



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY  
12<sup>TH</sup> NILA HANSARD – 27 AUGUST 2008**

**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, it is with regret that this House records the passing of Howard Kendall Pitcher on Sunday the 13<sup>th</sup> July 2008. Howard was born in Point Chevalier, Auckland, New Zealand and achieved much in his 84 years. He was a descendant of an adventuring family and obviously inherited some of their pioneering spirit. He had a great affinity with the sea, and as a child he built his own small boats, and then when World War 2 was declared he joined the RNZAF as a wireless operator. Howard's first contact with Norfolk Island was in 1944 when he arrived here in an RNZAF Hudson, en route to Espiritu Santo in Vanuatu where he was based. When the war was over Howard bought a 34 foot 40 year old cutter, and with two mates, sailed across the Tasman to Lord Howe Island, and then on to Sydney, and back again. As an avid sailor he represented New Zealand in the 1952 World 18' Yacht Championships in Fiji, gaining 2nd place. On presentation night at the Royal Suva Yacht Club he spotted a dashing young nurse who had been working on Niue Island and was en route back to New Zealand. Weeks later they met again in New Zealand. Howard proposed. Meg accepted. She had booked a passage to England with fellow nursing friends to attend the Queen's coronation. Howard bought himself a ticket to England too and had the great fortune to pass by Pitcairn Island on his way to the Panama Canal. They arrived within a few weeks of each other and were married. They bought an old van and set off on a nine month camping holiday around the UK and Europe, starting a trend that many young Aussies and Kiwi's follow to this day. They returned to New Zealand and Howard joined the family business which his mother had begun in the garage, packing up sheets of greaseproof paper for sale in grocer's shops. Howard grew this business, known as Rota, over the next 20 years into New Zealand's largest manufacturer of kitchen consumables. They had four children, Merren, Andrew, David and John. Howard stayed close to the sea by building his own boat, a 21 foot cabin cruiser named 'Bluebottle', into which the family would head off to Waiheke Island for weekends. This was later upgraded to a 45 foot launch, 'Bel Air', and they would often share the two hour voyage with Mera and Hamish Martin and their family who had a bach a few bays around. In the Christmas of 1973, Mera and Hamish persuaded Howard and Meg to join them on a holiday to Mera's home in Norfolk Island. It took three weeks for Howard to fall in love with this place, and by May 1974 had bought the Norfolk Island Gas Company and relocated his family. When the Pitcher's told Mera and Hamish of their decision to move they found that they too had decided to do exactly the same thing. For the next 15 years Howard was the Gas Man and got to know everyone on the island as he delivered to every household in his little blue truck. He felt a huge responsibility as the provider of such an important resource to the community and unbeknownst to anyone, he provided gas to the poor and elderly at below cost price, and often for free. He was very active in the Rotary and Probus clubs and had another passion, that of woodworking. He produced wonderful rocking chairs in his workshop and it was no surprise when David, Howard's second son became a joiner and set up his own

business on the island. Howard became a grandfather in 1987 when Samuel was born, followed by another 10 grandchildren and one great grandchild, Blake. Howard was very proud of his family, and despite them living all over the globe, he was happiest when they were able to make it back home to Norfolk. Most recently that was on the death of Meg, Howard's wife of 53 years. To Howard's daughter, Merren and her children, Samuel, Danielle and Lauren and grandson Blake; to Andrew and his children, Olivia and Nicholas; to David and his children, Emma and Logan; to John and his children Amelia, Thomas, Oliver and James and to Howard's many friends this House extends its deepest sympathy. Mr Speaker may he rest in peace.

Mr Speaker, it is with regret that this House records the peaceful passing of Rita Lorraine Kilbourne at Royal Prince Alfred Hospital in Sydney on Tuesday 15th July 2008. Lorraine was born on Norfolk Island to Stephen (Nig) and Lorna Christian in 1944, a sister for Flora and later Kevin. Lorraine completed her schooling at NICS then left for New Zealand, but came home after a couple of months as she was so homesick. She married John Charles Kilbourne, Mr. Turk in 1961 and they lived for some time in Victoria and later Sydney, with Turk working in the 'meat' industry. They had two children, Russell Stephen and Jonathan Charles and she adored Jonathan's three children; Peter, Matilda and Connor and couldn't wait for their visits. Lorraine loved life; playing cards, tennis, especially at Roy and May's out Rocky Point. Turk built them a croquet court the 'Big Fanny Club' was held there on many Sunday afternoons. Lorraine worked for many years at Banyan Park Playcentre, and loved the time spent there with the children. She also worked at 'Leeside' for a number of years and was actively involved with the Sunshine Club. One of the great highlights of her life was a second trip to America last year with some of the family to attend the wedding of Jonathan and Tammi, and meeting Tammi's family. The death of Russell and just recently of Mr Turk took its toll and her health deteriorated but she never complained and was always bright and cheery. Lorraine will be sadly missed by our community and to Lorna, Jonathan, Flora and Kevin and their families and to her many friends this House extends its deepest sympathy. Mr Speaker may she 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

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 I have question for the Minister with responsibility for the airport, can the minister explain for the benefit of the community why the proposed new fire station is to be located in its proposed position and were alternate sites considered

MR CHRISTIAN Thank you Mr Speaker, yes I would be able to provide some information there. The answer to the question may be a little bit long winded so I'll ask people to bear with me and I will actually refer to the memo's from within the Administration Mr Speaker which give an historical context to the proposal. Firstly on the 8<sup>th</sup> August 2005 the Emergency Services Coordinator wrote to the then Executive Director of Environment and Infrastructure on the subject of fire station options and I'll just read that Mr Speaker. As requested please find enclosed options for perusal and discussion

regarding the siting and planning of the new fire station. It is the intention of this submission to select a specific site and that the internal design of the structure and supporting infrastructure for approval is forthcoming in the near future. It is the intention of the Norfolk Island Fire Service for any new fire station to house both the Aviation Rescue and Fire Fighting Service and the domestic fire vehicles in the one building complete with supporting infrastructure ie fire alarms system. The concept behind this amalgamation is that the maintenance and supporting infrastructure is in the one area. This concept also frees up the works depot building housing the domestic vehicles and the existing Aviation Rescue and Fire Fighting Service for Administration purposes. Mr Speaker the memo went on to identify sites that were considered and they are the old Met station, the current fire fighting station, extending the electricity shed or the DCA Circle corner and the memo went on to cover a range of issues and the final paragraph in there contains a recommendation from the Emergency Services Coordinator to the Executive Director of Environment and Infrastructure recommending the DCA Circle corner site. Mr Speaker carrying on from there, on the 21<sup>st</sup> November 2005 the Executive Director of Environment and Infrastructure and the acting Chief Executive Officer, whoever that was at the time, wrote to the Norfolk Island Government of the day: Subject: Proposed new fire station. Purpose: to request funding approval and commence the construction requirements and the building of the new combined domestic and aviation fire service. Background: the requirement for a new fire station is based on the housing requirements for the intended donated air services Australia vehicles due to arrive in Norfolk Island mid 2006. The requirements of the Civil Aviation Safety Authority through CASA 139H are attached, New or modified fire stations at level one must provide a fire station and fire control centre where all landings and take offs of air transport aircraft are observed so as not to delay response times. It goes on to say that in the 2004/2005 budget \$400,000 was sought to be provided over the following two years and it also notified the Norfolk Island Government that the preferred site for the fire station was airside adjacent to the DCA Circle houses so Mr Speaker that's all been under consideration since 2005 and the Norfolk Island Government has been on notice since November 2005 that that is the preferred location for the site and I'll just read you some of the extracts from the CASA requirements. One section goes on to say that facilities must be established that are appropriate to enable the fire service to respond to airport emergencies. Another section says the siting of the fire station facility must take into consideration the requirements of achieving response times as defined in section 6.1 of this manual. It goes on to say that new or modified fire stations at level 1 must provide an FSCC which is a Fire Station Control Centre where all landings and take offs of air transport aircraft are observed so as not to delay response times. It goes on to say where a new FSCC is provided the control cabin must provide clear vision of the runway and short final approaches. This may require the elevation of the FSCC cabin and it goes on, and there's a range of things but the principle point I'm trying to make there is that the fire control officers sitting in the fire control centre must be able to not only see the ends of the runway but the approaches to the runway. That's fairly clear Mr Speaker and that's not a Norfolk Island standard. That's an Australian Civil Aviation Safety Authority standard. To add a little bit more information to what I've just said, in there you will note that it was anticipated that Air Services Australia was going to donate a couple of fire engines to Norfolk Island and that was the expectation for some time. On November 6<sup>th</sup> 2006 the Executive Director of Environment and Infrastructure notified the Norfolk Island Government of the following. On Friday 3<sup>rd</sup> November Gerrie Downie advised that he had been verbally informed by Air Services Australia's new Chief Fire Officer that Air Services would not be able to provide us with replacement fire vehicles due to changes in management requirements and the changes are additional airports to service therefore, no spare vehicles. This is contrary to numerous conversations with air service officers supported by some emails including from air services Deputy Chief Fire Officer in April. We will better understand Air Services new position and consider our options when we get written confirmation. If this turns out to be the case, it appears that we are faced with funding some sort of replacement airport fire vehicles within the next couple of years. We are having difficulty keeping all three fully operational now. In the meantime we are pressing on with finalising planning details for the new fire station. It is likely that any replacement large fire fighting vehicles will require changes to the existing



we've got that factored into the fire station project so Telecom gets a bit of a benefit there. They get to do the work and they also get the benefit of having additional telephone lines. Water is not too much of a problem. We have water mains from the Administration bore coming up to near where the old Met Office is. It's a distance I think of some four hundred metres from there to the new fire station site and water mains will be plumbed through to the station under ducts that are beneath the runway. That's not an expensive cost and one of the other things that we will do, is the fire station will provide a pumping station for its waste water which will connect back to the sewer main and at a later date if the Administration chooses to link all of the houses within the DCA Circle into that pumping station thereby connecting them to the sewer main, they are able to do so, so we've provided about \$6,500 to put a pumping station at the fire station site into which DCA Circle houses or other houses along Peters Highway could pump into if they so choose to do so. Thank you Mr Speaker

MR B CHRISTIAN Thank you Mr Speaker just a supplementary question on the fire station there, it seems to me that the recommendations of CASA played a part in the location of it, is also the design and structure of the building to also meet CASA requirements and recommendations

MR N CHRISTIAN Thank you Mr Speaker what we've done in the current process, you've seen the memo's that I've outlined, that have come to the Government over the past few years, they've recommended that the two Fire Fighting Services in Norfolk Island be combined. What we've done, is we've gone one step further than that as well and we have combined the emergency coordination centre into the building as well, so all of Norfolk Island's emergency services will be in the one location so the ECC building that's currently in the airport car park will eventually go, and it's likely that that building will become a training aid for the fire department, and that will free up that area there for airport car parks so they will be housed and you may recall that I am also the Minister responsible for Emergency Services so its something the community takes fairly seriously. In addition to that Mr Speaker we have the Volunteer Rescue Squad. They really don't form part of the Administration but nevertheless they are an important part of Norfolk Island's capabilities in times of an emergency. Their equipment is currently located in the police station and we now have a situation where if the police need to take a vehicle into custody for forensic checking they actually don't have any space to put it in, they've got to try and do it outside in the car park under a tarpaulin so what we have done in this fire station as well is provide a space for the Volunteer Rescue Squad so they'll be able to house all of their equipment there and we've also provided them with washroom facilities, toilets and a small office space and storeroom so really what this building has become is not a fire station, it's become Norfolk Island's emergency services centre and as such in times of a natural disaster I would have thought that the building should be the last building standing on Norfolk Island in the event of a cyclone or an earthquake or something like that so it's been designed to withstand winds I think from memory, up to about 255 kilometres per hour. The main frame of the building is made out of structural steel not the lightweight roll steel and its hot dipped galvanised not duragal galvanised, so it will be there for the next part of 100 years, there's no doubt about that, and that's the velocity that we've taken on board there and the plans have to be submitted to CASA for consideration. That has been done. I'm not aware if we've got confirmation back from them or not yet but I can talk with the Emergency Services Coordinator about that but I don't expect any difficulties because we've complied with all of the standards in their manual of standards

MR B CHRISTIAN Thank you Mr Speaker a question for the Minister for Finance. Minister some months ago it was identified that the retail price index may need to be reviewed to give an accurate indication of inflation. Would the Minister give an update on the progress of this review

MR N CHRISTIAN Thank you Mr Speaker, yes I can shed some light on that. At the time of the last Public Service pay claim was being considered before the

Public Sector Remuneration Tribunal I think some incorrect advise may have been included in material provided to the tribunal which sort of indicated that the RPI was broken beyond repair. I made some enquiries and that turned out to be not to be the case. The officers in the Administration are confident that the RPI continues to serve its purpose and can do so well, but we are still pursuing the option of getting the ABS or some other body to come to town and to upgrade it for us Mr Speaker so its something that the Acting Chief Executive Officer is still looking at and he probably won't be in the chair by the time we get around to doing it so it's a task the incoming Chief Executive Officer may have to take up

MR SHERIDAN Thank you Mr Speaker a question for the Minister for the Environment. Minister in regards to the testing on the dioxins in the water from the Headstone area was there any analysis done on sediments from water tanks and soil taken from those areas

MRS JACK Yes. Yes

MR SHERIDAN Minister can you inform us who carried out this analysis. What company

MRS JACK Thank you Mr Speaker the same laboratory that carried out the water testing

MR SHERIDAN Mr Speaker a further supplementary question, did Prof Priestly carry out any analysis of soil or water tank sediment sample results

MRS JACK Thank you Mr Speaker I gave Prof Priestly as I gave Dr Daniel Deare the results from tests for all the water analysis as I did for the soil and sediment. What was the first part of your question

MR SHERIDAN Mr Speaker did he undertake any analysis of soil or water tank sediment sample results

MRS JACK Thank you Mr Speaker Prof Priestly responded in the same way as Dr John Deare did. Dr John Deare did give me comments on soil but as he is not a fully qualified soil tester he didn't want his comments given over, but he gave full respected authority questions, he's a respected authority on water and he gave comments on those water testing and so as the whole process was about water testing I asked Professor Priestly to give further comment on the water testing. He said he would be available to take further soil samples, but between the two of them their underlying comments were that no further testing is required

MR SHERIDAN Mr Speaker Minister as a further a supplementary question, just in following up from a question last month and in particular a question that you took on notice, in regard to the possible contamination of dioxins in the environment from the Headstone tip burning, did Prof Priestly recommend in any way to the Norfolk Island Government that the Norfolk Island Government engage a consultant with more relevant experience in handling contaminated sites to address the issue of whether it would even be possible to undertake a health risk assessment for soil

MRS JACK Thank you Mr Speaker I would have to go back and look over the email that was sent, as it seems like a bit of a quote there, so I would want to go and just check the emails because there's some very particular comments being made and I want to give a specific answer to that

MR SHERIDAN Mr Speaker a further a supplementary question there Minister did Prof Priestly recommendation that further health risk assessments be undertaken by a consultant

MRS JACK Thank you Mr Speaker Prof Priestly? I would have to go and get the letter again Mr Speaker. I was interested in water. Water was the issue here and the results I had back from Dr Daniel Deare and Prof John Priestly said that there was no problem with the water and so that was the issue that blew up out there at the time. That problem was answered. Now if we are going to expand it and go on to other concerns that various people are raising issues with, I suggest that they bring those concerns to me and we can start dealing with these issues and I know exactly what the people are going on about. I did the brief. I looked after the concerns of the water out there and I also expanded on that brief by the Administration paying for water whilst those tests were being undertaken. As an extra precaution some people wanted soil and sediment testing done. We undertook that for them and I gave them the results. Now if they want to expand on those issues, bring those concerns to me with the data that backs it up and I will deal with it but I will not continue to answer on ifs and maybes in this house. Ring me the data. Bring me the concerns directly and try not to expand on the matter that I've already dealt with properly and with the consent of my executives

MR SHERIDAN Mr Speaker a further a supplementary question there please. Minister your comments are noted there so would you provide at the next sitting Prof Priestly's recommendations if any with regard to further testing

MRS JACK Mr Speaker Prof Priestly sent a letter regarding the testing and the interpretation, the recommendations that he gave to the water samples which were the issues at hand. That full letter I supplied to the Norfolk Islander which published that letter in its entirety. Each Member of the community that was affected by the water problem also were sent a copy of that letter. What else do they want me to send? Private details of working documents? I'd have to get Prof Priestly's permission to do that and perhaps I'll go and do that but again we are going beyond the brief that I was dealt with

MR B CHRISTIAN Thank you Mr Speaker a question for the Minister for the Environment with responsibility for KAVHA. Minister why has the appointment of the new site manager's position for KAVHA taken some two months longer to fill than anticipated and when will the appointment be finalised

MRS JACK Thank you Mr Speaker I was expecting a bit of a question so I'll just read this out. Mr Speaker I can confirm that Mr Bruce Baskerville has been officially appointed KAVHA Site Manager. Bruce arrives from Sydney tonight and will take up office at No 11 Quality Row in a fortnight. Bruce was on island two weeks ago to make his domestic arrangements, including renting a house. In his spare time, Bruce made his face known at Munna's to the KAVHA staff and he also popped in on the Administrator's office and Legislative Assembly for casual introductions. Formal introductions will take place once Bruce takes up office. Bruce brings to KAVHA and to Norfolk Island a professional background in history and heritage management. Bruce comes to us from the New South Wales Heritage Office where he is widely respected amongst peers and professional counterparts for his knowledge and management style. As an added benefit to KAVHA Bruce has been a Member of the Convict Nominations Steering committee who developed the significant nominations application currently with UNESCO for World Heritage Indentation. Both the Norfolk Island and Australia Governments agreed to focus efforts in KAVHA, now in interpretation and managing the visitors experience within the site. Bruce is the first of a number of positive steps forward that the KAVHA Management Board has initiated to help in the professional development and presentation of the site. I'm personally excited that the KAVHA staff will have the opportunity to benefit from the management board's commitment to upskilling and accreditation as part of an holistic approach to professional development of the site. Funding has been set aside to commence this aspect immediately, which is another area of expertise that Bruce brings to the site and that is developing staff training programmes. An introduction of Mr Baskerville will be published in the local newspapers and that notice

is awaiting formally signing the contract of engagement which I understand is complete now

MR SHERIDAN Mr Speaker a question for the Minister for Finance. Minister in the interests of openness and accountability for the community in regards to the position of public finances, what exactly is available for the community to access so that they themselves can make an informed decision as to whether or not the government is spending their moneys wisely

