision Act 2002 provides the legislative framework for the subdivision of land on Norfolk Island. The process for subdividing land begins with a development application submitted in accordance with the Planning Act 2002 and Subdivision Act 2002, and following development approval, a survey plan of the subdivision is prepared and submitted to the Surveyor General for approval, and when the Surveyor General returns the approved survey plan, the Registrar of Titles registers the subdivision and issues titles for all portions of land in the subdivision. Where a subdivision involves a new road reserve, it is common in developed countries for there to be conditions attached to the development approval requiring the permit holder to construct a road surface and install utilities such as electricity, sewerage and telecommunications, with the intention that the road reserve will be transferred to the government body responsible for the continued upkeep of roads and utilities but only after the permit holder has carried out these works. The permit holder stands to benefit from the sale of portions of land in the subdivision, and therefore recoup the cost of carrying out the works, particularly when the portions of land are properly serviced and likely to fetch higher prices. Under Norfolk Island laws, Section 11 of the Subdivision Act 2002 requires that conditions of the development approval must be satisfied prior to registration, but only insofar as those conditions relate to "the requirements for the survey". This requirement is open to interpretation, and to date it has been interpreted by the Registrar of Titles as to not include conditions of a development approval that relate to the provision of infrastructure. The effect of this restriction is that a permit holder does not have to demonstrate compliance with conditions requiring infrastructure works in a new road reserve in order for the subdivision to be registered. Section 16 of the Subdivision Act 2002 requires that no "work" shall be carried out on a subdivision (i.e. that is subject to development approval) unless and until the survey plan of the subdivision has been registered. Advice from Legal Services Unit indicates that "work" in this context refers to the construction of roads, other services and landscaping to be carried out in association with the subdivision proposal" (as described in section 9(a) of the Act). The result of this provision is that, where a subdivision involves a road reserve that would need to be constructed and utilities installed along the reserve, such works cannot be carried out until after the subdivision is registered. After a subdivision is registered, land titles are issued which can potentially be sold. It is conceivable that, given the provisions of Sections 11 and 16 of the Subdivision Act 2002, portions of land may be sold even where they are inaccessible because a road has not been constructed, and where electricity, telephone and sewerage services have not been installed to each portion in a subdivision. It is quite possible that the owner of the "parent" portion will not be bound to carry out the work required to bring a subdivision up to an acceptable standard, and the problem of unserviced portions will be inherited by the new owners of the subdivided portions, or by the Administration of Norfolk Island when it takes over ownership of new road reserves. This has occurred on the Island Mr Speaker and an example is Hibiscus Drive which was transferred to the Administration in 2006. How we've managed to overcome these difficulties has been to cater for the discrepancies between the Subdivision Act and the infrastructure development after the registration has occurred in

the instrument of approval to subdivide has contained conditions and these conditions have required the posting of a bond. A Bond that at times has amounted to many thousands of dollars and this bond has been used to be put in place in between the granting of the approval and the registration of the land with the Registrar of Titles. This has put incredible burden on the owner of the land and the requirement then has been that once the subdivision has been registered, that that money would be drawn down and the appropriate works be done regarding road, telecommunications and sewage so there's been a very big commitment being forced on the owner of the land Mr Speaker to provide that money has been taken out of that persons ability to use it elsewhere and as I said, it's placed an unnecessary burden and it's the intent of the act, I can be assured that that was never the intention of the Act in the first case Mr Speaker so in consideration and allowing the works to proceed following the approval of a subdivision I bring this amendment to the house Mr Speaker. It is allowing works to proceed in between the granting of the approval and the registration of the land. Members will note that there has been an intention to repeal certain sections of the subdivision act. This is because once the approval has been given, any work that has to be carried out on the land needs to require planning and development approval in which case that work will come under the Planning Act 2002 and the Planning Act 2002 carries the same conditions or the same sections that are in this amendment to have repealed. For example, I know that Mr Gardner is concerned over the repeal of this section but section (8) is repeated in the Planning Act under section (81) and section (18) was there in section (82) of the Planning Act, and section (19) is in the Planning Act under section (85) and its all work that needs to be carried out as under the Planning Act anything that does not fit the description has the same ability to be stopped and people brought to account for failing to carry out the works to the fit and proper standard that has been required under the Planning Act but I place the amendment before the House and look forward to further discussion around the table.

