



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
13TH NILA HANSARD – 4 MAY 2011**

SPEAKER Good morning Honourable Members, we commence with the Prayer of the Legislative Assembly

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

LEAVE OF ABSENCE

MR BUFFETT Thank you Madam Speaker, I seek leave of the House for Mr Lisle Snell and Mr Michael King

SPEAKER: Honourable Members, is leave granted? Thank you. Leave is granted?

NOMINATION OF ACTING DEPUTY SPEAKER

Honourable Members, I have pleasure in advising you today that in accordance with standing order 9, I wish to report that I have nominated Rhonda Evelyn Griffiths to act as Deputy Speaker when called upon to do so. I table the instrument of nomination and that instrument is dated the 29th April 2011. Thank you

PETITIONS

Are there any Petitions this morning? No

GIVING OF NOTICES

Are there any Notices to be given? I move on

QUESTIONS WITHOUT NOTICE

I move then to Questions Without Notice. Are there any Questions Without Notice Honourable Members

MRS WARD Thank you Madam Speaker my question is the Minister for Tourism. As part of the consultation process of the Road Map does the Minister intend to hold meetings or workshops in his own right relating to either tourism or economic development?

MR NOBBS Thank you Madam Speaker and thank you Mrs Ward for the question. Specifically prior to the Road Map I commenced the consultant group that was targeted to my areas of tourism, industry and

development. Within that group I have the Presidents of the Chamber of Commerce, President of the ATA, and a member of different sectors of the community that deal with primary production, private sector, sales and professional services, so in those areas I certainly have been utilising their capacity to discuss issues around the table both prior to and with the development of the Road Map and also then using their networks to fan out those discussions so that further issues can be brought to the table. In real terms the consultative group should be meeting again within the next two weeks and collating any further data from that and I just will add that in the meetings that were had with Minister Crean, that consultative group and myself also met with Minister Crean to discuss some of the sensitivities for change as well as some of the positive outcomes that could be seen for Norfolk Island

MRS GRIFFITHS Thank you Madam Speaker my question is for the Chief Minister. Chief Minister given the extensive evaluation being carried out on the potential for Chinese tourism does this Government intend to include it in its evaluation assessment of the impact that the predicted 25,000 Chinese tourists would have on our current tourism market

MR BUFFETT Madam Speaker I thank Mrs Griffiths for the question. The principle reason of course in endeavouring to access visitors who are Chinese nationals is because they are commencing to enter into the Australian scene in some numbers and therefore seems to be of some potential for us and the second is that we have obviously suffered a huge decline in visitors and this seemed an opportunity to fill that gap. The Government hasn't seen that at this stage anyhow, as something that would encroach on an existing number to make it so large as to be difficult. The real difficulty at this moment that we experience is the reverse. The lack of visitors, and this is endeavouring to fill that particular void. The number that has been mentioned will probably, if in fact we experience the same from Australian and New Zealand nationals to use our traditional areas and with the number that we have talked about to date with Chinese visitors, will bring our figure about around in an approximate sense, and I'm trying to give a ball park figure, about the best year that we've experienced which is the 40+ in 2001 so that's the context in terms of the figure that's been mentioned to date.

MRS WARD Thank you Madam Speaker a further question to the Minister for Tourism, is it a fact that the Norfolk Island Government and the CEO of the airline wanted to put a low season air fare in place over the winter months but that they are unable to do so because the Government has no capacity to push the airline further into debt

MR NOBBS Thank you Madam Speaker and thank you Mrs Ward for the question. The simple answer is that the only reason a low season fare is held up at the moment is that we are currently in a negotiation process involving the Norfolk Island Government, Deloitte and Our Airline

MRS GRIFFITHS Thank you Madam Speaker another question for the Chief Minister. Chief Minister at the last meeting you indicated you would be in discussions with Commonwealth officers regarding assistance for building capacity in the context of the Road Map. What if any outcomes arose from these meetings?