MR CHRISTIAN Thank you Mr Speaker, the revenue fund budgets are passed by this House every year, and tabled. Monthly financial indicators are tabled, annual financial statements are tabled, and are available to the public after they've been audited and if you read them in conjunction with the annual report it pretty much gives you a clear picture of what the Government has done with the money over the previous twelve months

MR SHERIDAN Mr Speaker a supplementary question please. Minister is it the intention once the GBE budgets are complete and the forecast for these enterprises, would they be tabled so that the community can have access to them

MR N CHRISTIAN Thank you Mr Speaker normally GBE budgets aren't tabled. I get the feeling that this is a question on behalf of Mr King because nobody else has ever asked for them. They do contain a heckova lot of confidential and commercially sensitive information on where and what the Government intends spending its money on, so that for instance if we identify in there that we are going to build a bonded warehouse for example, and we've budgeted \$100,000 for it, you wouldn't be too surprised if all the tenders came in at \$100,000 so if the Legislative Assembly were of the view that a version with the items blanked out or a version with the amounts blanked out would be made available to the public I wouldn't have a difficulty at all with that Mr Speaker but for the benefit of the public's information all of the GBE budgets, once they are approved by their individual responsible processes, and are signed off by me, sent back to the Public Service and it is all uploaded onto the internal intranet system within the Administration so every MLA around this table has access to that information

MR SHERIDAN Mr Speaker a question for the Minister for Education. Minister recently a teacher at the school applied for an extension of tenure but was refused. Some 47 pupils at the school wrote a letter addressed to the principal and requested that it be passed to you. This letter was in support of this teacher's extension. Notwithstanding that extending this teacher's tenure would enable another teacher to also take up their extension which had been offered, but I believe will not be taken up due to their family circumstances, plus the possible savings in relocation expenses etc, Minister when do yourself or your officer, being the Principal, intend answering the children's concerns raised in their letter

MRS JACK I received it as a petition, as an attachment and I can easily respond to the children this afternoon. I didn't think it needed responding to and I apologise if I've let those particular children down Mr Speaker. I responded to an individual child who contacted me over the matter and I've spoken to people who have visited me in my office over the matter. That petition was handed first, not directly to me, but to the Principal. I personally don't think it necessary to respond to a petition but merely take it on board as a matter to be considered. I'm not going to respond individually to 46 students

MR B CHRISTIAN Thank you Mr Speaker a question for the Minister for Health. Minister when a Member of the Healthcare scheme reaches \$2,500 excess, does the Hospital inform the Member or does the person still receive invoices, even if the \$2,500 limit has been reached

MR GARDNER Thank you Mr Speaker, as far as I'm aware the patient, or the recipient of the Healthcare benefit, however we wish to term it, continue to receive their invoices, and it's dependent to a large degree on the situation that each person finds themselves in. If they are receiving offshore treatment for example and there's been letters of confirmation that they've reached the \$2,500 usually those invoices are directed to the Healthcare Manager for assessment and payment and processing. As far as the Hospital are concerned, there is a tally kept with the Healthcare Manager as to when people reach that limit and like all good housekeeping, book keeping, there is a certain onus upon the Member of the healthcare scheme to manage their own affairs but I don't believe that anybody is not made aware at some time as to what their actual status is against the \$2,500.

MR B CHRISTIAN Thank you Mr Speaker a supplementary question. Minister given that there are struggling people in the community would it not be helpful just to inform the people of the balance of monies spent at the hospital on their monthly invoices

MR GARDNER Thank you Mr Speaker, I don't see that as being unreasonable. I'm certainly happy to discuss that both with the Healthcare Manager and the hospital. Certainly if it has been identified that for example a recipient has been able to identify that they've exceeded the \$2,500 there's absolutely nothing that prevents them recovering those monies that they've already spent. That's how the system is designed and that's how it operates

MR SHERIDAN Mr Speaker a question for the Chief Minister thank you. Chief Minister in last weekends Norfolk Islander in your regular column, you detailed the requirement to indicate the Government's real financial position in the form of budgets, appropriation bills, audited and consolidated financial statements, annual reports, monthly financial indicators, all of which are scrutinised by Members, Commonwealth Ministers, Departments, Audited externally and reported on, and reports tabled and filed. Chief Minister you also indicated accountability, attached to each of the reports that carry severe penalties for misleading or untrue information. Minister can you inform this house what are these severe penalties that you are referring to

MR NOBBS Mr Speaker first and foremost I would imagine that misleading the Parliament is the one that carries the worst penalties. Obviously corruption in terms of reporting corrupt figures or inappropriately dealing with any of those financial numbers would also incur penalties through various investigative process, many of which we've looked to install for Norfolk Island and I suppose ultimately if you were to be providing misleading information another penalty in terms of being in this office would be that you probably wouldn't return

MR SHERIDAN Mr Speaker a question for the Minister for the Environment. Minister I refer to a question that I asked at the last sitting in regard to two motions which were passed in this House requesting discussions that you had with the Commonwealth regarding the possibility of review of the KAVHA boundaries. Minister you replied that the Commonwealth Minister had declined to enter into any discussion relating to the matter. Minister is it not correct that you received a letter dated 23<sup>rd</sup> June from Minister Bob Debus which indicated that the Australian Government does not support a review of the KAVHA boundary and detailed the reasons as to why

MRS JACK Thank you Mr Speaker when I gave that brief response to Mr Sheridan's questions last week he actually reminded of the letter by putting it under my face, that this is what I was expecting you to refer to and the letter had slipped my mind, so I do apologise, but yet, I actually sent copies of that letter to all leaseholders or all landowners within the KAVHA area and may have at the same time, no I don't think I published all of that letter in the local paper but in know I did send it off

MR SHERIDAN Mr Speaker a supplementary question please Minister in the letter there was also an inferred threat of the revocation of affected crown lease land if the Norfolk Island Government varied the boundary under the Norfolk Island Heritage Act 2002. How do you intend to respond to this implied threat whether or not the intention is to alter any boundary

MRS JACK Thank you Mr Speaker I don't intend to respond to any implied threat. We will just continue on doing our business under our legislation and we'll take matters as they fall from there

SPEAKER Maybe there was a question as to a legal opinion in that question to you of course but carry on

MR SHERIDAN Mr Speaker another question or a couple for the Minister for Finance on communications. The first question there Minister can you provide an update as to whether or not this Government has purchased or is purchasing barges to replace the current lighterage operations and if yes, what are the costs involved in getting these barges to Norfolk Island

MR N CHRISTIAN Thank you Mr Speaker I can give a bit of background information. For about probably a bit over a year now I've been quietly beetling away on the possibility of replacing our existing lighters with newer more capable motorised barges. The principle being the thing that triggered that consideration was some conversations I've had with our insurance brokers who informed me in no uncertain terms that whilst I was able to get insurance for lighterage at the moment, the day we have an accident the cover would disappear because they were not work place safety compliant in any shape or form. The lighterage manager had also put me on notice that one of the launches needed replacing in the not too distance future and I thought well, if we are going to be putting money aside for a new launch we might just revisit how we actually ran lighterage so that was the catalyst for me looking at barges. They are expensive and I kind of put them on the backburner and forgot about them for a little while and then when Carnival Cruises visited the island a couple of months ago or a month or so ago with a view to scheduling Norfolk into the cruising programme for the 2010 calendar year it became apparent to me that having some form of barge that could carry cargo and could also be converted to carry passengers fairly quickly could be beneficial if we were going to service the cruise ship market. P & O in themselves probably wouldn't need us because they have their own tenders. The downside for that is that if they damage a tender and it can't be used as a lifeboat they need to unload however many passengers that the lifeboat carries and leave them behind, so there's a possibility that we can come to a commercial arrangement where we ferried some or all of their passengers for them. There is also the possibility with other cruise ship operators that they would engage us to carry the passengers so that's got me looking at it again and we have sought quotes from three suppliers. In recent times I've asked them to update their submissions and I've got two of them sitting on my desk. The most recent one arrived yesterday and fairly shortly I'll put together a submission for consideration by MLA's as to whether we proceed or not and that's the state it's in now. In a couple of weeks time, it won't really be a submission Mr Speaker it will be a discussion paper. I'll say, this is what we can do, this is what it's going to cost, and should we consider it or should we forget it. And that's the situation at the moment

MR SHERIDAN Mr Speaker again for the Minister for Finance regarding communications. Minister is it correct that this Government has signed up with a company called Spin for the provision of a fibre optic cable connected to the world

MR N CHRISTIAN No Mr Speaker. I thank Mr Sheridan for that question. That's not true. In the next week or two I would hope to have been able to make an announcement. There is a fibre optic cable called Spin, which stands for South Pacific Island Network which is being run east to west across the Pacific which links Noumea, and Tahiti and the other French Territories along the way, including Wallace and Fortuna. The

network at the western end is connected to Sydney from Noumea and at the eastern end it connects Hawaii to Tahiti then on to the rest of the world. All of the island nations between Noumea and Tahiti have been given the opportunity to come on board and what has been proposed to Norfolk Island is a spur line linking Norfolk to the main trunk line which would cost us \$1.5m US per year for 25 years, that's the life of the optic fibre cable and what you get for your \$1.5m is the survey and installation of the cable to your beachhead which would be at Anson Bay and it carries all your traffic along that cable, that is the telecommunications traffic and the traffic would be deposited at the point of presence whether that be Sydney or Hawaii would be our choice. So that's what you get for the \$1.5m US. We would then have to upgrade some of the equipment in the Anzcan building out at Anson Bay, and you may recall Mr Speaker this is why I purchased that building a couple of years ago because I had been working quite sometime on connecting Norfolk Island to the rest of the world by fibre optic rather than satellite. I was working on ways that we could do it ourselves and I had suggested to the Australian Government that Telstra be required to run a new cable to Norfolk Island as they were going past on their way to North America and they declined, so this SPIN option really looks attractive. I became aware of it as a result of attending a conference on Telecommunications in Sydney a month or so ago and I have subsequently visited Noumea to talk with the proponents of the scheme and inspect their shore based facilities and the like in Noumea so the Norfolk Island Government is at the moment looking at its options. The representatives from SPIN arrive on the island today and leave on Saturday. They will inspect our shore based facilities and give us some cost estimates for the shore based equipment that we need and the Norfolk Island Government needs to make a commitment as to whether it will participate in the project or not by mid September of this year and that allows for the survey ships to come and survey the route if we want to be part of it, for the cable to be manufactured because the cable and the repeaters are all manufactured in a factory to the design length and then laid and this all takes time and if we were to commit we would switch the fibre on or power it up in the last quarter of the calendar year 2010 so basically two years away is the time frame. What would it do for our communications. A lot. At the moment we have two megabit links coming to Norfolk Island by satellite and the ping times or delay times are up around the 600 milliseconds so that's why you get the echo down the phone, some days it might come down to 350 milliseconds, some days it might go up to 900 milliseconds, you just never know, and the satellite communication will always be affected by sunspot activity and rain shade activity. You can't get away from it, these natural phenomena that affects radio waves. Under the satellite system speeds will never increase because it's a product of physics. At the moment we don't have any technology that will accelerate a radio wave above the speed of light. The optic fibre would give us 155 megabits of capacity with a 100% redundancy if we wanted it, and it would cut the ping times between Norfolk Island and say Sydney, to something like 10 milliseconds so it's a huge improvement in latency which will allow Norfolk Island to have true high speed broadband. Something which we don't have now. Mr Speaker the biggest beneficiary I see for this if we link to it, is the gaming industry. It will allow gaming to take off and it will also allow people who want to have call centres in Norfolk Island, the ability to have faster and possibly cheaper calls and it will also allow people who instance might want to set up a financial institution of some sort, to have their computer equipment based in Norfolk Island or their financial company somewhere else they can house some of their equipment in the Anson Bay property. These are the sorts of business opportunities that might come up so that's what we are on about. I wasn't going to make an announcement until I had a little more detail, but we are looking at it but are not committed to it yet, but I think we'll have to or all the rest of the world will pass us by

MR B CHRISTIAN

Thank you Mr Speaker a question to the Minister for the Environment with responsibility for waste management. Would the Minister give an update for the benefit of interested persons on the progress of the glasscrusher and incinerator and when can we expect these crucial pieces of equipment as well as the full management plan for waste and waste reduction to be implemented

MRS JACK Thank you Mr Speaker I'm just making a couple of notes. The glass crusher tenders have been called and received and the matter is closed and the tenders have been received I understand and are now being assessed by a panel in the Administration before coming to the Executive Members around this table for consideration on the appropriate choice of crusher. The high temperature incinerator is being fast tracked and the report has recently went out to public consultation with the representative from URS when he was here and that community consultation went over two days and some forty people rang in and voiced their concerns over maybe the site or the type of action that the Legislative Assembly Members had shown as their preference. The preference shown here by this forum is for a high temperature incinerator to get rid of the large bulk of our municipal waste, and that incinerator to be sited at the Waste Management Centre in a suitable spot. The spot would have to be in proximity so that we don't have double or triple handling of waste once it enters. You want a very simple mechanism and maybe a conveyor belt to take it there and also by having it at the Waste Management Centre you are cutting down on those trips, or stopping those trips out to the present site at Headstone which would be great for residents in that area. That is as far as the incinerator has gone. It's now back with the consultant and from there we'll be moving toward notifying the Commonwealth and we have to do that before the end of September, notifying the Commonwealth that we would be seeking funds in the January allocation under the new, it's no longer the Natural Heritage Funding. I'm not up to speed with its current name, it's new name, but we'd be seeking funds through them and the people that I've been dealing with over the last few years, through the old natural heritage trust fund, they still flag Norfolk Island as a priority area and they are fully backing and hopefully would be able to help us through a very large extent with the requirements that we will need. As far as the waste management plan goes. Instead of dealing with the natural resource management plan which identifies all the areas on the island, not just land but terrestrial as well as the soil, and incorporated into that plan is the realisation that we are going to have to require an upgrade of the Waste Management Centre not just for burning it or sending it offshore but also establishing an education within the school and the broader community to ensure that we re-use rather than taking it to the Waste Management Centre for being dealt with either on shore by burning or sending it off for recycling so that Waste Management Centre plan is being dealt with in the natural resource management plan. If Mr Christian is referring to an overall actual site plan, then that is also being considered by people within the Administration as the Minister for Finance spoke about in an answer to a question without notice earlier on, that site needs to be expanded on and dealt with correctly. We can see I think the community is well aware that its incredible the amount of green waste that goes into the site every week and with the current argentine ant issue with none of it being able to come out, just how much that waste builds up so we need to consider vertical decomposition chambers that can use food scraps as they come in but all these things, its not a knee jerk reaction that we are looking for, we need to have a proper plan in place, and that plan is being considered by the appropriate staff in the Administration

MR B CHRISTIAN Thank you Mr Speaker one more. This is to the Minister for Roads but it might be for the Minister for Police, so whoever is the applicable Minister, given that over the last year there have been a number of blitzes on unregistered vehicles could the Minister give a progress report on the number of unregistered and uninsured vehicles still on the roads

MR MAGRI Mr Speaker that would be no problem at all. Obviously I don't have that information with me, but I would be happy to provide that information at the next sitting

MR SHERIDAN Mr Speaker one final question please to the Minister responsible for RESA. Minister I note that the Development Approval has been granted for the airport runway extension and I understand the contractors meeting has been held in readiness to proceed. I also understand that monies have been expended in relation to this project already, for example, the encasement of the sewage lines at the Bishops Court

end of the runway and survey work, clearing work, engineering design, consultancy fees in preparation of the Environment Impact Statement to accompany the DA. Chief Minister could you advise the following, what has been the expenditure to date, how much has been allocated to the cost centre to date and in respect to the overall cost of the project, can the Chief Minister advise what the overall cost of the project is expected to be

MR NOBBS Mr Speaker I've noted all those requests and I'll bring that detail to the next meeting

MR SHERIDAN Mr Speaker a supplementary question please, Chief Minister do you expect the project to cost more than \$1m

MR NOBBS Mr Speaker that's a difficult question to answer

SPEAKER You do not need to answer that question Chief Minister as you've been asked an opinion

MR NOBBS Mr Speaker I'm quite aware of that thank you Mr Speaker. The costing analysis that's been done seems to come in fairly close to that figure. As you would be aware, as I've mentioned before there have been in terms of management of the project there have been expressions of interest for on island expertise, there's been a methodology used to manage the project from with Administration to a greater degree as well as having consultative access where required to ensure that it's all carried out plan. That's probably the most definitive answer I can give you at the moment

MR B CHRISTIAN Thank you Mr Speaker one last question to the Minister for the Environment. Minister how long will the residents of the north shore, namely Cascade, have to deal with the eyesore of stockpile 44a at the school and what is the intention of this site

MRS JACK Thank you Mr Speaker the valuable pile of rock that's sitting there will be used when the, well it is an asset to this community, it's a tremendous asset to the Administration gleaned after a court case Mr Speaker. That asset will be used when the quarry currently at 5A is exhausted. That rock will then be used prior to the setting up of a new quarry. That is the intention as I see it, of course these are fluctuating methods, we may actually get a signed document agreeing to an extension for 5A in which case those piles may well and truly last there a little bit longer, but I have begun negotiations with the owner of 5A to extend our lease there because there have been such poor conditions in that quarry this year, that the getting out and clearing of the rocks that's been made available through the Cascade Cliff Safety Project hasn't been able to be processed due to rain and poor conditions and we've had some verbal agreements but I'm waiting for those contractual agreements to be signed but that will delay the use of that rock. My intention Mr Speaker is to use the rock in the quarry before using the rock at those stockpiles, however, every application is assessed on its merit

SPEAKER Thank you Mrs Jack. Any further Questions Without Notice? We move on Honourable Members

SPEAKER Honourable Members are there Answers to Questions on Notice.