MR MAGRI Thank you Mr Speaker I will be supporting this motion. I think it's a terrific effort that the Minister and also the Board have been able to come up with what looks like a solution to a problem that's been plaguing the board for a long time. I just want to clear up one thing about the actual intent of this Bill, just in case it ever comes back to haunt us, is that at no time or under any circumstance should the registration of the title be refused because of conditions placed as to what the applicant intends to develop on the subdivided lands or any conditions not relevant to road reserve infrastructure, utilities or the survey. Now its fairly clear in the reading of the bill that this is the case. I just wouldn't like to see a condition placed and asked to be complied with for any reasons other than those three reasons. Thank you

MR GARDNER Mr Speaker Mrs Jack alluded to some concerns that I had. I don't think those concerns have been satisfied however, I'm not going to dwell on that point today, that's something that she and I can discuss over the next month before the finalisation of the legislation. The Minister for Commerce and Industry raised an interesting issue but in all due respect that issue has nothing to do with this piece of legislation if the reason that the Minister has given to me for my erroneous understanding of this is correct, those are matters for the Planning Act and the Planing Regime, not for this Bill and so I'll just leave it at that, thank you

MRS JACK Mr Speaker that being the case that there is nor further debate, I move that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

SENTENCING (AMENDMENT) BILL 2007

SPEAKER Honourable Members we now move to Notice No 8, the Sentencing (Amendment) Bill 2007 and I have to advise that in accordance with Standing Order 158 the Business committee has declared that this Sentencing (Amendment) Bill 2007 shall be passed through all stages at this sitting

MR GARDNER Mr Speaker I present the Sentencing (Amendment) Bill 2007 and move that the Bill be agreed to in principle and I table the explanatory memorandum to the Bill. Mr Speaker just if I can explain the reason for my desire to want to deal with the Sentencing (Amendment) Bill 2007 through all stages today, as you would be aware I've never been a great fan of any urgent legislation in the House and really need to be convinced that it is in our best interests and the best interest of the community that we do that but in relation to this legislation if I could just take some time to explain the background. The justice package that we passed or have considered in this House and passed at the last sitting was composed of four pieces of legislation. Four bills and in the original intent of introducing that package of legislation well over twelve months ago into the House there were additional parts of legislation that made up the package and one of those included what was then termed the Magistrates Court bill. If the Magistrates Court bill had progressed with the other parts of the justice package of legislation then the amendments that I'm looking to repeal from the Sentencing Bill would have had or the provisions would have had effect in some other piece of legislation. Now because the Magistrates Court bill did not progress, and in my reading of the bill and I think all other Members very careful consideration of those bills and the provisions that were in them, we avoided one of the references in one of the schedules which inadvertently removed one of the portions of the Court of Petty Sessions Act which provided a mechanism where people were in default of payments of fines, for the Registrar to issue them a notice cancelling their licence to drive. Now that has been up to date a very effective tool in ensuring that people comply with the requirements to meet their fine repayments. It was existing legislation up until the sitting of last month as I said when inadvertent repeal of those provisions in the Court of Petty Sessions Act and the principle aim of the Bill before us today is to reinstate those with effect from the date of repeal, so in other words, to continue a mechanism that's been in place for many years and was inadvertently removed by an amending piece of legislation in the last sitting but Mr Speaker I will just read the explanatory memorandum. It's only short and then look forward to debate if any, from Members in regard to this matter. The purpose of the Sentencing (Amendment) Bill 2007 is to correct an anomaly created by the abolition of Part 7 and 7A of the Court of Petty Sessions Act 1960 by Schedule 3 of the Sentencing Act 2007. The main difficulty is abolition of section 184 of the Court of Petty Sessions Act 1960 which allows the Court Registrar to suspend a driver's licence if court imposed fines are not paid. The remaining sections to be reinstated cover civil enforcement which, while covered by the new uniform Court Procedures Rules 2006 (ACT), would be best reconsidered when the Court of Petty Sessions Act 1960 is reviewed next year. The review of the Act in the form of a new Magistrates Court Bill was originally part of the justice package but was delayed while community and Magistrates' concerns were addressed. Mr Speaker I have nothing further to add at this stage other than just to confirm my advice to Members yesterday in relation to the amendment of section 31 which made reference to a supervisor. That numerical reference was incorrect and rather than correcting it as a numerical reference, I'm comfortable that the definition of the supervisor is defined by reference elsewhere in the Act so it is of no major consequence but important that it be corrected. Thank you

MR NOBBS Mr Speaker just as when the justice package was presented to us I was one of the many that commended it. I would also like to commend them on the review processes that has brought this to light and I will be supporting it, Thank you

SPEAKER Thank you Chief Minister. Any further debate? The question is that the Bill be agreed to in principle Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. That motion is agreed to

We now move to the detail stage. Is it the wish of the House to dispense with the detail stage. We so dispense. I call on Mr Gardner