MR BUFFETT Madam Speaker there have been continuing conversations about resources from the Commonwealth to assist us in a number of ways. Let me commence, the Territories Law Reform Act of last year brought into being a number of legislative requirements, welcomed by Norfolk Island, but however, ones which had resource implications. I'm talking about Ombudsman

arrangements, I'm talking about Freedom of Information and the like. The Commonwealth have indicated that they understood that these items had resource implications and there would be elements of assistance to walk us through those processes. They have not at this time been delivered. We continue to press them. There have also been indicators in the Road Map that there would be efforts to build capacity in terms of the Public Service. I think it's fair to say that we are reasonably well advanced in terms of erecting terms of reference for a review of the Public Service which will include as I understand it, arrangements to endeavour to not only reform particular areas but also to build capacity. That has been specifically mentioned within the Road Map. They too have not been delivered at this moment. That must be acknowledged. We are still working through the Terms of Reference for that and all Members have been given an opportunity to comment on the Terms of Reference, so really I'm trying to say that there are a number of areas in our discussions with the Commonwealth where capacity building and the need for resources have been identified and I've just exemplified probably the principle ones to date and where they stand

MRS WARD Thank you Madam Speaker my question is to the Chief Minister. Is it a fact that the Chief Minister has made an executive decision to maintain a three member Government and if so, would the Chief Minister outline the reason for this decision

MR BUFFETT Madam Speaker we all know that Mr Anderson resigned his portfolio a time ago and that I then put out an interim Administrative Arrangement which ran with three Ministers. That is continuing at this moment and there are some continuing considerations and some continuing discussions as to how that might proceed from here

MRS GRIFFITHS Thank you Madam Speaker my question is to Mr Nobbs, Minister with responsibility for communications, Minister Nobbs are we paying interest on the New Zealand Telecom bill and when does the contract with New Zealand Telecom expire?

MR NOBBS Thank you Madam Speaker and thank you Mrs Griffiths for the question. The short answer is yes, we are paying interest on the outstanding debt amount and with the expiry to the TNZI contract, I would need to refer to some data to give you an answer

MRS WARD Thank you Madam Speaker my question is to the Minister for Tourism, this week the MLA's have obtained a draft of the Worley Parsons Harbour Report and it is recorded that the cost of the report is \$124,000. apart from waves modelling, are there any other pieces of information in the report that will be of use in the future development of an improved harbour facility

MR NOBBS Thank you Madam Speaker and thank you Mrs Ward, at this point although the Deputy CEO bought a copy of that report along that I had been requesting through the CEO to an MLA's meeting I don't actually have the hard copy of that at the moment to provide an assessment of that. Once I have some documentation in front of me I'll certainly provide a summary of what is useful and what is not necessarily useful

MRS GRIFFITHS Thank you Madam Speaker my question is to Mr Nobbs, Minister for Tourism, Minister given that a cruise ship was unable to land last Saturday and that you as Minister had invested substantial time and energy into developing a formula for packages for cruise passengers to still come to Norfolk

Island on such occasions, can I ask 1. have you finalised your formula, 2. have you taken any steps to follow up since this cancellation and 3. when can we expect the first of these visitors to Norfolk Island

MR NOBBS Thank you Madam Speaker and thank you Mrs Griffiths I'll answer number 3 first. When can we expect them and that I would be guesstimating at. The package was well received when it was discussed with Carnival Cruise executives in the meetings we had. From that point forward there was work carried out by the airline CEO in conjunction I think with the General Manager of the Tourist Bureau. At this point I have coordinated a telephone conference with the General Manager of the Tourist Bureau, myself and Carnival Cruise executives this week particularly following the unsuccessful landing on the weekend and today's unsuccessful landing so I should have news to report perhaps at the next Members meeting of how all those things are functioning. If I could just say one other thing and that is to recognise all those people who went to great effort today to be prepared for the cruise ship. The workers who were down at the pier who installed the equipment, it is a very strenuous and I would say fairly at times hazardous job involving crane work and the like. I would also like to thank those Members of the community who were part of the working groups and the like who have put a lot of time and effort into preparation for the cruise ships as well as the shop keepers and the like who have also gone out of their way so I hope we see better days and landings ahead

MR ANDERSON Thank you Madam Speaker in the nature of a supplementary to the question asked by Mrs Ward, in respect to the low season airfare, is it correct that the Minister is putting the routine operations of the airline on hold on the pretext that maybe there are budget implications when simply continuing to operate the airline has budget implications