MR NOBBS Mr Speaker one of the questions on notice was with regard to Members travel and what I would like to do is table an Excel spreadsheet that has been prepared for me by the finance section and that details the travel and expenditure for the Members of the 12<sup>th</sup> Legislative Assembly between July 07 and June 08. In this instance I would like the paper to be noted and tabled and printed to provide that information and also to enable any discussion if anyone has any questions

SPEAKER The question itself cannot be debated but please continue

MR NOBBS Mr Speaker I'll provide a little detail myself just so that the general public can get an understanding of what is covered in this table. Basically there are 30 lines of travel data for the twelve month period and that's for ministers and the Speaker. The purpose of that travel varied from Intergovernmental meetings with federal ministers and departments assoc with N.I; Finalising communication contracts; SCAG meetings; Presiding Officer and Clerks meeting; Convict nomination meetings and Isles of exile conference initiation and support; Inaugural flight and associated representation and media; Attendance at Chartered Accountants conference to promote NI opportunities; Discussions regarding RESA; Commonwealth Parliamentary Association attendance (Funded to a large degree by membership); South Pacific Games related talks; Attendance at Trade Expo, that information being made available through local media; Meetings regarding Airline issues and discussions; Ministerial conference on education issues; Investigation of Environmentally friendly waste management systems; Research into Alternative energy and at current oil prices that's a fairly worthwhile investment. The real gain of this travel is in the Face to face meetings and representation at ministerial conferences; Finalisation of contract issues; Development of Tourism and commerce and sporting opportunities for Norfolk Island; Assessment of new markets for commerce into Norfolk; Ongoing work to get the best results out of airline, promotion opportunities and gateways; Maintaining a representative voice in forums such as the CPA; Establishing and maintaining intergovernmental rapport; and the on the ground assessment of Alternative energy and waste management systems which turned out to be a must. Worth noting is that although travel allowance is somewhat out of date and quite often does not quite cover hotel accommodation, less than a third of the travel on the sheet has claims for reimbursement. I am aware that most ministers carry the out of pocket aspect of this travel as part of the job, and at least one minister donates his reimbursement to charity. Do I think that the community is getting its value for money or its ounce of blood out of ministers on these issues that require travel? Without hesitation I would say that we as an Assembly are being responsible financially and taking an active role in maintaining these communication and investigative roles. I would like thank the ministers for the many hours beyond the norm and personal expense that are part and parcel of this travel, however that would be patting you on the back so I won't

SPEAKER Thank you Chief Minister. It's been brought to my attention that you have requested that the paper be noted and printed therefore I do so invite debate

MR SHERIDAN Mr Speaker one question there as the door has been opened Mr Speaker, would the Chief Minister just give us an indication of what the total expenditure for the travel has been

MR NOBBS Thank you Mr Speaker. In terms of airfares, I'll give the sum total which is the airfare and the travel expense component, the total comes to some \$51,132 and I would imagine that's probably not far off one ministerial visit from the Commonwealth so that's the sum total for that year

SPEAKER Honourable Members the question is that the paper be noted and printed and there being no further debate I put that question

QUESTION PUT  
AGREED

Thank you. The ayes have it, the motion is agreed

SPEAKER Any further answers to Question On Notice Honourable Members

MR N CHRISTIAN Thank you Mr Speaker Mr Sheridan has placed a question on notice for me in respect of GST matters. Due to an illness at the GST Office at the moment Mr Speaker I'm not able to provide the answers but I will endeavour to bring them to the Sitting so if the question could remain on the Notice Paper I will respond in due course. Thank you

SPEAKER Any further Papers for presentation this morning Honourable Members. No. We move on

### **PRESENTATION OF PAPERS**

Are there any Papers for Presentation this morning Honourable Members

MRS JACK Thank you Mr Speaker I present the Development Control Plan No for Signs. This Development Control Plan or DCP provides controls in relation to advertising signs and was approved in February 2004 originally to supplement the Norfolk Island Plan. A process to review this DCP commenced in February 2007 following the initial invitation for submissions a draft revised DCP was prepared and presented to the Planning and Environment Board on 23 August 2007. at that meeting the Board agreed to place the draft DCP on public exhibition subject to minor changes and corrections. Notice of exhibition of the draft revised DCP was published in Gazette September 7 and October 5 2007 and in the main body of the Norfolk Islander on the 8<sup>th</sup> and 15<sup>th</sup> September 2007. In addition letters were sent to eighteen people who had previously submitted Development Applications for signage and the Planning Officer, Alan McNeil spoke on radio about the exhibition. Initially only a small number of submissions were received during the five weeks of the exhibition then on the 19<sup>th</sup> October 2007 a submission was received signed by 65 people, seeking a public meeting to discuss the DCP. A public meeting was subsequently held on the 24<sup>th</sup> October 2007 and was attended by approximately 30 people. The general opinion expressed at the public meeting was that the draft revised DCP was too stringent and should be relaxed. Following that public meeting and based on the comments made at that meeting further changes were made to the draft revised DCP and this draft was presented to the Planning and Environment Board for its consideration on the 23<sup>rd</sup> January 2008 and a number of additional issues were raised. Consequently a further draft DCP was prepared. This draft incorporates comments made by the Planning and Environment Board, the key issues raised at the public meeting of the 24<sup>th</sup> October 2007 and further points raised by the Administration of Norfolk Island's Planning Officer. The draft revised DCP was presented at informal meetings with MLA's on the 17<sup>th</sup> June and 1<sup>st</sup> July 2008. These meetings resulted in further constructive feedback and some further changes were made to the plan. The latest version of the plan has been forwarded to Members of the Planning and Environment Board for their information. In summary the process for reviewing the DCP for signage has been through an extensive public consultation exercise and has been closely examined by the Planning and Environment Board and by MLA's and in accordance with the Planning Act the decision on the new DCP lies with myself as the executive member responsible for Planning matters and I lay this plan before the House for its information prior to my determination of the plan. Thank you

MR N CHRISTIAN Thank you Mr Speaker the paper I table now is a schedule in respect of the Public Moneys Act 1979 and it is a list of liabilities incurred in the previous financial year which has been carried forward into the 08/09 financial year and for your information Mr Speaker there is a sum total of \$32,700 which is being carried forward from the previous financial year so I table that

MR GARDNER Thank you Mr Speaker, inbound passenger statistics for the month of July and move that the paper be noted

SPEAKER  
be noted

Honourable Members the question is that the paper

MR GARDNER

Thank you Mr Speaker, the figures that I'm tabling today and the paperwork from which they are written is a slightly different format to that which we have received in the past. Attempting in a way to modernise the reporting mechanism and to make the documentation readable and more easily understood. What this document does show us is that for the last financial year we've received into Norfolk Island 35,399 in bound passengers or those who are regarded as visitors to Norfolk Island. That does not include the local trade and business which as I have reported on the past, is fairly significant and in addition to those numbers. That is a good performance. No an outstanding one, but a good one based on our expectations that we had during the last financial year and particularly with the initiatives and support of Norfolk Air in assisting in the delivery of those numbers and the activities that they have undertaken not just the carriage of the passengers into Norfolk Island but the activities that Norfolk Air have entered into as far as their own marketing and promotional activities, to supplement the efforts of not only the Norfolk Island Government Tourist Bureau but importantly, also recognising the significant contribution that many of the tour operators, tourist accommodation Houses and the like in Norfolk Island and elsewhere make in kind towards the promotional activities which for a lot of them, come at some real expense, and significant expense. I have attempted in the past tried to quantify that, but I would imagine that it would be fair to say that for every dollar that we spend or commit to promotion and advertising it's probably met somewhere between two and three times by the ancillary industry so to speak which includes the airline and tourist accommodation proprietors, so it's been a good effort and not an easy time. There have been challenges in that area which have impacted on it. Certainly in my view and the view of the industry, impacted on our results and clearly that impact has continued with the July results which show that they are well down on last year by approximately 200 passengers or 10% or thereabouts down on the previous year in 2005. What does that say. That we failed in what we've been trying to do. No it doesn't what it does say is that we just need to sharpen our knives a little bit and get a bit smarter about what we do and the approaches that we take, bearing in mind that there are significant external pressures that do have the potential to impact on Norfolk Island and in some cases they do. Certainly of particular concern since the last period that I reported, which I think was back in June, there has been an opportunity for me to visit both the Australian marketplace and have discussions with wholesalers here on the island and with the industry generally and also at the end of last month an opportunity to meet with most of the New Zealand industry in New Zealand and to have some lengthy discussions with them about what they are doing, what the increased budgetary allowance is from the Norfolk Island Government will enable them to do, what partnership activities we are entering into and the direction that we should be taking, what are the challenges as they perceive them in New Zealand for marketing. Overall, a very worthwhile exercise in the General Manager Terry Watson and myself spent three intense days in New Zealand, I think that's the best way to describe it, as it was a fairly hectic schedule in meeting everybody that we possibly could that has anything to do with Norfolk Island and its marketing and promotion and for both of us to get a better understanding of the environment today and what that potentially means for us in going forward. I mentioned in that that the industry identified the challenges and they include generally the global economy, some uncertainty that exists out there, certainly oil prices and that was something that was hammered through to us in our discussions from Air New Zealand which I'll touch on shortly. The prospect in New Zealand of a general election at the end of the year which might not sound like much but for some reason in New Zealand seems to suggest to people that they need to sit quietly until the outcome of that because they don't know what sort of affect that might have on their super or their pensions or whatever, or just the general future. That was compounded and this was the view of industry that I'm relaying to you, is the failure of some 25 plus financial institutions in New Zealand over the last twelve months, again impacting on our tradition market. The investments and the superannuation and the like, and how that impacts of people's ability to spend. A questionable price competitiveness of Norfolk Island against other destinations which is

always a difficult one to be able to fully understand and compare, and also the exchange rate out of New Zealand and the impact that it's had, but that aside Mr Speaker I think it's fair to say that some of the concerns that I found in the New Zealand market still have me a little bewildered and we met with a range of people, the major wholesale representatives including Gullivers, House of Travel, Inflight Centre, Go Holidays, Stella Travel, Our Pacific, our PR people who suggested that the destination is not at the forefront of people's thinking and that's clearly an issue that we've been trying to address for a long time, is lifting our profile in both the Australian and New Zealand markets but for some of these people who have been at the heads of these organisations or have been very senior in their decisions about marketing and promotion for a number of years who have had, the Norfolk Island account so to speak who have never visited Norfolk Island absolutely astounded me. I could not believe that there were people who were making hard decisions about destinations that had never visited this destination. It's a bit like I've never been to Iceland. You would not ask me to market Iceland because I don't know the first thing about it. I've never experienced it first hand. Yes I can read some books about it, and have a look at some brochures and say, oh that looks pretty nice, but until you've actually experienced it it's a very difficult thing to have a full understanding of the attributes of the place and the marketability of it in the marketplace and so that was certainly an insight for me into what I see as some of the problems. So what are we doing about that. We are addressing it. We are encouraging those people to visit Norfolk Island. We are putting in place the ability for people to be able to participate in families so that they understand the place better and even that invite has been extended to Air New Zealand and Peter Walsh who is the Air New Zealand manager responsible for this destination, again a long lengthy involvement with Norfolk Island. Never been here. So we're encouraging him to come here the Tourist Bureau has formally invited him or are in the process of formally inviting him to come here to better understand the destination and that brings me to the discussion on Air New Zealand. It was one of our first discussions and as I've reported in the House there have been concerns by Air New Zealand over the viability of the service. It's not just a recent thing. It's been something that's been happening for a number of years. I'm not going to say two or three, because I know it's gone back even longer than that but certainly their recent decisions to cut services really have been impacted heavily by their rising costs as an operator, particularly the costs of the price of fuel and a need for them to be answerable to their shareholders on returning a profit. In saying that I've reported to Members Air New Zealand's proposal for next year to reduce the frequency of services to one per week which will be occurring on a Saturday during the day from about March onwards. One service per week utilising the A320 aircraft and I'm not certain of the configuration of that aircraft but certainly it has greater seating capacity than the 737 so even though the news is disappointing there is a positive side that they are using the larger aircraft. It still provides sufficient capacity to carry the number of visitors out of New Zealand that we experienced last year so it's not like we are because of the move suddenly going to find that we are not going to get as many people. In fact, to the contrary.. with the return of the viability or profitability for the flight for Air New Zealand it certainly is that every additional seat they fill embellishes their bottom line as far as the service is concerned,. They are very keen to be working with the industry as a whole, not just tourism Norfolk Island but the industry as a whole, to continue to develop the market. We have initiatives in place in New Zealand and recent initiatives have shown some promising return at this stage. It's too early to report on the trends, which hopefully will support Air New Zealand's stated position that they are keen to put on or even to reinstate the services but at least in the interim period to provide ad hoc services as and when they are required, particularly on the shoulders of the high season and the like so they haven't abandoned us. They are looking the cold hard reality of economics and are making decisions in line with that. Certainly if we can move the market they are prepared to move with us, so that is very welcome news from them. This isn't an easy industry to be operating in and I don't think it ever has been but the competition is intense and we just need to be in a position to be able to respond, which we are doing and I know that my colleague responsible for the airline has suggested to me the other day maybe when Terry and Geoff start to panic, we'll do something more. It's not really about panic. It's about managing the situation and making sure that we are at all times getting the best bang for

our buck because our resources are limited compared to a lot of our competitor destinations so we have to ensure that we are getting the best return on our investment. As far as the Australian marketplace is concerned, because the July figures clearly show that both of our markets have delivered less numbers than we would like for that time, but we've entered into the marketing partnership programmes with our wholesale partners and that was part of the reason for the visit last month of the wholesalers to Norfolk Island to try and firm up the arrangements for the marketing programme for this year. I'm pleased to say that most of those have been signed off. We have entered into a TV campaign with Norfolk Air covering the southern suburbs of Brisbane down to Port Macquarie, and that's been in place for a week with a couple of weeks to go. There is active print advertising in the marketplace from a number of the wholesalers, in metro papers and print advertising, there is a major campaign that's been done by Tal Pacific in conjunction with Flight Centre as part of that partnership programme. As I said, other wholesalers have signed off on their partnership programmes and are in the market place or are about to enter into the marketplace so we again will continue to monitor the performance of those arrangements, and the Bureau is working with Flight Centre with training and assisting with developments so they are all positive initiatives that are out there. The overall spend will be equal in these campaigns to \$1m plus between the Norfolk Island Government Tourist Bureau, Norfolk Air and our wholesale partners which more than doubles the amount that is a direct injection of funds from the Norfolk Island Government Tourist Bureau so it's good to see that we are gaining leverage from other people's activities in the marketplace. I'm confident that we have a very committed group. There is sincere and good communication between the Bureau and the airline. There is very positive discussion and relationships that have been developed with our wholesale partners. Of course there's always going to be some rumblings about and we try to address those as we go but I truly believe that we do have a committed group of people that are committed to achieving the goals under our tourism strategy. Thank you

MR NOBBS

Mr Speaker I would just like to add a few words to what Mr Gardner has said. Obviously we are working the tourism industry in some difficult economic times at the moment and we recognise that. It's also worth recognising as the Minister has pointed out that it's more than just the Tourism board and the Tourist Bureau team that are associated there that are involved in the process now, the Norfolk Air team is also working collaboratively there which gives us the additional spend and the Minister mentioned the A320 coming on line for Air New Zealand. When that comes on line that actually will be a daytime scheduled slot rather than the night-time schedule which is quite challenging for some of our tourists who arrived currently quite late in the night when they are unable to get joining flights and perhaps accommodate themselves. Of note, I've had communications from friends in New Zealand who have been watching the advertising campaigns that have been running during the prime time of the Olympic coverage, and they've said that those particular adverts have been quite fast and attractive and that it's been a good initiative and it's good to get some feedback from some of those things, and also for everyone else to be aware that there's a wide range of initiatives that are being looked at so that we can manage the best we can out of the current trying conditions that everyone is under and I guess in line with that most people would be aware of the incoming visitors from Australia has dropped by I think it is somewhere around 18% so we definitely are doing our best with the resources we have in the marketplace and I would like to commend both Ministers actually

MRS JACK

Thank you Mr Speaker just a quick question to the Tourism Minister, the move into the Gold Coast, what advertising has the Tourist Bureau and the Tourism Board been actively involved in there and also with the turning of the flight into Sydney on Friday and the move into Melbourne can you tell me how we are trying to, if there's been any more impetus in selling Norfolk Island in those two places please

MR GARDNER

Thank you Mr Speaker, as I understand it the marketing and promotion activities from the Gold Coast service are being handled through

the marketing partnership programme with our wholesalers. Some of them have reported that they haven't been terribly successful and others have said that it was slow to start with but is improving and it is something that needs to continue to be monitored and it's one thing that we have identified and we are all very much aware of as we spread out tentacles wider and wider we stretch the potential effect of every dollar that we put into the marketplace. You know your resources can go so far but as soon as you add an additional aspect to it, it means that you are potentially drawing away the impact from your established market place so it's always something that is born in mind when you spread your wings. As far as the Melbourne market is concerned with the second flight, again it is something that we are aware of that we need to continue to monitor. It is more fitting that Neville might want to make some comment on that but Geoff Murdoch who spoke to us the other day was certainly more than pleased with the current flight the single flight that's going in there at the moment, but recognises the challenge of a second flight and the need for additional effort to be put in to make sure that we maximise our return on that investment. Now how do we go about doing that. We don't have a major Melbourne based whole sale partner that's working in that area. I think as Neville said to us the other day, most of that support comes from our Sydney based wholesalers. That's an issue that obviously we need to deal with and as I reported to I think the House last month, following my visit to Melbourne for the Tourism Ministers Council Meeting and our meeting with some of our so called partners in Melbourne, all people who have had a connection, we are trying to re engage with them, because we recognise the value of having their support going forward from here on in, particularly with the expansion of services into Melbourne, so it's something that we are aware of. It's something that we had not committed to as far as promotion and advertising from the Norfolk Island Government Tourist Bureau's perspective in the formulation of its budget but something that we obviously need to maintain enough flexibility to provide the support when our other partner, which is the airline looks at additional services and additional destinations. How we can still maintain supports for our traditional markets without impacting upon them negatively. Mr Speaker I was trying to answer Mrs Jack's question then, but there were just a couple of other observations that I wanted to make on the marketing and promotion generally and the health of the marketplace. You will recall that last year we had an additional half million dollars or thereabouts as part of the regional partnership programme and I think it's evident that the additional support played a significant role in maintaining our profile in the Australian marketplace. It gave us an ability to do a few extra things that we would not normally be able to afford. Unfortunately we were unable to tap into that same of source of funding in this financial year and part of the reason why the Tourist Bureau's source of funding in this financial year and part of the reason why the Tourist Bureau in formulating their budget, and their forward partnership marketing programmes were looking at maintaining the best leverage they could from the money that they were putting into the system and I think I've demonstrated already in my earlier demonstration, that that appears to be working very well, so we didn't have the additional funds. It would have been nice to have them, but that certainly is something that we need to consider from here on in. the importance of maintaining a profile can't be overstated. It's something that is consistent in the feedback that we get from the industry and the customer that we don't know of Norfolk Island. We haven't heard of it. We don't see anything in the newspaper. We don't see anything on TV. It is not always possible to maintain a presence in front of 20 odd million Australians on a regular basis because it comes at significant cost. Nor is it able to maintain a presence in front of 4 million New Zealanders but we certainly are attempting to do the very best we can within the resources that we have. If we had a bottomless bucket of money we could do an awful lot more but at least we're being seen in the marketplace because that's important but that also leads to what additional endeavours we are taking in doing something about that and that flows from our tourism strategy which talks about branding and the accreditation things. It is important that we settle a brand that's recognisable and tweaks an interest in potential customers. About twelve months or so ago Neville and I attended a presentation by a research group in New Zealand and they said the pine tree is not really something that you want to be using as your brand. And we were staggered by that because we thought it a pretty good thing, but when it comes to marketing and promotion unfortunately it's seen as cold. It's not like a

palm tree that talks to you and displays to you the idea of a sub tropical paradise. A pine tree portrays to you snow and ice and ski fields and the like so that was an interesting thing to get our heads around. The other thing, was how our promotional and marketing material often just shows scenes of a single couple on a completely deserted beach and the feedback from customers, and this is where all the research comes from, say well it raises more questions than provides answers. Is the water too cold; are there sharks there; don't people like going to that beach; why only two people and it might sound a little funny but these are serious issues and the things that tweak people's imagination about the destination they're going to and they are things that we need to be conscious of and I'm pleased that they have been recognised and we are as I said before, continuing to use the market and research analysis to build a better product for our marketing and promotion and it's not just pick something off the shelf and go with it, it's an evolving thing. It changes all the time as our market changes so I'm pleased to say that they are being recognised. There's a lot of work happening in the background. It's not just simply a matter of people knocking on doors and saying come to beautiful Norfolk Island. It's actually going right down to the nitty gritty of things and asking the questions, why people choose to travel, why they choose not to travel, why they won't come to Norfolk Island. Let us know why. And the research is very interesting and invaluable in what we are trying to do. Thank you