MR GARDNER Mr Speaker I move that the Bill be agreed to

SPEAKER Thank you Mr Gardner. Any further debate? The question is that the Bill be agreed to Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. The Bill is so agreed to

ABSENTEE LANDOWNERS LEVY (AMENDMENT) BILL 2007

MR N CHRISTIAN Thank you Mr Speaker, I present the Absentee Landowners Levy Amendment Bill 2007 and move that the Bill be agreed to in principle and I table the explanatory memorandum to the Bill. Mr Speaker This Bill will amend the situation that has arisen in that the Absentee Landowners Levy Act 1976 has not provided for the changes in society in respect of accountability and due process. This has been highlighted by the need for valuers to be appointed and for them to have identification for the purposes of entering private property. Under the proposed Act a copy of the valuation is to be made available to the owner and any appeal is to be to the Administrative Review Tribunal rather than the Supreme Court. The Act will also legislate for review of the prescribed businesses that were previously exempted under the Act to reflect the change of ownership as being more equitable and appropriate. Other matters dealt with in the proposed amending legislation will see references in the Act to legislation that has already been repealed are deleted from the Act and the levy day is to be determined as a prescribed day rather than a date to be determined each year by the executive member.

SPEAKER Thank you Mr Christian. Any further debate Honourable Members

MR GARDNER Mr Speaker just briefly if I might. I certainly support the thrust of the legislation. No doubt about that. As the Minister has already pointed out there's some corrections to references particularly with regard to the Probate and Administration Act 1976 which since that time has been replaced by the Administration and Probate Act 2006 which provides for the valuers sometimes which has caused some concern with absentee landowners on the method of establishing what the value of a property is for the purposes of the Act and also moves rightly I think to ensuring that any appeals rather than going to the Supreme Court and the vast expense of taking that to the Supreme Court can be dealt with in house with our own Administrative Review Tribunal arrangements. The only question that I have and I have discussed with Members yesterday and I guess in the intervening period I can take up further with the Minister is just in relation to the widening of the casting of our net for the purposes of this legislation which would with the passage of this legislation embrace companies that aren't local companies and are the operators, owners or otherwise of the tourist

accommodation or holiday accommodation in Norfolk Island and would get them within the net but it doesn't deal with the other currently exempted or prescribed categories of other companies dealing with retail or those other sorts of issues so it's something that I think we need to get our minds around before we look at finalising the legislation next month or at a subsequent sitting. Thank you Mr Speaker

SPEAKER I invite further debate. Mr Christian I seek a final motion

MR CHRISTIAN Mr Speaker, I move that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

We move to Orders of the Day

SUPREME COURT (AMENDMENT) BILL 2007

SPEAKER Honourable Members we resume debate on the question that the Bill be agreed to in principle and Mr Gardner you have the call to resume

MR GARDNER Mr Speaker Thank you. If you would just bear with me whilst I try to find my legislation papers from the last sitting. It's somewhere with us but Mr Speaker whilst I'm doing that, as I said last month at that sitting, the primary purpose of the Bill is to ensure that there is consistency across different parts of legislation in Norfolk Island as far as references to the appropriate courts. The Bill itself correct many of those references where it talks about the judge, where it talks about the Chief Justice and talking about the judge it can refer to a number of judges which reflects the other judges as well simply because under the court arrangements that we have in place there's more than one judge for example, that's appointed to the Supreme Court it's not just a single judge, it corrects references where matters to go to the High Court, it corrects them and puts them properly in the bailiwick of the Federal Court, of Australia for appeal purposes and the like, and so in a nutshell I think at the end of the day though it is an important piece of legislation there are not substantive changes that are being made to the Supreme Court Act as it currently exists. Most of the matters dealt with in the body of the bill are those of changing references and changing references in accord with other statutes that exist or have been modified in the period since the Supreme Court Act 1960 came into being. Mr Speaker I would be interested if Members have any other comments on the contents of the legislation but certainly would welcome their support for the passage through the House today. Thank you

SPEAKER Thank you Mr Gardner. Any further debate? The question is that the motion be agreed to Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. The Bill is agreed to in principle

We move now to the detail stage. Is it the wish of the House to dispense with the detail stage. We so dispense. Mr Gardner I seek a final motion

MR GARDNER Mr Speaker, I move that the Bill be agreed to

SPEAKER The question is that the Bill be agreed to

QUESTION PUT
AGREED

The Ayes have it. That Bill is so agreed Honourable Members

COMPANIES (AMENDMENT) BILL 2007

SPEAKER Honourable Members we resume debate on the question that the Bill be agreed to in principle and Mr Neville Christian you have the call to resume

MR N CHRISTIAN Thank you Mr Speaker, I don't intend to say too much about this. This is a small amendment to our existing Companies legislation which would provide for the establishment, oversight and accountability of companies owned by the Administration of Norfolk Island

SPEAKER Thank you Mr Christian. Any further debate?