MR NOBBS Thank you Madam Speaker the shortest possible answer I can give on that without going into all the technicalities, is that we have arrangements in place with the Commonwealth, we have negotiations currently continuing with as I say, Deloitte and Our Airline to get the optimum arrangement for air services and in that mix I certainly emphasise to the Board the need to commence a low season fare and to assist in that process a cost benefit analysis is of course being produced to facilitate that. The difficulty is getting into a position with the negotiations that any change in fare structure does not also upset the negotiation process

MR ANDERSON Mr Acting Deputy Speaker Sheridan, so you're not suggesting that the Commonwealth are imposing a condition through the variation of the funding agreement that airfares cannot be negotiated forward given particularly that we need to put it into the market now in order for them to be available to wholesalers in the low season

MR NOBBS Thank you Mr Acting Deputy Speaker Sheridan, the answer to that is that there are budget implications so as a budget implication in the finalisation of both this years financial year budget and the up coming financial year budget, we do need to keep the Commonwealth abreast of changes that may come out of any variation

MR ANDERSON Thank you Mr Acting Deputy Speaker Sheridan, in the nature of a supplementary to either Mr Nobbs of the Chief Minister, in respect of the New Zealand Telecom bill would it be correct to say that the interest that is

now being charged exceeds the amount that we are currently paying to New Zealand Telecom each month and therefore is the debt actually growing

MR NOBBS Thank you Mr Acting Deputy Speaker Sheridan, I'll actually take that on notice as there's been, even at this point, a revision of the figure for the outstanding New Zealand Telecommunications amount so it's actually been reduced down so I will need to revise or seek data on that

MS ADAMS Thank you Mr Acting Deputy Speaker Sheridan, I have a question for the Chief Minister. The Norfolk Island Government Tourist Bureau Amendment Bill 2011 passed this House a month ago on the 6th April. This Bill is a Schedule 2 matter and I would be grateful if the Chief Minister could advise whether this proposed law has been presented to the Administrator for assent under section 21(1) of the Norfolk Island Act 1979 and if not could he just provide an update to the House on the progress of the assent process. I ask this question because I'm mindful that within the Bill passed by this House there is a need to take further action before the end of June, by this House and the House needs to be aware of where it's tracking thank you

MR BUFFETT Mr Acting Deputy Speaker Sheridan thank you for the question, the Employment Amendment Bill 2011 and the one that has been referred to, the Norfolk Island Government Tourist Bureau Amendment Bill 2011 and the airport Amendment Bill were passed by this House on the 6th April as has been mentioned. The particular piece of legislation that Madam Speaker has just referred to will go to the next ordinary meeting of the Executive Council which is proposed to be on Tuesday the 17th May. In the past Executive Council meetings were held on the Tuesday immediately after the sitting and that was a tight time frame for preparation of the appropriate documents and the gazettal arrangements so now there is a two week arrangement instead of the one week arrangement and the legislation that has been mentioned now has been caught in that process. This has been mentioned to me informally, this particular matter, before today, and including that question that has been mentioned by Madam Speaker and I've talked with the office of the Administrator and if there is an urgent matter that might be caught up in these processes there is a process of requesting an urgent Executive Council meeting and if in fact the Minister who is responsible thinks there is a need, I'm quite happy to take it up with the Administrator in that context

MS ADAMS Thank you Mr Acting Deputy Speaker Sheridan, just one further question, it's one that is a matter of interest really, as a result of the passage of the Territories Law Reform Act in 2010 Members will be aware that section 21 of the Norfolk Island Act at subsection (5) provided the power for the Commonwealth Minister to issue instructions in relation to matters specified in schedule 2 to the Act. My enquiry is have the Executive Council rules been changed to accommodate this procedure in any way, have any instructions been issued, just a fact finding matter because it's a brand new process and I'm curious as to how this would be dealt with in the future

MR BUFFETT Mr Acting Deputy Speaker Sheridan I'm not aware that the Commonwealth Minister has issued specific instructions subsequent to that particular piece of legislation but it's not something that would come to me of course as Chief Minister, they would be to the Administrator and I'm not able to speak for him in that context, but I can say this, that there are some standing instructions to the Administrator. They have been issued in long standing arrangements, in particular areas that the Commonwealth have an interest in. I'm not

aware that there have been further instructions of more recent times but it is a matter for the Administrator

ACTING DEPUTY SPEAKER SHERIDAN Thank you. Are there any further questions without notice. Then we move on