**SPEAKER** Thank you Mr Gardner. 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 Honourable Members the motion is agreed

**MR N CHRISTIAN** Mr Speaker in accordance with section 41 of the Interpretation Act 1979 I table the Customs (Amendment) Regulations 2008

**MR NOBBS** Mr Speaker in accordance with section 41 of the Interpretation Act 1979 I table the Immigration (Amendment) Regulations 2008 and the Employment (Amendment) Regulations 2008 and move that the Employment (Amendment) Regulations be noted

**SPEAKER** Honourable Members the question is that the paper be noted

**MR NOBBS** Mr Speaker the July sitting of the Legislative Assembly unanimously passed the motion calling upon me as the Executive Member with responsibility for the Employment Act 1991 to have regulations made as a matter of priority to amend regulation 12 of the Employment Regulations to provide that for the purposes paragraph 108(2)(e) of the Act, the prescribed minimum wage to be \$10.70 per hour. It had been my intention to make this change along with the other amendments to the Act which I had foreshadowed as part of the comprehensive review of the Employment Act which has been undertaken to ensure that our Employment legislation is up to date and properly reflects a fair and balanced position regarding the rights and responsibilities of employers and employees. In that context I indicated to the Legislative Assembly that I would be proposing a change to the provisions in the Act regarding the fixing of the minimum wage rate so that it is clearly in regulations and no specific minimum figure is mentioned in the act. I envisaged introducing a package of legislative reform to the act in the September sitting and I intended that the minimum rate change would occur at that stage. Mr Speaker, Members would be aware that shortly after the last sitting I was absent from Norfolk Island for over a week on official duties. During that time the very efficient staff of the Assembly and the Acting Chief Minister acted on the motion from last month's sitting and arranged the necessary change to Regulations which was then assented to at Executive Council and gazetted with effect on and from 1<sup>st</sup> August 2008. This means that

the new minimum wage rate of \$10.70 has been in effect since that date, which was earlier than the date I may have mentioned to Members and to the community more generally. Clearly what has happened was the wish of the Assembly as stated in last month's motion. However, it has occurred a little earlier than what I had expected. I commend the Clerk and the Acting Chief Minister for getting on with the job in my absence. I understand from the Employment Liaison Officer that this slightly earlier application of the new minimum wage rate is unlikely to have much effect within the workforce, since to his knowledge very few, if any, employers were paying workers below the new minimum rate of \$10.70 an hour. There may have been some adjustments to the junior rates paid, which flow from the minimum adult rate. I suggest that any employers or employers needing clarification on this matter should contact the Employment Liaison Officer by telephoning 22001, extension 3. Thank you, Mr Speaker.

SPEAKER Thank you Chief Minister. 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 Honourable Members. Any further papers for presentation

MR MAGRI Mr Speaker I table the Annual Report from the Road Safety Committee and move that the paper be noted

SPEAKER Honourable Members the question is that the paper be noted

MR MAGRI Mr Speaker, in accordance with paragraph 52B(1)(4) of the *Road Traffic Act 1982* the Road Safety Committee is required to provide an annual report to the executive member on the operation of the Act for the preceding year ending 30 June, and its effectiveness, and may make recommendations for changes to the Act or the Regulations that may make it more effective in regulating road traffic for the purpose of improving road safety for persons in Norfolk Island. Mr Speaker, I now present the report of the Road Safety Committee for the period 1 July 2007 to 30 June 2008 and in so doing I wish to extend my gratitude to the members of that Committee for the time and effort that they are willing give to the work of the Committee and in providing advice to me as executive member. Thank you Mr Speaker

MR GARDNER Thank you Mr Speaker, I just ask the Minister whether there are any significant recommendations arising from that report that the committee may have made that he intends bringing forward for us for consideration at a later date

MR MAGRI Mr Speaker there is. There are several recommendations that the committee has had a look at over the last twelve months and some of them are in varying stages of progression. Some of them I haven't progressed at all and require further information. One of them that this House is requested me that I bring forward a draft Bill for the breath testing of drivers and that particular Bill has now been drafted and I'll be providing a copy to Members forthwith but I'm not suggesting in any way that I support the Bill Mr Speaker. Over the last twelve months the committee has also made recommendations and implemented those recommendations through the office of the Registrar and through the public works and you might have seen the evidence of that on your front gate with the introduction of the rural address system. We've also done a lot of work with trying to work out some ways to improve the car parking for the senior school students. In particular there's been some concern as to the safety on Collins Head Road, of the drop off zone there where the senior students park. It's actually a little more complex than I thought that particular issue and I'll be meeting with the students on Friday and with the Members of the Youth Assembly to discuss some of the issues there and I

guess the other one is the introduction of a dual control vehicle for driver education that's introduced as part of the school curriculum but the Committee is very effective and I do appreciate their advice. Thank you

SPEAKER Thank you Mr Magri. 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

SPEAKER Thank you.

MR CHRISTIAN Thank you Mr Speaker, I present the Revenue Fund Financial Indicators for the month of June 2008. The revenue fund financial indicators are not usually produced and tabled for the month of June but in the interest of keeping the public informed I have requested the Finance Manager to produce them, he has done so and I present them today. Mr Speaker, I draw your attention to the fact that these are estimated figures and minor changes may occur when the audited financial statements are prepared. Mr Speaker, total income for the 07/08 financial year from all sources for the revenue fund was forecast to be Twelve million, eight hundred and sixteen thousand dollars (\$12,816,000). Actual income received was Thirteen million, One hundred and thirty-six thousand dollars (\$13,136,000) an increase of three hundred and twenty thousand dollars (\$320,000). Mr Speaker, expenditure up to thirteen million nine hundred and twenty-four thousand dollars (\$13,924,000) was approved and actual expenditure has come in at thirteen million seven hundred and twenty-three thousand dollars (\$13,723,000), resulting in a saving of two hundred and one thousand dollars (\$201,000). Mr Speaker, as the 07/08 financial year progressed, the revised budget forecast a deficit of one million, one hundred and eight thousand dollars (\$1,108,000) as at 30 June 2008. The actual result is a much more favourable deficit of five hundred and eighty-seven thousand dollars (\$587,000) and this is after accounting for an additional subsidy of four hundred thousand dollars (\$400,000) being provided to the Norfolk Island Hospital. Mr Speaker, I consider that to be a very satisfactory outcome. Mr Speaker, I do not have a Revenue Fund Asset and Liabilities paper at this time so I will move on to the Airline. Mr Speaker, the Airline has performed very well in the 07/08 financial year. Gross income has risen to twenty-three million and fifty-four thousand, two hundred and eighty-nine dollars (\$23,054,289) up from eighteen million, seven hundred and sixty-seven thousand nine hundred and ninety-one dollars (\$18,767,991) last year. Operating profit before additional fuel and passenger welfare costs come in at two million, two hundred and thirty-nine thousand and eighty-seven dollars (\$2,239,087). Mr Speaker from that operating profit, we must deduct one million two hundred and twenty-four thousand and nine dollars (\$1,224,009) in additional fuel cost as a result of increasing world oil prices, three hundred and eighty-six thousand and three dollars \$386,003) in passenger welfare cost as a result of weather disruptions to our services, four hundred and eighty-nine thousand seven hundred and sixty-four dollars (\$489,764) spent on advertising and promoting Norfolk Island and a forty-two thousand dollar (\$42,000) grant given to the school for the purchase of computer equipment. Mr Speaker, after taking all of the above into account the net profit for the airline for the year is ninety-seven thousand three hundred and eleven dollars (\$97,311). Mr Speaker, as at 30 June 2008 the airline held three million four hundred and sixty-eight thousand dollars (\$3,468,000) in forward ticket sales. Finally, Mr Speaker, we turn to the cash at bank page in the financial indicators. Mr Speaker, the cash balance at the bank exclusive of trust type accounts is eight million ninety-one thousand and six hundred dollars (\$8,091,600). Thank you

MRS JACK Thank you Mr Speaker just one point that I would like to discuss on this June indicator

SPEAKER I just note that the Paper hasn't been noted

MRS JACK Mr Speaker I'm sorry. I beg your pardon

MR N CHRISTIAN Thank you Mr Speaker I so move

MRS JACK Thank you Neville. Thank you Mr Speaker. It's just in relation to the welfare section of the financial indicators for June and just highlight to the community that in the 06/07 budget the welfare amount was \$1,771,000. Last year the budget forecast or the allocation was \$2,217,000 and while it came in at some \$2000 after budget, it's to be commended because it's a very expanding or very liquid amount owing to the nature we just can't forecast accurately because we are a Government that prides ourselves on servicing those in need within the community and lately I notice there have been some comments made about social services either comments in newspapers here on island, or in fact comments being made to Senate Select Committees and some of those comments have said that we underpay or we pay our pensioners less than the amount paid to pensioners in Australia and I would like to correct that statement, we in fact actually pay slightly above similar pensions in Australia and so I do get really annoyed with the misinformation that goes out to the cy and so I do get really annoyed with the misinformation that goes out to the community and in some cases is listened to and taken as correct, and also there's been some comments made on the lack of activity or lack of reform in the public service, I think was one comment made by one person who didn't sign their letter, the other day and again I would have to do a little correction there, in actual fact, in the last Legislative Assembly an amendment was passed by the House regarding the Social Service Amendment Bill and that Bill was declined to have assent given to it so since that action this Government and myself in particular have worked over problems that have been dealt with, within the, that were given back by the Commonwealth and we have actually forwarded to the Commonwealth amendments to that Bill. Also significant policies have been implemented, and those policies have worked on optical policies, physiotherapy policies, chiropractic and podiatry services; alike health services, travel and accommodation policies. We are not trying to limit or make it harder for people to get assistance, we remain committed to ensuring that those in genuine hardship are maintained and remain able to receive benefit. Thank you very much

MR B CHRISTIAN Thank you Mr Speaker I would just like to clarify on the Norfolk Air statement, there's just a couple of questions there. There's one for the reimbursing of GST in the order of some \$31,457 and the disruption costs. I was wondering if the Minister could give some sort of indication within the disruption costs, was there a portion of that paid by barter card dollars held by Norfolk Air and is there still a balance of barter card held by Norfolk Air

MR N CHRISTIAN Thank you Mr Speaker the first one in respect of the GST, that is in respect for instance, when Ozjet maintained a rented premises in Norfolk Island and they engaged a cleaner and that sort of stuff, GST is charged on the rent and the cleaner and that, GST is also charged on the food catering that is provided to the aircraft and when the charter arrangements started with Ozjet, GST didn't exist so over a period of time, there's been a working through the system of the GST officer and we now charge GST and because it didn't form part of Ozjet's original contractual obligations with us its an additional cost so the airline has agreed to pay that. In respect of the passenger welfare costs, that's also one that's got a bit of history. Contractually we were always obliged to pay the passenger welfare costs and the passenger welfare costs consist of food, transport and accommodation at a destination other than your intended destination in times of disrupt, so they're the things we're up for. Ozjet picks up the actual cost of the aircraft and the airport taxes and the like but for quite some time, Norfolk Air had refused to pay the passenger welfare costs until Ozjet actually met its contractual obligations by getting these increased gross landing weights approved for the aircraft so some of the costs that have been bought to account this year, might actually go back for some period but these were all things that were finally settled between Norfolk Air and Ozjet at the



perspective of owners and operators of childcare facilities operating costs associated with running the centres are growing. These costs need to be passed on to parents, as they can no longer be absorbed without threatening the financial viability of these businesses. The terms of reference for this study which were, well, there were quite a few of them, but could be translated into a simple question, that is the review group thought. Do parents on Norfolk Island have the unreasonable burden for shouldering the childcare costs in comparison with other locations and should the Norfolk Island Government share these burdens with parents. This is what this review group tried to come to grips with and put it into context. There was some background research, quite a bit of background research undertaken; some provided by the Legislative Assembly staff, the research included researching the current facilities of which on Norfolk Island there are in the main three facilities, two private day cares and the community pre school, Banyan Park Playcentre. The review group also looked into the cost of childcare on Norfolk Island and these at the moment are roughly \$4 per hour. Mr Speaker I'm just glancing through this report. We also made comparisons with other locations such as Kangaroo Island, information was provided from Kangaroo Island, but the group came to the conclusion that the only similar thing about Kangaroo Island and Norfolk Island is that we are both islands. In Kangaroo Island they actually become part of the Australian system and they have rebates available to them. Then we looked at the comparative income of Norfolk Islanders and Australians and in the main we came to the conclusion that in Australia the average weekly income at best would be \$1053 and Norfolk Island would be \$699 so \$700 so on average therefore a person on Norfolk Island earns something like 30% less than their Australian counterpart. We then looked at the average weekly childcare cost in Australia compared to the weekly average childcare cost in Norfolk Island and again, it was very difficult to do because in Australia on the Sunshine Coast the charges there were indicative of \$44 to \$64 per day. Looking at the statistics from the Australian Bureau of Statistics, they indicated charges from \$55 to \$105 per day but then we looked at some figures from Victoria and New South Wales which indicated back in 2006 that there were some weekly charges over \$300 per week so as you can see, the charges for childcare varied depending on what type of centre you want, where it's located, capital cities, country towns etc. We did compare the hourly rate on Kangaroo Island and their rates were actually \$4.93 for a ten hour long day care with seasonal rates of \$5.52 per hour so to compare this with the \$4 per hourly rate for Norfolk Island and we do fall well below that so just in the summary there on our research, we came to the conclusion that while Norfolk Island workers earn 30% less than their Australian counterparts, even if the local childcare fees were 30% higher, ie \$5.20 per hour, they would still be competitive and compared to some locations very inexpensive. In Australia there Mr Speaker individuals pay income tax and GST, the Government provides family allowance and childcare subsidies. On Norfolk Island we do pay GST but individuals do not pay tax and the Government does not pay family allowances however, other Government benefits available on Norfolk Island include the healthcare benefits to the threshold of \$2,500 for families or singles and immunisation of children up to twelve months is provided free of charge and we are aware that this will be increased to I believe children up to the age of five, and also the free dental services that are available to the kids on Norfolk Island. The working group noted the range of income levels on Norfolk Island as indicated by the survey done for this study by the 2006 census, and with respect to the potential for a subsidy to be provided it was clear from the work of this group that means testing would be extremely difficult to undertake but without it the community would have cause to be concerned that valuable financial resources could be unwisely allocated. Mr Speaker during the course of this review the review group undertook public consultation, we had a public meeting, we had media statements made by the Minister for the Environment and Education, there were press releases, I myself got on the radio and gave a radio interview so we did undertake quite a bit of public consultation. In this report there is a summary of the submissions from the public consultations and the public meetings and I would just read the summary of those consultations there. The summary can be summed up as "...while there are good arguments to support the payment of benefits to parents to assist in raising children, this is just one of many social issues facing Norfolk Island all of which could be strongly argued. While it may be a simple and relatively low cost action for the Norfolk Island Government to provide a grant to parents to

assist with childcare such a grant would equally be made to others in the community who may be suffering hardship. Dealing with this one issue in isolation would be perceived as a squeaky wheel response to a social policy development. It is also important to note that it would be unfair to disenfranchise those who choose not to utilise childcare facilities and care for their children full time. They too are affected by the high cost of raising family in Norfolk Island. People make their own choice to utilise a day care facility or not." The working group strongly recommend that the Norfolk Island Government undertake a comprehensive study into the cost of living in Norfolk Island, possibly utilising the Australian Bureau of Statistics. The ultimate aim of such a study should be to ensure the adoption of cost of living control measures that will make Norfolk Island once more an affordable place to live and raise a family. Just in closing there Mr Speaker just a recommendation from this report, there were four recommendations, the first of which is the payment of a child care subsidy for parents is not supported at this time, the working group is not convinced that such a subsidy could be fairly provided; recommendation No. 2 is that no subsidy for a child care service providers is supported at this time. If measures are introduced to regulate the obligations of service providers leading to higher costs and a higher standard of service, this could be reviewed. Recommendation 3 is that the Norfolk Island Government should consider measures aimed at controlling the escalating costs associated with raising a family on Norfolk Island, a family allowance type package should not be ruled out, nor should specific targeted measures be ruled out and recommendation 4 is that the Norfolk Island Government should document the ways in which it does assist families by immunisation, healthcare ceiling, dental so that the community Members, especially those with young families, understand the assistant measures that are already in place and that are available. So Mr Speaker that report there is tabled and if anybody is of the mind they may see the Clerk and they can obtain a copy. Thank you Mr Speaker and I ask that the report be noted

SPEAKER  
be noted

Honourable Members the question is that the Report

MRS JACK

Thank you Mr Speaker I would just like, as the initiator of this report, just like to thank Mr Sheridan and Mr Christian, both Members of the Legislative Assembly who went onto this group and again the three members of the community who gave up a large amount of their time during this five month process to get this review done, and Eve Semple, Louise Bigg and Fred Howe thank you very much. I will be discussing this report with the executives. I think it's been surprising to say the least, some of the findings because it was started with a lot of emotion and to find some of those recommendations shows the true worth of people being able to stand back and just look at those issues in a very fair and equitable way and a lot of commonsense prevailing so I do thank the group for doing it

MR MAGRI

Mr Speaker just a question to Mr Sheridan, as Mrs Jack said the genesis of this report came out of representations to her from different parents but mainly from some of the providers of the different child care facilities, their concerns at the cost of child care, and I wonder if Mr Sheridan's had a chance to have a talk to any of those original people who had those concerns and showed them the recommendations and whether those people agree with the recommendations of the report

MR SHERIDAN

Mr Speaker yes, we received I believe four reports, two from individuals on Norfolk Island and two from the day care centres. Of course Louise being the operator of one of the day care centres, we had very good frank discussions with her, and I believe this exercise may have, well I wouldn't say changed her mind, but made her think about the costs related to child care in a different way. As for the Whiz Kids child care centre I only spoke to her in relation to obtaining information, I haven't spoken to her about the results as yet, and no doubt once they get the copy of this, they will then have the opportunity to discuss the findings with the Legislative Assembly as a whole

MR MAGRI Mr Speaker we only received this report yesterday so obviously we've got to sit down and talk about it a lot more yet, but the point Mr Sheridan then made about the working group strongly recommending the Norfolk Island Government undertaking a comprehensive study into the cost of living in Norfolk Island I think hopefully, that's something that we considered carefully because I think one of the things that this report will bear out is that when we do look, we'll realise that things aren't so bad here, and if we were to compare us with Australia like we have with this report, that it bears out that if anything, we are slightly better off. I'm not suggesting that will happen when we have a look at the cost of living but I really hope that we have a closer look at that so that people are more informed about the fact that the cost of living rises is something that all jurisdictions are suffering from at the moment and they are related to the global economic issues with fuel and food prices and transport and that sort of stuff

MR SHERIDAN Thank you Mr Speaker and thank you Minister for those comments. That recommendation came about in the main from the public meetings that we had with the community. We had something like 35 to 40 people attend that public meeting and whilst the meeting was arranged to discuss child care topics and the problems associated with it, it became very apparent that, that was not the only problem on Norfolk Island with regards to raising a family. There were so many other topics raised that we thought we would put in this paper a recommendation that this Government would actually look at the cost of living across the board on Norfolk Island to see whether or not there could be ways and means and some of these hardships could be alleviated in the future

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 I think the ayes have it.