MRS JACK Mr Speaker the Minister said small amendments but the ability for major changes is there and if I could tie it in with a small discussion on both numbers 2, 3 and 4 of the Orders of the Day Mr Speaker. It's a shame that we couldn't go down this road in a more simple fashion but I can understand the Minister's want and also the Government's and this Legislative Assembly's want because not only are we looking for improvements in our Administrative sector and the way we supply services, but also in the number of services that this Administration has to actually actively deal with, and this is an initial process in looking at GBE's, their importance to the Administration and perhaps future workings that they may have in relation to the Administration so while it can be seen on its own as a small amendment, the repercussions can be seen to be rather huge. I'll be supporting Mr Christian on all three

SPEAKER Thank you Mrs Jack. Any further debate? The question is that the Bill be agreed to in principle Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. The Bill is agreed to in principle

We move now to the detail stage. Is it the wish of the House to dispense with the detail stage. We so dispense. Mr Christian I seek a final motion

MR N CHRISTIAN Mr Speaker, I move that the Bill be agreed to

SPEAKER Any further debate Honourable Members. The question is that the Bill be agreed to

QUESTION PUT
AGREED

The Ayes have it. That Bill is so agreed Honourable Members

PUBLIC MONEYS (AMENDMENT) BILL 2007

SPEAKER Honourable Members we resume debate on the question that the Bill be agreed to in principle and Mr Neville Christian you have the call to resume

MR N CHRISTIAN Thank you Mr Speaker, this piece of legislation and the next one all go hand in hand with the amendment to the Companies Bill. What the Public Moneys Amendment Bill 2007 would do if we pass it today is to provide a mechanism for shifting goods and money from the revenue fund of the Administration into the new entity, in other words, we would capitalize the business Mr Speaker and it provides a number of protection mechanisms that would give some satisfaction to Members of the community and my colleagues around the table and the principle protection mechanism here is that I can direct the Public Service to transfer funds and goods from the Administration to the new entity but I cannot give that direction until I've first sought the permission of this House by way of resolution and had that permission granted so in effect, the executive member cannot do anything without the House first approving it

SPEAKER Thank you Mr Christian. Any further debate? The question is that the Bill be agreed to in principle Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. The Bill is agreed to in principle

We move now to the detail stage. Is it the wish of the House to dispense with the detail stage. We so dispense. Mr Christian I seek a final motion

MR N CHRISTIAN Mr Speaker, I move that the Bill be agreed to

SPEAKER I invite debate. There being no further debate I put the question is that the Bill be agreed to

QUESTION PUT
AGREED

The Ayes have it. That Bill is so agreed Honourable Members

PUBLIC MONEYS (AMENDMENT NO. 2) BILL 2007

SPEAKER Honourable Members we resume debate on the question that the Bill be agreed to in principle and Mr Neville Christian you have the call to resume

MR N CHRISTIAN Thank you Mr Speaker, the section of the Public Moneys Act that we just dealt with relates to goods and money currently owned by the Administration and need to be transferred to the entity. The second part that we are dealing with now which is the Amendment No 2 Bill allows contracts and obligations currently held by the Administration to be transferred to the new entity so the ones that obviously come to mind would be where the Administration at the moment currently has a contract with Ozjet to provide the aircraft, that contract would transfer to the new entity and likewise for instance, rental on the offices within Burnt Pine, telephone accounts and those sorts of things would all be held by the entity itself rather than the Administration so that is the purpose of the second amendment Mr Speaker

SPEAKER Thank you Mr Christian. Any further debate? The question is that the Bill be agreed to in principle Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. The Bill is agreed to in principle

We move now to the detail stage. Is it the wish of the House to dispense with the detail stage. We so dispense. Mr Christian I seek a final motion

MR N CHRISTIAN Mr Speaker, I move that the Bill be agreed to

SPEAKER Thank you. I invite further debate. The question is that the Bill be agreed to

QUESTION PUT
AGREED

The Ayes have it. That Bill is so agreed Honourable Members

FIXING OF THE NEXT SITTING DATE

Thank you Honourable Members we move to the fixing of our next sitting day

MR ANDERSON Mr Speaker I move that the House at its rising adjourn until Wednesday 16 January 2008, at 10.00 am.

SPEAKER Thank you Mr Anderson. Is there any debate Honourable Members. The question is that the motion be agreed to.