Honourable Members we are reaching the time of 12.30 pm. Is it the wish of the House that the meeting be suspended for a lunch break at this time. We continue. Presentation of Papers. Any further Papers for presentation Honourable Members. There being no further Papers we move to Statements of an Official Nature

#### **STATEMENTS OF AN OFFICIAL NATURE**

Any Statements this morning. Mr Neville Christian

MR N CHRISTIAN Thank you Mr Speaker, Mr Speaker I wish to respond to a paid advertisement placed in the Norfolk Islander recently by Mr Mike King in respect of Norfolk Island's Public Finances. Firstly, Mr Speaker, I consider that the paid advertisement was placed in the local paper to attract the attention of Mr Dick Adams, MP, a Member of the House of Representatives, who was visiting the island at the time. It was also in my view, a misguided attempt to impress his political masters in Canberra who monitor every crackpot letter to the paper and often mistake the opinions contained in those letters as the overwhelming public opinion. It certainly was not placed for the benefit of accurately reporting the financial situation to the community of Norfolk Island. Mr King asks; what are the reserve funds in the public account? He states that a surplus of seven hundred thousand dollars (\$700,000) was forecast but a deficit of one million, one hundred and twenty-five thousand dollars (\$1,125,000) will be the result, which is a turnaround of one million, eight hundred and twenty-five thousand dollars (\$1,825,000). Mr Speaker, Mr King has failed to comprehend that the Revenue Fund of today has evolved from that which existed in 1979. In 1979 the Revenue Fund embodied most, if not all of everything

that the Administration did and the island's reserves resided in the Revenue Fund. Today, in 2008, the Revenue Fund has become little more than a clearing house as parts of the Revenue Fund have been spun-off to create stand alone entities, or Government Business Enterprises. The Revenue Fund collects income from a range of sources and then re-directs that income into expenditure to fund major social and community services which include such things as: the Hospital; Social Welfare; the School; and tourism promotion. As such, if we apply the balanced budget principle the Revenue Fund's expenditure should more or less match its income and a large surplus should not occur as this would indicate that the community was being over-taxed or unnecessary dividends were being taken from the Government Business Enterprises or insufficient services were being provided. Mr Speaker, the Reserve Funds lie within the Administration as a whole, and the Revenue Fund is part of the Administration. I will quantify the Reserve Funds later when I respond to part three of Mr King's advertisement. Mr Speaker, in response to the query in respect of the Revenue Fund budget, for the year ended 30 June 2008, I offer the following: Firstly, forward income projections are only estimates based on historical performance. The 07/08 financial year was a transitional year in which we moved away from an import duty based model to one which was reliant on the Goods and Services Tax. One of the challenges during this transition was to split customs duty income into two parts, the parts being private and commercial imports. The seven hundred thousand dollars (\$700,000) surplus arose largely because I overestimated the amount of revenue that would be derived from private imports. Once the income trends become clear the monthly financial indicators continually reported the revised position throughout the year which culminated in the Revenue Fund concluding the year with a small deficit of five hundred and eighty-seven thousand dollars (\$587,000), which is a vast improvement on the one million, one hundred and twenty-five thousand dollars (\$1,125,000) referred to by Mr King. Mr Speaker, no lies have been told and the public has been fully informed. Mr Speaker, in part two of Mr King's advertisement, he poses the question, what happens if the reserves run out? Mr Speaker, as long as our tourism industry continues to flourish and we meet the objectives contained within the Econotech reports, the Island's reserve should be secure and will actually increase as economic activity increases. Mr Speaker, in part three of Mr King's advertisement the question is, How much does Norfolk Island have in its Reserve Fund? Mr King contends there are none, and claims that we are three hundred thousand dollars (\$300,000) in the red. Mr Speaker, the only accurate audited financial information is contained within the financial statements for the Administration of Norfolk Island. The statements for the 07/08 year have not yet been audited but if we look at the audited results for the financial year ended 30 June 2007, the picture that is painted is vastly different to that which is portrayed by Mr King. Mr Speaker, the Administration is in a sound financial position. At 30 June 2007 the consolidated net reserve excluding the airport loan, which is a long-term commitment and not one that requires immediate repayment and exclusive of fixed assets, stood at \$10.7 million dollars. Mr Speaker, depreciated infrastructure assets and note I said 'depreciated' and not market value, are worth \$33.8 million dollars. Mr Speaker, if we look at the consolidated balance sheet for the year ended 30 June 2007 the Administration of Norfolk Island has a net value of \$32.4 million dollars after accounting for the \$12 million dollar airport loan. Mr Speaker, I consider this a result that the Norfolk Island community can be truly proud of and demonstrates that we are a long way from being broke as claimed by Mr King. Interestingly, Mr Speaker, if the community of Norfolk Island decided to liquidate the Administration of Norfolk Island, each and every one of the 1890 residents would receive a dividend payment of seventeen thousand dollars (\$17,000). Mr Speaker, in Part 4 of Mr King's advertisement, he implies the Chief Minister is a liar and has misled the community by stating that we are six hundred and fifty thousand dollars (\$650,000) ahead of our target. Mr Speaker, the only person misrepresenting the facts in this debate is Mr King and I will put the Chief Minister's comments into context. Mr Speaker, on the 17 March 2008 the Chief Minister received a memorandum from the Finance Manager together with the Financial Indicators for the month of February 2008, which in part stated: "At 29 February 2008 the overall Revenue Fund budget is in surplus \$72,000 which is \$659,000 better than budget." Mr Speaker, if you refer to column 4 of the Financial Indicators for February 2008, the actual results to date for the eight months of the financial year show a figure of

seventy-two thousand dollars (\$72,000). Column 7 indicates on a pro-rata basis the budget should have been in deficit at that time five hundred and eighty-seven thousand dollars (\$587,000). We are actually in surplus seventy two thousand (\$72,000). Mr Speaker, the difference is six hundred and fifty-nine thousand dollars (\$659,000) and proves beyond doubt that the Chief Minister did not lie or mislead the House or the community. Mr Speaker, I have today explained where the reserves are and when the Chief Minister was asked where the reserves were, it would have been more appropriate if the question had been directed at me. Mr Speaker, in part 5 of Mr King's advertisement, he enquires about the money in Telecom, the Airport and other undertakings. He is also critical of the airport's ability to fund its capital works programme and pay a management fee and dividend to the Revenue Fund. Mr King also questions the dividend from Norfolk Telecom and queries the dividend from the Water Assurance Fund. Mr Speaker, during the 07/08 and 08/09 financial years the Airport will embark on a \$5.7 million dollar upgrade of its facilities, to comply with International and Australian standards. The individual amount for each budgeted item is as follows Mr Speaker. Firstly we have the Carpark Upgrade and that is anticipated to cost about \$300,000.00. Secondly we have the Terminal Extension and at this stage that is around \$115,000.00 and that number could change as we decide to do a little more in the baggage area, thirdly is the RESA and the budgeted amount for RESA is \$1,200,000.00. Fourth is the Fire Trucks and the budgeted figure here is \$2,500,000.00 and lastly is the Fire Station at an estimated cost of \$1,600,000.00. Now these figures that I've listed here are global figures and they split over two financial years, so in some of the instances we may have already part spent some of the money, and if you want a break down on that, I can get you that at a later date. Mr Speaker, during the course of the 08/09 financial year, the Airport will pay a management fee of one hundred and seventy-nine thousand dollars (\$179,000) to the revenue fund and this is to cover Administration purposes, and a dividend of two hundred and fifty thousand dollars (\$250,000) and that dividend of course as we all know is used to support the social programmes that I previously referred to. This is the four hundred and twenty-nine thousand dollars (\$429,000) referred to by Mr King. Mr Speaker, I am pleased to inform you that after completing most of this work by 30 June 2009 and meeting all of its other obligations, and when I say other Mr Speaker I mean its day to day operational costs and making the first repayment to the Federal Government in respect of the loan and that sort of stuff, the Airport Government Business Enterprise will have a cash balance of \$1.5 million dollars. Mr Speaker, Mr King then refers to the proposed nine hundred and fourteen thousand dollar (\$914,000) dividend from Norfolk Telecom. Once again, Mr Speaker, Norfolk Telecom is in a transitional period having recently changed carriers, and if cash flows or income do not allow the full dividend to be taken, adjustments will be made along the way and as always, Mr Speaker, I will keep the public informed of any change. Mr Speaker, Mr King implies that a nine hundred and fourteen thousand dollar (\$914,000) dividend is unusually large so I will provide a summary of dividends since 98/99 to put it in perspective.

The dividend in 1998/1999	\$1.1 million
1999/2000	\$1.1 million
2000/2001	\$1.2 million
2001/2002	\$1.2 million
2002/2003	\$1.2 million
2003/2004	Nil
2004/2005	Nil
2005/2006	\$1.4 million
2006/2007	\$500,000
2007/2008	\$150,000

The dividend paid to the Revenue Fund obviously is subject to Telecom's income and capital works programmes. The years in which dividends were not taken are years in which major upgrades such as the Mobile Exchange was being purchased and installed. Mr Speaker, Mr King was critical of the proposed dividend to be paid from the Water Assurance Fund to the Revenue Fund in the 08/09 financial year and infers that the executive member with responsibility for the environment will not proceed with planned extensions and equipment upgrades for the sewage scheme. Mr Speaker, the Water



the need to constantly disparage the management of our economy and to try to demonstrate that we are headed for financial disaster. We have had to continually demonstrate our viability and to waste scarce resources in responding to these misguided views. Mr Speaker, when considering the financial health of the public sector, it is very important to look at the whole picture, not just the Revenue Fund, which is in essence where we spend most on essential community and social services. I think that just two figures from the consolidated Administration accounts are enough to show that our finances remain strong. In round terms, we have finished the 2007/08 financial year with consolidated net reserves of almost \$11 million. This figure of course excludes trust funds which do not form part of our reserves. Our fully depreciated consolidated fixed assets total more than \$32 million – a figure which allows for the airport loan, which is of course a long-term liability to be paid off over the next 12 years, mainly from usage charges at the airport. Mr Speaker, I have recently sought from the Administration some information on our spending on infrastructure and capital projects. I am grateful to the Acting CEO and the Finance Manager for providing the information I asked for in relation to the total spending on infrastructure in the Revenue Fund and by our GBEs which are responsible for the majority of our public infrastructure – airport, roads, telecommunications and electricity. The figures show that this year we will spend over \$9 million in total in those areas, spread almost equally over maintenance of existing infrastructure, new or replacement infrastructure and new capital projects. Spending in each of these three areas will be just above or just under \$3 million for the year, all of it on maintaining, improving or replacing the public infrastructure which is essential to keeping our economy ticking over. Mr Speaker, we often hear that the government is not spending enough on infrastructure and capital works. It seems to me that over \$9 million in a single year out of a total of around \$29 million – that is, about 30% of public spending – is in fact a substantial amount which will help to boost employment and economic activity in our community. As a final comment, Mr Speaker, I empathise with people in our community feeling the pressures of high fuel prices, high interest rates and a rising cost of living, however I can assure everyone that this Government is managing our public finances well and that we as a community remain in a sound financial position. Mr Speaker, if we in this community are serious about assisting ourselves to ensure that we continue to grow and prosper through these difficult global economic times, the best contribution we can make is to treat the negativity and the pessimistic misinformation coming from a very small sector of the community with the contempt it deserves. Thank you, Mr Speaker.

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

QUESTION PUT  
AGREED

Thank you. That Statement is so noted

Honourable Members the time is ten minutes to one. Can I have an indication by hand if you wish to proceed this afternoon or we take a break for lunch. Those wishing to proceed, would you please raise your hand. Sorry. You are outvoted. We will suspend the meeting for one hour until 2 pm

Honourable Members we resume and we are still on Statements of an official nature. Any further Statements of an official nature Honourable Members

MR SHERIDAN Mr Speaker I would just like to make a brief, or it was going to be brief before lunch, but I've extended it now, just a brief statement on my attendance at the 54<sup>th</sup> Commonwealth Parliament Association Conference in Malaysia. Mr Speaker during the period 1<sup>st</sup>-10<sup>th</sup> August 2008 I attended the 54<sup>th</sup> Commonwealth Parliamentary Conference. The conference theme was "Expanding the Role of Parliament in Global Society: Environment, Development and Security". The conference combined

various meetings and conferences of which comprised the CPA Executive Committee Meeting, the 28<sup>th</sup> CPA Small Branches Conference, the Commonwealth Parliament's 45<sup>th</sup> General Meeting of the Society of Clerks-at-the-Table, the Commonwealth Women Parliamentarians Steering Committee Meeting, and of course the CPA Plenary Conference. The Conference Hosts also conducted a comprehensive Spouses Programme which was well attended. This Annual Conference gives Parliamentarians from Parliaments of each of the Commonwealth countries the opportunity to discuss a vast range of matters of which are of equal concern and interest to all attendees. It also gives the attendees the opportunity to meet Parliamentarians from other countries and to gather information as to what problems other countries face, and in what way they themselves are going about solving these problems. During the initial two days 28<sup>th</sup> Small Branches Conference I attended various Plenary sessions which were of great interest. The 1<sup>st</sup> Plenary Session was on "Protecting the Environment: Water & Waste Management in Sustainable Development". Presenters from Tasmania, Bermuda, Jersey & Guernsey gave very interesting presentations on how each of their countries are attempting to do their own thing for the environment by being more user friendly when it came to Water & Waste Management. It was interesting to note that Tasmania will be debating a Plastic Bag Levy shortly, Bermuda has already eliminated the plastic & brown paper bag by introducing green environment friendly shopping bags. Bermuda also mixes its ash from its incinerators with crushed glass products to form concrete like bricks which are then utilized to form an artificial reef off one of the Islands. Guernsey presented a paper of how they ensure that their water resources are plentiful for the community. This was very interesting considering that Guernsey has a population of some 61,000 on an Island which is only 24 square miles small and has an average rainfall of some 823mm. Guernsey utilizes 14 disused granite mines of which they have turned into water storage catchment areas plus the construction of one dam has seen the Island never being short of water. The 2<sup>nd</sup> Plenary Session was on "Dealing with Conflict of Interest and Corruption in Small States". During this Plenary session, presenters from the Isle of Man, British Virgin Islands, the Maldives & the World Bank Institute gave enlightening presentations. The British Virgin Islands highlighted that the World Bank, International Monetary Fund, & the Organisation for Economic Co-operation and Development (OECD) of note have been promoting public sector reforms and crackdowns on illegal offshore financial centres throughout the world. The Maldives representative shared with delegates how his country has been grappling over the past few years with a vast transformation of its governance system towards a modern democracy. This has proved difficult as the President for the past 30 years controls the senate and even appoints most of its members. At this point in time they are introducing a new constitution which should result in free elections in the near future. Mr Mitchell O'Brien from the World Bank Institute gave an excellent presentation on the role of Parliamentarians in curbing corruption and conflict of interest. He emphasized on how corruption will hamper the development of states, weaken economies, increase public costs, disenfranchise competition & was the silent killer as far as development is concerned, esp. within smaller states. Accordingly, corruption can be minimized by adopting and applying certain codes, such as Code of Ethics and Code of Conduct etc. in all aspects of management across the board. The 3<sup>rd</sup> Plenary Session dealt with "Meeting the Challenges of Holding a Democratic Election". This very interesting session conducted by discussion leaders from Bermuda, Isle of Man & Jersey gave an insight as to how other countries conduct their elections. It was interesting to note that most countries are experiencing reforms to their electoral systems in one way or another but most countries were of a like mind in endorsing the goal of "one person, one vote, each vote of equal value" and the establishment of single seat constituencies. The 4<sup>th</sup> and final Plenary Session "Promoting the Interest of Small States in International Institutions" led by presenters from the Falkland Islands, Guernsey & the Commonwealth Secretariat concentrated on three key areas – trade, human resources and climate change. Small states import heavily due to their small market and limited natural resources. In other words, they are dependant on international trade. There was a view that small states face problems participating fully and effectively in the legislation making process of the World Trade Organisation (WTO). It was also noted that usually migration and the cost of living in small states are higher compared to bigger states and a mismatch

of opportunities with skills. The session concluded on the note that international organizations are increasingly important to small states. The other 4 days of the conference centered on the main Plenary Programme which was done in the form of Workshops of which delegates chose which workshop they attended. Workshops themes included; Workshop A. Democracy and Global Peace – An International Order. Workshop B. Sustainable Development in the context of Rapid Urbanisation and Rural Decline. Workshop C. Credible Elections for a More Representative Parliament. Free and Fair Participation. Greater Diversity and Access to a Free Media. Workshop D. Reforming the Budget Process: Parliamentary Budget Offices and Effective Parliamentary Oversight. Workshop E. Collaboration among Large and Small States through International Organisations to respond to Climate Change. Workshop F. Parliament and Civil Society Engagement for Better Policy Making. Workshop G. The Role of Parliament in Conflict Prevention and Resolution. Workshop H. Mechanisms to Ensure Adequate Recognition of Women's Issues in Budgetary Processes. And finally the last Plenary session was on "The Global Food Crisis". These sessions were well attended and work sheets were provided for each Workshop. Throughout the week various functions hosted by officials of the CPA Executive and CPA Malaysia branch were held of which all delegates were invited. The final day saw the General Assembly of the CPA organization and election of Chairperson of the Executive Committee of which the Hon. Shafie Apdal, MP from Malaysia was elected to the chair. Thank you Mr Speaker

SPEAKER Thank you Mr Sheridan. Any further Statements of an official nature. No. We move on

#### **MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO. 19**

Honourable Members, I have received the following Message from the Office of the Administrator and it is Message No 19 which reads that on the 29<sup>th</sup> July 2008, pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following laws passed by the Legislative Assembly, the Business Transactions (Administration) Amendment Act 2008 which is Act No. 15 of 2008, and that message was dated the 29<sup>th</sup> July 2008 and signed by Owen Walsh, Acting Administrator

#### **REPORT FROM STANDING COMMITTEES**

Are there any Reports from Standing Committees? No we move on

#### **NOTICES**

#### **PLANNING ACT 2002 - VARIATION TO THE NORFOLK ISLAND PLAN**

MRS JACK Thank you Mr Speaker I move that in accordance with subsection 12(4) of the *Planning Act 2002*, this House resolve that the draft plan laid before this House, being a proposed variation to the Norfolk Island Plan of 25 February 2004 as most recently amended on 25 July 2008, and deemed to be the Plan under section 8 of the *Planning Act 2002*, be approved; and that for the purposes of subsection 13(1) of the *Planning Act 2002* that the date of commencement of the approved plan be 5<sup>th</sup> September 2008. Thank you Mr Speaker to those people who are listening in, I should imagine that motion is almost a bit of gobbledegook. It's the legal requirements of the way that I must present a proposed variation to the Norfolk Island Plan so I would just like to give an introduction as to what this variation is on about and go on and cover some of the detail covered in the report presented by the Planning Officer regarding this proposed variation. On the 26<sup>th</sup> May 2008 the Administration of Norfolk Island received an application for Development Approval from Mr Duncan and Mrs Gaewyn Evans for the demolition of the existing dwelling house on portion 57d2 and expansion of the Endeavour Lodge tourist accommodation units also located on portion 57d2. In December 2007 the Norfolk Island Legislative Assembly resolved that the registration of three tourist accommodation units from the tourist accommodation House known as Aunt Em's Guest

House made a transfer to the tourist accommodation House known as Endeavour Lodge subject to conditions including compliance with the planning requirements. The applicants are now seeking development approval to develop the three tourist accommodation units to enable them to effect the approval to transfer registration of three tourist accommodation units. Endeavour Lodge currently consists of two buildings containing a total of four one bedroom tourist accommodation units. There is also an existing dwelling house on the site. The applicants propose to demolish the existing dwelling house and construct two new buildings. One building would house a one by two bedroom accommodation unit and a transit lounge. The other would house two one bedroom tourist accommodation units. In accordance with subsection 34(5)(6) of the Planning Act 2002 the Tourism Officer has certified that the applicants have secured the position in tourist accommodation quota under section 8 of the Tourist Accommodation Act 1984 and this position enables the proposed development of an additional three tourist accommodation units at Endeavour Lodge subject to Development approval. Portion 57(d)(2) is located in the rural zone in which development for the purposes of resident accommodation units is prohibited. Endeavour Lodge is subject to existing use rights under clause 91 of the Norfolk Island plan 2002 and is consequently able to continue operating. Notwithstanding any additions, alterations which would increase non conformance with the plan. Consequently the application for Development approval was accompanied by an application to vary the Norfolk Island plan to allow expansion of the residents accommodation unit development as a specific use or development on portion 57(d)(2). Application to vary the plan to accommodate a specific proposed use or development on certain land is provided for under clause 93 of the plan. Clause 96 of the plan requires that any application to vary the plan to accommodate an additional use or development under clause 93 must be accompanied by the details that would normally accompany a Development Application and that the application to vary the plan should be assessed as if it were a Development Application. Mr Speaker that was the history of this application and I would just like to say that this is a very detailed report and I'm just going to lift out a couple of bits and pieces that I think add to the basis of moving forward with this application. Under the Strategic Plan section of the Norfolk Island plan the purpose of part a. the Strategic Plan is to guide the Norfolk Island Government's decisions on Development Applications and to serve as a basis to amendments to part b of the zone that is the zoning scheme and the general provisions. Under the Strategic Plan the development site is included in an area where the preferred dominant land use is high rural conservation value. Land in this area preferred dominant land use area are intended to remain largely undeveloped in the long term. These areas are focused on the intrinsic rural character and nature and cultural heritage environment of Norfolk Island. The plan states that a range of uses or developments should be permitted where these uses or developments do not change the fundamental nature and character of the land. The proposed development would in total with the existing development utilise approximately 10 to 15% of portion 57(d)(2), the remainder of which is uncleared. The proposed building would be constructed entirely within the area previously developed to install the foundations for the proposed tourist accommodation unit which development approval is expired and the existing dwelling house. The design of the proposed development is unobtrusive and no further areas would need to be disturbed as a result of this proposal. In conclusion, this report states the proposed development is consistent with Strategic Planning objectives for Norfolk Island and although the proposed development is prohibited under the Norfolk Island plan on the proposed site it would be an extension of an existing development and would not conflict with the Strategic direction of the area or the development standards applicable to the rural zone and it is not anticipated that it would have an adverse impact on the amenity of the area. The report notes that all key environmental concerns have been adequately addressed and it is recommended that the proposed development be considered under section 93 of the plan as an additional use or development. Mr Speaker having said that, I think it's also appropriate that I read out the minutes from one of the Planning and Environment Board meetings that was used to discuss this and I did seek the permission of the Chair of the Planning and Environment Board this morning and Ms Chloe Nicholas had no problem with my reading out the section of the minutes that are relevant to this proposal. Mr Speaker the minutes state that

the Board agreed that this application needed to be discussed in two parts. Part one was application to vary the Norfolk Island plan and two was the development assessment of the proposal as permissible with consent use or development. Under application to vary the Norfolk Island plan it states that the board was extremely aware that any decision made in relation to this application to vary the Norfolk Island plan would set a precedent in relation to expansion and upgrading of existing tourist accommodation in the rural zone. The boards believes that the following points should be considered by the Legislative Assembly before determining this application. Part A is that the Norfolk Island plan prohibits development for the purposes of residents, tourist accommodation and the rural zone and b. notwithstanding a. the proposal is consistent with the Five Year Tourism Strategy 2007/8 to 2011/12 prepared for the Norfolk Island Government to guide development of the tourism industry insofar as, and this is a direct quote Mr Speaker "it is recommended that current impediments to investment in upgrading tourist accommodation and services be removed and that where possible incentives be provided for upgrading product to certain standards. C. current use development for the purposes of resident tourist accommodation is prohibited in the rural zone, the new legislation enabling transfer of units registration stands to benefit operators in non rural zones only. This is not equitable and all operators should be able to benefit from the ability to transfer registrations. D. the proposed plan variation and development aims to achieve the goals of Government policy designed to implement the recommends outlined earlier, however, the Board agreed that this should be limited to the upgrading and expansion of existing residents outlined earlier, however, the Board agreed that this should be limited to the upgrading and expansion of existing resident tourist accommodation development in the rural zone and the final point says notwithstanding this proposed variation which should only be they regard, to go to existing tourist accommodation prior to any expansion of existing residents tourist accommodation development in the rural zone by variation to the plan processes, the following should be sought. Support from both the community and the tourism industry for the proposal to allow expansion and upgrading of existing tourist accommodation in the rural zone and the second dot point is input from the tourism industry in relation to the maximum number of units that should be permitted and the Board noted that the maximum number of units in existing residents tourist accommodation in the rural zone currently stands at 14. They ask us that the majority of the Board recommends that the above points be carefully considered by the Legislative Assembly when they consider the application to vary the Norfolk Island plan. There was one final point that they have also asked us to consider, and it's the Board also discussed the fact that unit registrations do not generally limit the number of beds per unit although it was agreed that there is some rule, for planning requirements to limit occupancy levels. Concern was raised that new owners of a unit registration may place more beds in the unit than were at the previous location thereby increasing the potential occupancy of that particular registered unit and some Members felt that the number of beds allowable in a particular unit should be regulated so that the number of beds remain the same before and after transfer of units registration. Mr Speaker there's been a lot of consideration given by the Planning and Environment Board in those minutes. I believe that most of their concerns if not all have in fact been dealt with. The processes followed the requirements, that is the process to vary the plan has followed the process as it stands now. It was gazetted for both the Development Application and the Variation to the Plan in the gazette for the required length of time and no submissions were sought. I believe that we should deal with this matter today and I will be looking forward to other Members comments. I for one will be supporting the variation to the Norfolk Island plan but as I say, I look forward to any comment that my fellow colleagues might give me here

MR N CHRISTIAN

Thank you Mr Speaker I support Mrs Jack in what she is endeavouring to do here today. It is a variation to the Norfolk Island plan which allows an expansion of an existing activity that already exists and on that basis as I said, I'm prepared to support it. Had it been an application to vary the plan to build tourist accommodation units on a green field site where no previous business existed I might have a different view but at this time I'm happy to support the Minister's endeavours. Thank you

MRS JACK

Mr Speaker I move that the motion be put

SPEAKER

The question is that the motion be put

MR GARDNER

Thank you Mr Speaker, if I might protest my lack of opportunity to participate in debate

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SPEAKER

I'm terribly sorry Mr Gardner. I did not see a call

MR GARDNER

Thank you Mr Speaker, I usually just like to give other people an opportunity because half of you seem to drop off to sleep when I start talking so I like to ensure that everyone is given a fair opportunity

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SPEAKER

Mr Gardner do you wish to speak on this motion now

MR GARDNER

Thank you Mr Speaker, I do. Mr Speaker I don't support the motion. There are vast and varied reasons for doing so. For not supporting the motion. Mr Speaker when the Norfolk Island plan as we see it, came into being, there was a very extensive consultation process that was undertaken. There were many many matters that were considered by the community, by the officers who were preparing the documentation, and a huge number of views were sought and all of those were provided in a very detailed and extensive documentation on the preparation of the Norfolk Island plan which went into I would venture to say, a couple of hundred pages. That report identified a whole host of issues which ranged from where tourist accommodation should be and how it should be handled. Subdivision standards and how those things should be handled. Where to for a number of things, and I made it quite clear in this House that the restrictions that the current plan reflects as far as the development of tourist accommodation is concerned, stem from a great deal of emotion that was demonstrated in this community at the time of the preparation of the Norfolk Island plan which had its genesis in what was then, and what we still refer to as the deregulation of the tourist industry in Norfolk Island in or around about 1995 1996 and the various processes of managing the system from there on in. As part of that process the community was consulted. They certainly gave their views as at about that time we reimposed the quota provisions. As a result of the consultation process it was determined that because of various impacts and other things, tourist accommodation would be prohibited in the rural zone, rural residential and a number of other zones, and in fact there were only going to be two other zones where tourist accommodation was able to be undertaken. Subject obviously to a host of other things and that was mixed use and the residential zones. As far as I'm aware. Yes. Mr Speaker that plan, was formulated after full public consultation. It doesn't prevent this plan from being amended after full public consultation. That report five years ago suggested that this plan, the one we are working to now, should be reviewed in five years and it was considered then, that the current provisions and regime in place to guide tourist accommodation should be adequate for that planning period. So the plan as it stands now, envisaged that there would not be, and there was no need to be, any relaxation of the arrangements within the Norfolk Island plan during that five year period of time and it was not considered necessary to allow for tourist accommodation in any of the other zones or outer zones during the life of that document. We as a Legislative Assembly have discussed this issue in quite some detail and most recently as you are aware, we spent quite some time discussing the implications of the current review of the Norfolk Island plan. Interestingly enough, and I understand the commitments that other people had, I think that the document in regard to the review of the Norfolk Island Plan was gone through in detail by only four Members of the Legislative Assembly. The others for various reasons were unable to make meetings and were unable to have the discussion and the debate on the full content of the current review document but at the end of the day, what it comes down to is recognising that the Norfolk Island Plan is one of the more significant building components of what Norfolk Island is all about. It is there for a purpose to deliver a number of things. Protection of the environment, best use of the land etc etc and Mr

Thank you Mr Speaker, I do. Mr Speaker I don't support the motion. There are vast and varied reasons for doing so. For not supporting the motion. Mr Speaker when the Norfolk Island plan as we see it, came into being, there was a very extensive consultation process that was undertaken. There were many many matters that were considered by the community, by the officers who were preparing the documentation, and a huge number of views were sought and all of those were provided in a very detailed and extensive documentation on the preparation of the Norfolk Island plan which went into I would venture to say, a couple of hundred pages. That report identified a whole host of issues which ranged from where tourist accommodation should be and how it should be handled. Subdivision standards and how those things should be handled. Where to for a number of things, and I made it quite clear in this House that the restrictions that the current plan reflects as far as the development of tourist accommodation is concerned, stem from a great deal of emotion that was demonstrated in this community at the time of the preparation of the Norfolk Island plan which had its genesis in what was then, and what we still refer to as the deregulation of the tourist industry in Norfolk Island in or around about 1995 1996 and the various processes of managing the system from there on in. As part of that process the community was consulted. They certainly gave their views as at about that time we reimposed the quota provisions. As a result of the consultation process it was determined that because of various impacts and other things, tourist accommodation would be prohibited in the rural zone, rural residential and a number of other zones, and in fact there were only going to be two other zones where tourist accommodation was able to be undertaken. Subject obviously to a host of other things and that was mixed use and the residential zones. As far as I'm aware. Yes. Mr Speaker that plan, was formulated after full public consultation. It doesn't prevent this plan from being amended after full public consultation. That report five years ago suggested that this plan, the one we are working to now, should be reviewed in five years and it was considered then, that the current provisions and regime in place to guide tourist accommodation should be adequate for that planning period. So the plan as it stands now, envisaged that there would not be, and there was no need to be, any relaxation of the arrangements within the Norfolk Island plan during that five year period of time and it was not considered necessary to allow for tourist accommodation in any of the other zones or outer zones during the life of that document. We as a Legislative Assembly have discussed this issue in quite some detail and most recently as you are aware, we spent quite some time discussing the implications of the current review of the Norfolk Island plan. Interestingly enough, and I understand the commitments that other people had, I think that the document in regard to the review of the Norfolk Island Plan was gone through in detail by only four Members of the Legislative Assembly. The others for various reasons were unable to make meetings and were unable to have the discussion and the debate on the full content of the current review document but at the end of the day, what it comes down to is recognising that the Norfolk Island Plan is one of the more significant building components of what Norfolk Island is all about. It is there for a purpose to deliver a number of things. Protection of the environment, best use of the land etc etc and Mr