QUESTION PUT
AGREED

The motion is agreed

ADJOURNMENT

MR SHERIDAN Thank you Mr Speaker I move that the House do now adjourn

SPEAKER Thank you Mr Sheridan. Is there any further participation in adjournment debate Honourable Members

MR GARDNER Mr Speaker just in addition to the statement made by the Chief Minister during statement time and also the Minister for Commerce and Industry during statement time where they wished the community well for the festive season and particularly Christmas, I would just like to add to those comments and wish the community well through that period of time and hope that I get to catch up with a number of people through that period and certainly while we welcome friends and family back to the island, to spare a moment's thought for our visitors whilst they are here also, that they are away from home and if we can show them true Norfolk Island hospitality during their period of stay in Norfolk Island I'm sure that they would welcome it and certainly I think for any of us if we were away from home during that period would certainly welcome kind offers of hospitality from people in places that we are visiting but I would like to thank the staff in this complex, the Clerk, Deputy Clerk, and everybody else

involved, the Secretary to Government and Research Assistant to Government, the staff of the Public Service, Members of our Boards, Tribunals and others that make such a significant contribution to the successful operation of the Administration and Norfolk Island as a whole during 2007. I'm grateful for those peoples support and their professionalism and their advise during that period and I wish everybody a Merry Christmas and a happy New Year

MRS JACK Mr Speaker just continuing on in the well wishes, but firstly I would just like to thank the school for the presentation night last night, it was extremely well done. The Choral singing was marvellous to hear, it was very uplifting, in fact the whole presentation was extremely positive, and congratulations to all those students who received some wonderful awards and continue on to thank also the many in the community who support the school by their donations and their time in that area. For continuing to support our youth and the positive aspect of that which flows on. That was obvious last night and the whole gathering is to be congratulation. Likewise I would like to thank the support staff within this compound for their tremendous service over the past year and that done by the Administration staff, it's been greatly appreciated and very timely. I would also like to acknowledge the many hours given by so many in the service given to the community in particular Mr Speaker those volunteers who sit on boards in my portfolios. At times it's a thankless task and I have trouble at times filling the vacancies of those boards, but I would just like to acknowledge the time and their dedication to that work. It is appreciated and I am grateful for their time. Having said that I would just like to extend to my fellow colleagues the best of the festive season, to all of Norfolk Island community also a safe and happy season and look forward to a prosperous and interesting time in 2008. Thank you

MR MAGRI Thank you Mr Speaker I basically want to mirror the comments of my two other colleagues who have spoken, and that is to thank all the people who helped me in the first few months of this job. It's a pretty tricky job and I know that some of my colleagues around the table have mentored me through very well and also Peter and Alma, Pat Robin and Gaye, Boni and the CEO and all the Administration staff I wish them a very happy Christmas and also the same as Vicky said about the committees who volunteer their time to help us and in particular for me the committees that I work pretty closely with are the Road Safety committee, the Norfolk Island Fishing Association, the Chamber of Commerce and there's plenty of other people who provide advice and assist to try and help Norfolk Island advance in a prosperous way. I think we're going to have a good year next year. Thank you

MR ANDERSON Mr Speaker I also would like to wish a Merry Christmas to all my colleagues and the community and I would like to mention the excellent job that Norfolk Air and the airway company have done in recent times. This is the first time in twenty years that I've been on the island that we've actually got freight quickly before Christmas and I would like to make that comment. Thank you

MR NOBBS Mr Speaker two things. One is the radio at this stage I've had some input from the Radio Station Manager and the Minister for Finance and myself will be on air to discuss community issues and explore some talk back options available at VL2NI tomorrow and if any other MLA would like to be there they are more than welcome. In my earlier statement I thanked almost everyone, and some of the important ones I did forget and that is all the Members wives and husbands who have to put up with all manner of things and from me, thanks to them because without their support some of the things would be more difficult than they are. Thank you

SPEAKER Thank you Chief Minister. Honourable Members on behalf of the chair here I would like to reiterate and elaborate of course on all that you've said this afternoon and as a newcomer to the chair, I appreciate very much your support. You've been very kind to me I think in meetings that we've had and I support all your comments about the support staff that we have and I'm indebted greatly to Madam

Clerk, the Deputy Clerk and also of course to Rueben over here you've been great, thank you for all your support in the radio functions of this Legislative Assembly and to those people out there in the community, thank you very much for your support as well and we look forward to a very prosperous and a happy New Year together in the year 2008. Any further participation in adjournment debate Honourable Members. There being no debate I put the question that the House do now adjourn

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday 16 January 2008 at 10.00 am.

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