Speaker the consistent view of Legislative Assembly's since the current Norfolk Island Plan has been in, is that there will be no changes that benefit one person, one property in one particular way and that is appropriate. We have an appropriately established process that we've all agreed to that allows anybody at any time to seek to amend the Norfolk Island Plan or vary the Norfolk Island Plan and some may argue that it's too loose and needs to be tightened up in the guidelines and that there should only be the exceptional things that are allowed to be considered with a variation to the Norfolk Island Plan outside of its normal review timeframe which is five years and I would like to think that the approach which has been taken by Legislative Assembly's in the past have committed to the understanding that you only vary it in exceptional circumstances and I believe that's the view that other Legislative Assembly's have taken, not necessarily the view of this Legislative Assembly and I respect this Legislative Assembly's right to have a different view if they so choose, but at the end of the day it is a primary document in Norfolk Island's existence and we should not just treat it with contempt because that's what I see this proposal as doing because we are going to just extract one little piece out of it and say, yes, we'll just change it today which establishes precedence for how we handle and manage the plan in the future. I think it is an inappropriate use of the plan, particularly in light of the fact that we are going through a current review. I keep pressing the equity issue, because in the consultation process, which is very important as we all understand it, the consultation process for the review of the Norfolk Island Plan at a meeting with builders and excavators, it suggested that any changes should not benefit just a few select people but should benefit all. Now that is current consultation. That is current thinking within the community in relation to something directly related to what we are discussing today. Let's not make the change just for one person. Now continuing the discussion about the current review, the views of Legislative Assembly Members generally, are that we would like to look to a relaxation of the current provisions of the Norfolk Island Plan under the review. That we would like to give consideration to allowing more flexibility in the development of tourist accommodation not just in the current zones in which it is permitted but to all those zones to which it is currently prohibited and the argument has been put that in light of that, we should make this decision because we are going to make that decision anyway. With all due respect, taking that sort of attitude is treating the Norfolk Island Plan and the Planning Environment with total contempt. There is an established process for that quantum change, the quantum shift and just because we have a view that we would like to achieve something, does not necessarily mean that we can justify our position in just changing our stance to suit one person right now because we are probably going to agree to it further down the line. We haven't been to consultation on that aspect of it with the community and the general nature of it, and as we know, what I've tried to build is a picture of the consultation process that we went through all those years ago to get the Norfolk Island plan as close to right as possible. We established a review process that if we had made some mistakes or we needed to provide greater flexibility, those things we address under review and in only the exceptional circumstances we use the provisions of the Norfolk Island plan to seek a variation. Only in exceptional circumstances. I don't believe this is an exceptional circumstance. Mr Speaker you might think that I've got something against further tourism development. I've been at pains in this House when we've talked about the transfer of licences, when we've talked about the strategic plan and Mrs Jack has made reference to that in the minutes from the Planning Board which suggest that this is all going to be done in line with the Norfolk Island Tourism Strategy and the Norfolk Island Tourism Strategy does say, it is recommended that current impediments to investments in upgrading tourist accommodation and services be removed and that where possible incentives be provided for upgrading product and service standards. Yes, we've identified that the plan and the provisions of the plan as they currently stand appear to be an impediment to that happening. We are going through a review of the plan. That is the appropriate way to deal with removing that impediment. If it is considered by the community and by this forum that that is the impediment and it needs removing, we have a mechanism to do it where we treat everybody and every application in an equal way. And that is appropriate. Mr Speaker it talks in here, and again, these are the minutes that Mrs Jack has quoted from that at the moment the current arrangements for tourist accommodation and the new legislation enabling transfer of unit registrations

stands to benefit operators in non rural zones only. That's exactly right. That was made absolutely perfectly and abundantly clear when we made those amendments to the legislation that this was in no way an entrée in preparation to a variation to the Norfolk Island plan. You had to satisfy what was existing. It didn't take away the right for you to seek a variation, but we were clearly of the understanding and made at pains, made it abundantly clear that it was never intended to use this as a mechanism or a lever to change or vary the Norfolk Island Plan. It was letting people know from day one that there were current impediments granted they can be changed, but change them for the right reasons, and go through the appropriate process to do that. There is a process. I admit that. I acknowledge that. There is a process to vary the Norfolk Island plan but let's do it for the right reasons. Mr Speaker it says that the majority of the board recommends that the above points – and Mrs Jack read those out before – be carefully considered. I don't think they have been carefully considered to be quite frank. We have had discussions on what the net benefit to the community of doing this and the ones who are going to come next week and the week after if this passes through. I had discussions last night with someone who said great, this goes through tomorrow, I'm next in! They too had licences transferred. They too want to build. This establishes a precedent. But the Planning Board talk about equity. They talk about equity. It's not equitable for only those in the non rural zones to be able to transfer these things, and then they say, however, the board agreed that this should be limited to the upgrading and expansion of existing. Is that fair to one and all. It's fair to existing tourist accommodation operators. But it certainly continues to tie our hands as far as what the strategy is proposing and what even our own items that we've discussed around this table about new operators and new developments in that same zone, the rural zone. Mr Speaker I just find that a little hard to stomach that they are talking about equity and they say it's only fair that all the other tourist accommodation houses should get the same bite of the bullet, but they still restrict it to only those who are in the tourist accommodation industry. I don't see any fairness and equity in that at all. Mrs Jack also made reference to the registration of beds and that there were more beds and less beds, and things like that. I've made that quite clear again, yes, the transfer of tourist accommodation units may mean that what ends up, physically ends up at the property may mean that a unit licence that's been transferred that may have had two beds previously, may for example in the new unit, have four beds but by the same token, there may be a unit that's licenced for six beds where somebody wants to transfer it to a new luxury unit with one king size bed in it and suddenly the board is saying, you are going to have six beds whether you like it or not. I mean, that is a nonsense. That is an absolute nonsense. We've been through that. It's a give and take situation as far as that's concerned but as we've already spoken about, there is no provision where somebody is going to pick up a unit bed licence and for example, suddenly go to ten or twelve beds in one unit. You might fill it once a year with one very large family or a couple of families who are going to get together but it doesn't make any viable economic sense in pursuing that. I reiterate even the views of the Norfolk Island Planning and Environment Board that emphasise the fact that those points that are in their minutes should be carefully considered and the Legislative Assembly's consideration of the application to vary the Norfolk Island plan. Mr Speaker there are some exceptional properties on this island. The property that we are referring to here ranks as one of them. As do a number of properties in the rural zone. Each and every one of those properties, the high performers, those who are delivering the goods, are re investing in their properties, need to be encouraged. But not encouraged in isolation of the rest of the industry and the rest of the people who have an interest in wanting to invest in the same business. What is proposed in this and what is proposed by the Legislative Assembly in its consideration of the review of the Norfolk Island plan, is not to open the doors again and to say that it's open slather, certainly I'm not aware of that happening, it's to work within the boundaries of the current quota arrangements and if in the review of the Norfolk Island plan it is considered and I think that it has merit, the arguments have merit, to expand that to the zones other than those two central zones. We still have those quota provisions to contain it. It is only a matter of a couple of months ago and I didn't bring the hansard copies up with me, but the Minister for the Environment in previous debate in these issues on at least two that I've been able to find this morning, has suggested that the concepts and the principals involved in seeking a variation or the

amendments to the Norfolk Island Plan should be as of right, considered and I think the last one was in 2006 where she said that the consideration of those changes should more rightly form part of the review of the Norfolk Island plan that was going to happen in twelve months time. That's happened. Twelve months time. It's still another five months to go so with the twelve and five that makes seventeen months we were prepared to wait. All I'm saying, I'm not against the development of tourist accommodation in those areas. But if it was good enough to wait seventeen months to amend the Norfolk Island plan, or to change or give consideration to the changing of it, let's just wait another few months for giving consideration to changing something that is very very important. My primary concerns are with establishing a precedent which is very very difficult to get out of once we've bitten the bullet. In support of that, is my argument that changes to the Norfolk Island plan or variations to the Norfolk Island plan should not be dealt with as though they are run of the mill things and we do them every day, and if somebody applies tomorrow we'll do another one, they need to be considered that they are exceptional to allow a variation to be made, and we made one of those. Only a matter of a few weeks ago to do with the changing of the boundaries to allow for things that were exceptional. In the public interest. An absolute necessity for this community and those were the boundaries variations that were required for the RESA project. No issue with that at all. Absolutely necessary otherwise the project just doesn't continue but if we stop this today it doesn't mean that we aren't progressing with our views on where we should take the development of tourist accommodation in Norfolk Island. All it is doing is saying, just stop for a minute. We need to go to the community and discuss this with the community because it was a very very emotive issue over the years and we need to take that into consideration. One of my colleagues today said that they had actually rung people around the area and sought their views. They weren't even aware that the notice had gone in. not everybody reads the paper. Not everybody drives past the property and sees something stamped on a fence post and yes, some people would say that's tough. You missed out. You had your chance and you didn't make any comment. No submissions received. No submissions received. Mrs Jack said there were no submissions received. In itself we could probably sit here and say, as I said before, well tough luck. You had your opportunity but it doesn't in itself, constitute grounds for an approval. There are a whole lot of other things that need to be considered and all the other things that have been considered relate to impact on the environment and those things. All proper planning considerations in a normally un-prohibited environment. You do that. For something that is normally prohibited you do the assessment and you either say yes, or no it's not approved and that's all good. That's all been done in relation to this. Yes it will conform. Yes it fits in. yes it's a good thing. I've got no issue with that side of it. My issue is with the variation to the Norfolk Island plan that benefits one person. Not looking at it in its totality, which I think it must be looked at. Is the equity of it. Just to change it for one use is using an incredible power that is provided under the provisions of the Norfolk Island Planning Act and the Norfolk Island plan which should not just be used in almost a throw away manner. It needs to be carefully considered and as I said, it needs to be considered in light of the overall concept. I was saying that no comment doesn't necessarily mean it's a good thing. Neither does adverse comment in itself present grounds for a refusal. The case that I presented before about the RESA and the changing of that, to my recollection only had adverse comment. Yet we approved it. So the point I'm trying to make is lets not dwell on the fact that nobody said nothing so that's all good. Everybody just accepted it. Let's think of this on a different level. Let's think of it on a level as it is not so much a last resort, but the reasons to change it are exceptional and if you use that assessment as justification and you believe that this is exceptional, support it. I certainly don't. But what it does raise is an issue that I know is supported around this table. That we need to look at relaxing it and we look at relaxing it in five months time, after we've been back to the community and we've said to them , guys this is what we are proposing to do. Let us know what your thought are. Let us know what your thoughts are in relation to this issue as it relates to the establishment of an accommodation quota, as it relates to the potential of the Norfolk Island plan to give us the flexibility to do the exceptional and then make a decision about whether we are going to relax these things. I've had representations that suggest, oh gee, you're being a bit tough on people who in all good faith have gone and purchased tourist accommodation

licences to transfer. Yes. It might be a bit tough but they were aware of that from day one. They have utilised the processes which are clearly established to seek a variation but my assessment, my guiding principal as to whether we should approve it is whether it meets that exception test. It is exceptional. It is above and beyond. It is something that can't be dealt with in another way. I'm arguing that this can be dealt with in another way as part of the ongoing process of review of the Norfolk Island plan and I think that we should commit to that. Mr Speaker I guess that I'll have a drink of water and listen to what other Members views are. Yes I probably am a little passionate about this but I just don't want to see us dispense with the Norfolk Island plan in such a manner. This isn't preventing something from happening. All I am asking is that we give further careful and very careful consideration to what we do with the provisions of the Norfolk Island plan. There's about eighty different things that have come up in the current review that we need to go out and talk to people about. We need to highlight what those issues are, so that people are comfortable with the changes that are taking place. Therefore Mr Speaker I am suggesting that we don't support this motion today and that consideration of the expansion of the tourist accommodation generally be determined in accord with the current review that's underway of the Norfolk Island plan

MRS JACK Thank you Mr Speaker can I just ask where Mr Gardner got the word exception from

MR GARDNER I'm sorry

MRS JACK Where the word exception comes from that you used

MR GARDNER Thank you Mr Speaker, that's a measure that I place on the value of the Norfolk Island plan, that the Norfolk Island plan I do not believe was ever intended as a document that willy nilly we would just go out and amend or vary. It was something that if you wanted to use those provisions, needs to be exceptional. Other people have different views. I accept that

MRS JACK Thank you Mr Speaker I thank Mr Gardner for just saying that other people have different views because I believe that people should be able to come to me or my officers and use the plan as it was intended to be used, and if they believe that they have justification to use that clause then they should be able to use it and then it comes to this place to be discussed and that is where I believe that this process is equitable across the board. Under the current plan, the equity is, that anyone can come to this place with a variation. Now it may not be equitable in the terms of across the zone but what I also agree with is yes, there is a review coming along, but until that review is done, the current plan and its uses allow for this to happen. People have come to me or my officers with this variation. That is the process that they are entitled to use, and that is what I'm bringing before. I don't believe... To me, and again, this is my view, in changing the goal posts while we consider a further aspect of that to what may affect them or may not affect them. Again, that's my view and I look forward to other Members participating in this debate over it

MR GARDNER Thank you Mr Speaker, I have recognise the rights of people to use the plan as it was designed. That's exactly what's happened in this process. I find no fault in that whatsoever. My arguments today are that we should say no. they've exercised their rights to bring it before the Minister and bring it before us. My arguments are based on the fact that I think we should deal with it by saying no. And that's appropriate. I did highlight in my earlier debate the fact that if there is one aspect of the plan or the Planning Act that needs consideration in regard to this particular provision,. That's probably looking at how you tidy that up because once we establish a precedent we are going to have an absolute nightmare trying to reign it in

MR B CHRISTIAN Thank you Mr Speaker. Whilst I appreciate the comments made by Mr Gardner I would just like to put it in the context that I look at, is the

exceptional circumstance, if we are not building a launch pad or anything that's as way out as that and has never been in the plan just to find out, that currently on Norfolk Island there's about 582 operating existing unit licences. Of them, 42 tourist accommodation houses comprising 215 units are in the non permitted zone. There's a further 21 with 367 units within the permitted zone. Now my approach to this is that in the debate with the transfer of single unit licences was made so that properties could upgrade and then make their properties of a higher star rating. Just with the equity in it, is that if we allow or don't allow the variation of this plan, that's saying that 21 tourist accommodation proprietors have the benefit to expand and upgrade their units or their facilities for lack of a better word, and the other 21 out of 63 can do it. I just don't see how that's equitable if something is already in existing use. This is already existing tourist accommodation. It meets the planning criteria as far as we've been made aware here. I can't see it opening up floodgates for other people to just come and say we automatically have application or grant a right to be able to build or expand on our tourist accommodation. They still have to meet a raft of planning requirements before their approval comes forward; I just see it as, it wouldn't be extraordinary, but I would see it as complying with existing use. I would still like to see every case brought before the house for a variation of the plan, being judged on a merit by merit basis, not just an automatic saying yes you can go and do anything and I support the motion here today and that's how I feel

MR MAGRI

Thank you Mr Speaker. This might seem like a fairly simple view but it's quite complex and I agree with both sides of the argument here, so I'm just going to take my advise largely from the document that was provided to us from the Planning Board where they suggest and it was read out by Minister Jack that careful consideration should be requested by the Legislative Assembly and it was particularly in point E, through the variation of the plan processes where the following should be sought, support should be sought and that's support from both the community and the tourist industry for the proposal to allow expansion of the upgrading of tourist accommodation in the rural zone and input from the tourist industry in relation to the maximum number of units that should be permitted and the Board noted that the maximum number of units and existing residence for tourist accommodation in the rural zone is 14. Mr Speaker if we are required to vote on this today I'm going to be voting in support of Mrs Jack and if we do get subsequent applications along the same lines, I'm going to support those as well, and my support is based on wanting to see Norfolk Island go ahead and to try to hold its head high in this time that we're trying to fight to keep Norfolk Island as a viable tourist destination but what I propose, is to move that the motion be adjourned and made an order of the day for a subsequent day of sitting to give at least one month for the community to get back to the Minister and just to see how much feeling is there, out there about this otherwise I'll be voting in support of it today but I'm going to move that motion Mr Speaker

SPEAKER

I put that question that the motion be adjourned, be agreed to and I put that question

#### QUESTION PUT

Madam Deputy Clerk could you please call the House

MR SNELL	NO
MR B CHRISTIAN	NO
MR SHERIDAN	AYE
MRS JACK	NO
MR N CHRISTIAN	NO
MR NOBBS	NO
MR GARDNER	AYE
MR ANDERSON	NO
MR MAGRI	AYE

SPEAKER The result of voting Honourable Members, the Ayes three, the noes six, the noes have it, the motion is lost. We continue

MR SHERIDAN Mr Speaker I totally agree with the thrust of Minister Gardner's argument in regard to this motion before us. In particular in the main I think we've had something like five of these changes to the Norfolk Island Plan come up before us and we've agreed to two and one was RESA and one was for the error in the actual Norfolk Island plan that came up, a housekeeping one, and the rest of it I've been of the opinion that no, the plan should not be changed and that any changes should be done during the review which is obviously coming up. Just in talking to this particular application that's before us now, and I note in Minister Jack's argument at the start she made comment, or she read out of the report from the Planning and Environment Board meeting and she didn't really get down to the last recommendation from that Board where the Board stated that if this was a permissible with consent use and development they would recommend approval for it, however given that the application is for a variation to the Norfolk Island plan and would set precedence and release it to extra tourist accommodation development in the rural zone, the majority of the Board agreed that the approval of the proposed development should only be recommended subject to the careful consideration of the development issues raised in relation to the application to vary the plan. Now this is what we are all discussing and debating here. This is the careful consideration. To me that does not mean, to me, the Board has not recommended that this be approved. In the covering letter that is attached to this document, it states down there in the development application in the last dot point that assessment of the application by the Planning and Environment Board leading to a majority recommendation by the Board that the Development Application be granted approval by the Executive Member subject to consideration of and resolution of significant policy issues relating to the proposed variation of the plan. Now those two, the motion in the Board meeting, does not reflect what is stated in this letter which is signed by the Planning Officer but he states, subject to consideration of and resolution of significant policy issues relating to the proposed variation of the Plan. This is what we are debating. The significant policy issues. The Board would only support the recommendation of it, by the resolution of significant policy issues. Those policy issues are the agreeance of approving something that is prohibited in the rural zone. I don't believe that we could do that without very much, so much more discussion and input from the community and in saying that, Mr Speaker it's also under the public consultation as Minister Gardner said, it was gazetted and as Minister Jack said, the change to the plan was gazetted but she said in her opening remarks, that it would confuse anybody. Nobody would know what it meant. Exactly right. But also the gazettal for the Development Application was gazetted concurrent with it. Okay, they received no submissions. I took the opportunity yesterday Mr Speaker of contacting I would say 90% of those residents who live past Allendale Drive down to Rainbow's End. Only two of those residents were aware that there was a Development Application into the Administration for the development of some more tourist accommodation units. Every other resident that will be affected by this proposal did not know about it, the majority were against it, there was three that were of either mind, it didn't affect them in their view it didn't affect their scenic outlook so they were of the opinion that they didn't care either way but there's other considerations that haven't been taken into account. That part of Collins Head Road is a very narrow lane. I grew up down there and it used to be just a trail, a dirt track. Now it's turned into something quite significant by something like a dozen houses down there, and two tourist accommodation units. The entrance to this tourist accommodation unit, Endeavour Lodge, is a right of way through I believe two portions of land. The driveway goes right past one of the residents, elderly residents windows. It's only a few metres away from the house. Now if we approve this change to the Norfolk Island plan and this Development Application got approved and another three tourist accommodation units were erected, the increase in traffic would be two fold because there's only two units down there. It would be two fold if they were full. This would create more disturbance to the residents that were living down that lane. There were also concerns by some of those residents that it would affect their scenic outlook as they have it now. What I'm trying to get at here Mr Speaker is this plan may well have

been gazetted and it was available down at the Administration offices for the public to look at, but my own homework suggests that 75% of those residents living down that little laneway were totally unaware that this Development Application was to fore so what I'm saying is that there was not sufficient public consultation in regards to this change to the Norfolk Island plan and this Development Application that is before us now, so in saying that, that's why I voted for the adjournment. We could have spent a month and those residents now that they are aware of it, they could have made their feelings felt, but we are going to carry forward, we are going to have a vote on this Mr Speaker and I won't be voting for it, as the Board themselves say, it sets a precedent and they would only recommend the approval of it subject to consideration of and resolution of significant policy issues. I don't believe that they've been dealt with. I don't believe that they've been resolved. The time to resolve this sort of thing, is in the update of the Norfolk Island plan which is undergoing that process now and unfortunately, I believe this application should die. Thank you Mr Speaker

MRS JACK Thank you Mr Speaker could I just say one thing, and we are all talking gradually on the equity situation here, and one thing, perhaps its just me and I'm seeing a different twist on all of this, but other applications have dealt with it in the prescribed manner as is this, and now we are asking the applicant to go outside those prescribed measures and I find that brings in an inequality into the equation. Now I may be out on my own here, but I find that aspect of where this is heading, very troubling indeed because we all recognise the need for a level playing field and respect it, and I'm not decrying what may or may not have happened with people seeing or not seeing various gazettal notices but I find the possibility to ask someone to go outside what is the prescribed conditions quite troubling indeed

MR GARDNER Thank you Mr Speaker, just in response to that I don't see it as asking somebody to go outside anything prescribed. They've followed the process. Quite rightly. They are entitled to do that. They made an application and all we're saying is don't deal with this in isolation of extending the same opportunity to everybody else at the same time. That's the question of equity and saying at a previous Legislative Assembly, a previous feeling in the community was, do not allow further construction of tourist accommodation in that zone and a number of other zones. All we are saying is that it is under review. Let's not pre-empt that review where there is a clear feeling around the table that we need to relax those things but let's do it through the proper consultation process. Mr Sheridan's quite right. Whether it's complacency or whatever it might be, so many people aren't aware of planning applications, development applications, of request to vary the Norfolk Island plan and that's a failing in the administration basically of the plan. We need to improve that as part of the review of the plan. We've identified it as a problem. Haven't seen it yet in the paperwork but clearly it is. If Tim can ring up and find that there's 80% of people living in some place that didn't even know things were happening, I wonder then how many people actually know that we are looking to vary the Norfolk Island plan for the benefit of one person and one person only. I would be much more comfortable today Mr Speaker if the motion were varied to say all properties in the rural zone would be allowed to have tourist accommodation development because, and people haven't declared that around the table today, but they certainly have declared that in our discussions, that ultimately that would be what they would like to see. So let's accommodate the application but lets accommodate the application for everyone. Now I know that to do that and change the motion today, if we were to change that and implement that today is thumbing our nose again at the requirements or the provisions of the Norfolk Island Planning Act that says when you want to go and make a variation to the plan, as this one has been, it's followed it for one application for a specific purpose, if you want to go any bigger than that, you must then go back to the community and consult. Chris's motion to adjourn the matter in light of some of the concerns that have been highlighted about the apparent lack of consultation on what is a very very important subject is probably worthy of a further month to give consideration to it. No issue in that. There's no feedback. This is reported. It's not only just live to the community, but it's also reported in the paper. So be it. If nobody's got a concern I would take from that, after that



SPEAKER The motion is that in that in accordance with subsection 12(4) of the *Planning Act 2002*, this House resolve that the draft plan laid before this House, being a proposed variation to the Norfolk Island Plan of 25 February 2004 as most recently amended on 25 July 2008, and deemed to be the Plan under section 8 of the *Planning Act 2002*, be approved; and that for the purposes of subsection 13(1) of the *Planning Act 2002* that the date of commencement of the approved plan be 5<sup>th</sup> September 2008. I put that question

QUESTION PUT

Madam Deputy Clerk could you please call the House

MR SNELL	NO
MR B CHRISTIAN	AYE
MR SHERIDAN	NO
MRS JACK	AYE
MR N CHRISTIAN	AYE
MR NOBBS	AYE
MR GARDNER	NO
MR ANDERSON	AYE
MR MAGRI	AYE

SPEAKER The result of voting Honourable Members, the Ayes six, the noes three, the ayes have it the motion is so carried

**FIREARMS (AMENDMENT) BILL 2008**

MR GARDNER Thank you Mr Speaker, I have a lengthy presentation to make in relation to the Firearms Act. Mr Speaker I present the Firearms (Amendment) Bill 2008 and move that the Bill be agreed to in principle

SPEAKER The question is that the Bill be agreed to in principle.  
Mr Gardner

MR GARDNER Thank you Mr Speaker, since the Firearms Act came into being in 1997 you might recall that there was quite some heated debate and almost raised some questions of, well it did raise some questions of concern about the Commonwealth's authority in Norfolk Island and led to some discussion on the authority of the Commonwealth and the extension of its powers into Norfolk Island but that was all resolved, but it was an issue that Mr Speaker, became fairly emotive throughout the Australian States and Territories with the Commonwealth moving to ensure that there was uniformity or consistency with firearms legislation across the Commonwealth. That brought with it a number of recommendations from the Commonwealth for us to amend our then current firearms legislation to that which is reflected in our legislation today under the guise of the Firearms Act 1997. It had a couple of minor amendments made to it over the last ten years looking at ways that we could be slightly more flexible in our licencing regime by recognising other licenced jurisdictions and in relation to that I'm talking about the sport shooters or clay target shooting association that was able to, by amendment and the provisions within the legislation, look to providing more flexibility for visiting sport shooters to the island to use their other jurisdictions licencing requirements to satisfy the requirements of our own legislation. In that regard Mr Speaker this Bill, and I'm quoting from the explanatory Memorandum seeks to clarify the position of New Zealand licensed shooters who come to Norfolk Island for official events, to include references to NIPA and NISSF, include pistol shooting competition along with rifle shooting, and in addition to strengthen the laws concerning the ownership of a wide class of offensive weapons as a result of which it is proposed to rename the principal Act as the *Firearms and Prohibited Weapons Act 1997*. The Act will come into force upon the gazettal of its assent and the

amendments to the principal Act (other than the name) are found in a schedule of amendments. The first amendment re-states the definition of a firearm to include an airgun and to make part of the definition the provisions of subsection 3(2) of the Act that are more appropriately part of the definition. Because there is to be a new schedule to the Act the definition of scheduled firearm is amended to refer to schedule 1 and not to the schedule. Consequent upon the inclusion of "airgun" in the definition of "firearm" there is a new definition inserted for "airgun" and along with this are the inclusion of definitions for the Norfolk Island Pistol Association or NIPA and the Norfolk Island Shooting Sports Federation NISSF and definitions of "pistol" and "prohibited weapon". New subsections 3(2) and (2A) are inserted to clarify aspects of the definition of prohibited weapon and the meaning of possession of such a weapon. Section 24A is amended to make clear that New Zealand is included with States and Territories of Australia as the places whose permits will be accepted and also makes it clear that pistols are a class of weapon in respect of which permits may be accepted in respect of recognised events. A new Part 5A is inserted into the Act to deal with the new class of prohibited weapons a detailed list of which is set out in the new schedule 2. This list sets out a list of extremely offensive and dangerous weapons of various kinds and not merely those related to firearms. Mr Speaker I did in the preparation of the drafting instructions for this legislation happen to have approaches from Mr Milton Bradley from the NISSF and NICTA and also secretary of the Norfolk Island Amateur Sports Association and Commonwealth Games Federation and those representations were to look at trying to ease the requirements to facilitate an easier entry of participating sports shooters into Norfolk Island for various events. The Act certainly lays out the requirements as to who can run events, and that is why there have been the addition of the Shooting Sports Federation and the Norfolk Island Pistol Association into definitions. The reason for that is that in 1997 as I understand it, neither of those organisations existed in the form that they do today and both of those organisations have been responsible for the organisation, co-ordination, management and hosting of international sporting shooting competition in Norfolk Island and hence a need and I think a legitimate need to want to include them in the same basis as the Clay Target Association for example. And that really is recognising the fact that they are legitimate organisations. They have a proper management structure, they have experience in the field of hosting that level of competition, they have absolute and necessary safety procedures and competition procedures that are in accord with those that are required at similar competition and a similar level possibly anywhere else in the world but certainly within the Australian or New Zealand area and so it is a good thing that we've been able to give consideration to this and draft the amendments accordingly to make provisions for those organisations. That really deals with the substance of the first part of the bill. The remaining provisions of the bill is something that is new. When I say new, it is something new to the Firearms Act or our consideration of offensive weapons as a stand alone subject if you want, other than in the provisions as I understood they existed under the Customs Act for the importation of prohibited weapons where there was or still exists, a schedule if I'm right, in relation to that. This better places these types of weapons in more appropriate legislation and it is proposed subject to further advise to ensure that, that schedule attaching to the Customs Act is updated to reflect the provisions under this legislation subject to passage and assent. Now you might say, well why are we going to all this trouble. Unfortunately, from time to time new weapons present themselves, offensive weapons, and those that any reasonable person would consider to be necessary to be prohibited and as has been shown, particularly in relation to air guns, it was one that sort of slipped through with a previous amendment and in the initial promulgation with the 1997 Act those types of weapons have become more dangerous, higher powered and arguably more offensive in their nature and there needs to be a control on it. I know many of us run around shooting chooks in our younger days, and probably still do, with air guns and air rifles. Probably not seen to be too much of a problem but it's when the problems do occur that as we found and we found certainly in 1997, that there was a view, a very strongly held view, that gun control needed to be tightened up and I think generally other than the hiss and a roar that originally accompanied the proposal by the Howard Government at the time most people have embraced the need for tighter control both on firearms and also prohibited weapons. You may be aware that it's been highlighted over many months and

probably a couple of years, a use of laser pointing devices which have caused havoc at some international airports. Have caused havoc to drivers on the road for example and have temporarily blinded both pilots and drivers of vehicles and operators of machinery even. That is included in this list of prohibited weapons. Clearly it's not designed to prevent your whiteboard pointers and those sorts of things from being utilised. It does specify the power output of the particular laser devices and in no way inhibits the users, the contractors of levelling equipment and those sorts of uses of laser devices but it does seek to ensure that the import and the use of other than those types of laser pointing devices are properly regulated in Norfolk Island to avoid at all any inappropriate use that might cause problems. I am very comfortable with the provisions on both aspects, both the sporting shooters type arrangements. I've been party to opening many of their events and watching and observing how they are run. I am more than comfortable that they are managed, as I said before, in accord with the highest competition management arrangements within the region, these proposed arrangements to provide the flexibility to New Zealand licenced shooters, may assist us in our tourism drive and ensure that we have greater participation from our friends from New Zealand in sporting shooting events in Norfolk Island. It is something that the clubs have been keen to pursue. It is something that has been considered and we don't always do it but we should do it, is consider the financial impact of a decision like this, and yes, there is a financial impact, believe it or not in providing greater flexibility for the licencing regime in Norfolk Island. That is because currently unless you have a sporting shooters licence from Australia you have to apply for a sporting shooters licence in Norfolk Island and pay a fee which I think is about \$20 per person. It takes up a great deal of time of the Police Officers actually having to process and manage the application, process and the issuing of licences or permits to allow those people to participate in Norfolk Island so yes, we probably lose a few dollars as far as licencing fees are concerned. On the other hand we probably free up a few hours of our Police Officers time. That doesn't mean that they are not involved in the process. It does not mean that we are bringing weapons into Norfolk Island that nobody is going to be able to account for because that still is controlled under the Customs Act. There still is a requirement for people who are competing in organisations to be able to demonstrate that they are appropriately licenced and I guess the measures that satisfy you as far as adequate provisions are concerned, are more than adequately dealt with within the legislation itself. On that note I commend the Bill to the House and look forward to any input that my colleagues might have

**MR NOBBS** Mr Speaker just briefly, I have no problem with this Bill and I feel that the licencing would encourage some responsibility. I do find it interesting in schedule 2 which is the list of prohibited weapons that that is a fairly diverse list, in that in some people's houses may encompass some of their decorative items on their walls, and perhaps that list needs to be commonly available on the internet or something like that on the Government website so that people can assess if they happen to be storing something that has now become a prohibited weapon and are inadvertently breaking the law perhaps but aside from that, and aside from the interesting array of prohibited weapons listed, I commend the Bill

**MRS JACK** Thank you Mr Speaker a question for the Minister. Do the Police take an active interest, this is just purely interest, on checking up the licence holders and seeing if they are maintaining the proper storage arrangements for the guns etc. How often do they do those checks

**MR GARDNER** Thank you Mr Speaker, as I understand it I think, I have a gun licence myself and if I recall I think the licence is valid for five years. You are required to make the necessary declarations about how you house your weapons and ammunition and things like that, though I'm not certain that at the last renewal I had an inspection of how we house and keep our weapons but there's certainly nothing that prohibits that from happening but I'm happy to follow that up and try and find out how regularly that happens. I can only speak for my own experience

MR B CHRISTIAN Thank you Mr Speaker I believe the Bill is to be commended but just to clarify one of the items on the prohibited list, Minister if you could just read out for me the list item number 29 as to what they would be referring to

MR GARDNER Yes basically, capsicum spray

MR B CHRISTIAN Oh it is. Thank you Mr Speaker

MR GARDNER I could get an interpreter in if that would assist

MR B CHRISTIAN No that's fine that you

SPEAKER Any further debate Honourable Members? No. Mr Gardner I seek a motion

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

SPEAKER Thank you Mr Gardner. I put the question that the motion be agreed to

QUESTION PUT  
AGREED

I think the Ayes have it. Debate is so adjourned

**MOTION BY LEAVE – EMPLOYMENT ACT 1988 - APPOINTMENT OF MEMBER TO THE EMPLOYMENT CONCILIATION BOARD**

MR NOBBS Mr Speaker I seek leave to move the motion standing in my name on today's programme regarding an appointment to the Employment Conciliation Board

SPEAKER Is leave granted Honourable Members

MR GARDNER No

SPEAKER There is a dissenting voice. Members I need a majority vote on this as there is a dissenting voice. Would Members please stand in their places to indicate acceptance or not of this motion. Acceptance. Thank you. It is agreed. Chief Minister please continue

MR GARDNER Thank you Mr Speaker, I just ask. You remained seated. Did you.....

MR NOBBS Mr Speaker I move that for the purposes of subsection 65(2) of the Employment Act 1988, this House resolve to appoint Richard Aaron Kleiner being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 28 August 2008 to 27 August 2011. Mr Speaker

MR N CHRISTIAN Thank you Mr Speaker I wonder if the Chief Minister could explain to us why we are reappointing Mr Kleiner to the Board as I thought he already is a member of the Board

MR NOBBS Thank you Mr Speaker and thank you for that question Mr Christian. As most people would be aware, the Conciliation Board has gone through a fairly dramatic change and has also gone through a review process and in Mr

Kleiner's former membership of the Conciliation Board he would have liked to have been a more active Member and in this case he sees that he will be able to carry out the conciliation processes in line with the Membership of the Conciliation Board and I actually commend the lot of them and that is Richard Massicks, Bev Simpson and Rick Kleiner in the fact that they are taking a very pro active approach to the Conciliation Board and the conciliation process

MR N CHRISTIAN Thank you Mr Speaker I accept the Chief Minister's explanation and I can now support the motion before us

MR GARDNER Thank you Mr Speaker, and also recognising that circumstances do change from time to time as far as people's ability to be able to serve on such Boards I certainly am supportive of Mr Kleiner's appointment to the Board as I understand it, he is a very passionate observer of employment conditions and the like, in Norfolk Island and from time to time has been known to make those views very clear to different people but he has a solid background and a very sound knowledge of the employment environment in Norfolk Island which is invaluable to anybody being on a Board such as that so I support the motion

SPEAKER Is there further debate Honourable Members. Then I put the question

QUESTION PUT  
AGREED

I think the Ayes have it. The motion is agreed

#### **FIXING OF THE NEXT SITTING DATE**

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

MR B CHRISTIAN Mr Speaker I move that the House at its rising adjourn until Wednesday 17<sup>th</sup> September 2008, at 10.00 am.

MR ANDERSON Mr Speaker I would like to advise the House that I will be absent at the next sitting of the House

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 to

#### **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 NOBBS Mr Speaker just briefly. The Minister's forum usually on the radio following the day of the Sitting may be slightly late tomorrow due to commitments that a few of us have, prior to 10 am so as long as I can get the go ahead from the Broadcast Manager, we'll be on after 10 am tomorrow

MR GARDNER Thank you Mr Speaker, I had the pleasure before the commencement of the sitting of the House this morning to attend the presentation of the Australian Federal Police Commissioner's citations to three local members of our Police Force in their role as Special Constables and I refer to Mr Brendon Anderson, Mike Johnson and Tim Thompson. This citation as far as I've been able to ascertain is the first time that any of our Special Constables on Norfolk Island have received such an award, and there may have been but to date I've been unable to locate any records of any previous citations of this nature made in Norfolk Island. Mr Speaker the nominations for these awards were made by the investigating officers of operation Dunedin and for those who aren't aware of what that operation refers to, it was the Janelle Patton murder case in Norfolk Island so the nomination came from Sgt Bob Peters and Tony Edmondson who were the lead investigators in that case. If I could just read the wording of the citation it certainly does have some significance and is something that I think has been well earned and it reads "for conspicuous conduct that the Members involved demonstrated a collective outstanding dedication to duty in circumstances demanding tenacity of a high order and it goes on to say the recipients name has displayed outstanding dedication and commitment to duty during operation Dunedin. The consistent levels of initiative, the attention to detail, lateral thinking and tenacity are far above that normally expected and are ongoing inspiration to Members of the Australian Federal Police and those citations were signed by the Commissioner of the Australian Federal Police, Mick Calty. In attending that presentation this morning I said a few words and recognised the contribution that all of our Special Constables make in Norfolk Island in what is, as I said this morning, something akin to being a politician and in most cases it's a particularly thankless task and brings with it a lot of unwanted pressure but without those people we simply wouldn't be able to provide the level of policing services in Norfolk Island that we do and I'm sure that my colleagues around the table will join me in congratulating those three recipients of the award and extending to them and the other serving Members both as officers within the Norfolk Island Police Force and other Special Constables our thanks for their dedication and commitment to the job

MEMBERS

Hear, hear

MRS JACK Thank you Mr Speaker I would just like to extend congratulations to Colleen Crane today. I have a letter here that has come from Ron Hankin who is the School Education Director of the Far North Coast and also from Greg Cloak who is the School Education Director for the Southern Cross Network and I'll just read parts of the letter out. It says, Dear Colleen, congratulations on your nomination in the volunteer community Member category of the 2008 Far North Coast Southern Cross networks awards. The judging panel has identified you as a worthy recipient of the 2008 award. Your nomination is in recognition of your outstanding contribution to public education and acknowledges the esteem in which you are held by your school community. Clearly your contribution to schools in the Far North Coast and Southern Cross networks, it's students, staff and the community is exemplary. The Far North Coast and Southern Cross networks has an outstanding record of achievement founded on the commitment of teachers, principles, parents and support staff and community Members and without your tireless efforts public education in our district would not enjoy its enviable reputation. Congratulations on all your good work. I note in the letter it also mentions an award ceremony to be held in Moowollombar and I don't know if Colleen can make that, Mr Speaker but if she can't I'm sure the school can arrange a special morning tea for Colleen and again, I would just like to extend my thanks to Colleen for all her work that she does in the school and for the community as a whole. Thank you

SPEAKER

Thank you Mrs Jack and again we share your support and congratulations to Colleen. Is there 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 17<sup>th</sup> September 2008, at 10.00 am

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