ANSWERS TO QUESTIONS ON NOTICE

ACTING DEPUTY SPEAKER SHERIDAN We move to Answers to Questions on Notice and the first question stands in Mrs Ward's name

MR BUFFETT Madam Speaker the first question on notice is number 154 continuing on in numerical sequence and Mrs Ward has asked a question of me as Chief Minister has the Norfolk Island Government given an investment guarantee to any foreign company, Chinese or otherwise, to provide: land for a five star hotel, 100% ownership of a harbour or free passage to obtaining a casino licence? The one word answer to that of course Madam Speaker is no

SPEAKER Thank you Chief Minister. Moving on to Question 155 Mrs Ward to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker, Mrs Ward's question reads, if a foreign company were seeking to invest in Norfolk Island, what Norfolk Island and Commonwealth legislation is currently in place to ensure protection of the island's environment, heritage and community values? Madam Speaker there are a number of pieces of legislation which helps protect the Island's environment, heritage and therefore the community values. The following is a list of such legislation but it's obviously not exhaustive. In terms of Norfolk Island legislation there is the Protection of Moveable Cultural Heritage Act 1987, the Planning Act 2002, the Immigration Act 1980, the companies Act 1985, the Norfolk Island Language Act 2004. Within the Commonwealth legislation there are a number of areas, two of those in particular, Foreign Acquisitions and Takeover Act and the Environment Protection and Biodiversity Conservation Act 1999. Thank you

SPEAKER Thank you Minister Nobbs. The next question on notice 156 Mrs Ward to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker, Mrs Ward's question reads, in November 2009 the Norfolk Island Telecom Manager placed an embargo on further lease of the copper wire infrastructure, twelve months before the Government adopted an anti-competition policy. What facts supported the Manager's decision at the time and if the decision was based on a legal opinion, will the Minister table the relevant facts which led to the legal opinion being formed? Thank you Madam Speaker and I thank the Member for her question and notes the matters surrounding this, the provisions of and the policies concerning the Telecommunications Act have been the subject of previous questions on notice and indeed, extensive debate in the House. Madam Speaker I'm advised that it was not the Telecom Manager but the CEO on the 21st December 2009 who communicated to an applicant for connection, a decision to not accept applications for leases of the copper wire infrastructure from certain individuals or entities desiring to operate competing businesses. As we've spoken earlier the copper wire infrastructure is certainly inside the boundaries of the Administration's network. I also understand and I stand to be corrected on this, but I believe that the individuals concerned have been offered terms and documentation on which connection to the Administration network

and migration of circuits in compliance with the law might occur but they've declined this offer

SPEAKER Thank you Minister Nobbs. The next question on notice 157 Mrs Ward to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker. The question is, there is now clear evidence that the Deloitte financial sustainability report supported the need for the Commonwealth to assist the Norfolk Island Government with a further \$1.8M even though the original bid was for \$3.242M. Which areas will not be covered by the lesser amount received and how will the cash short fall be covered? I thank Mrs Ward for that question. In response the request for \$3.242m from the Commonwealth included a request for \$.974m for creditor payments to Telecom New Zealand Limited and a request for half a million dollars for tourism marketing assistance. Since the funding did not cover these requests the tourism marketing assistance won't take place in that context and the creditor payment to Telecom New Zealand will be taken up in the year that we are to address, 2011/2012

SPEAKER Thank you Chief Minister. The next question on notice 158 Mrs Ward to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker. The question is, a Commonwealth funded Deloitte Report into air operation has now been delivered to both Governments. Is it a fact that the report has led to further negotiation taking place with Our Airline, and if so, what are the outcomes of such negotiation and when will the report and the result of the negotiation be released to the public? Madam Speaker negotiations with Our Airline are taking place. They've not been concluded at this time, but they are continuing and therefore we're not at a point to provide results at this time but we'll do so when we get to that stage

SPEAKER Thank you Chief Minister. Moving on to the next question on notice 159 Mrs Ward to ask the Minister for Community Services

MR SHERIDAN Thank you Madam Speaker. The question reads, Is it a fact that the Norfolk Island Government's inability to deliver a strategy to address the financial viability and sustainability of the Healthcare and Workers Compensation schemes has led to the Commonwealth providing additional financial support to the schemes and requesting all drafts of the actuarial report/s as a condition of the funding agreement variation? Madam Speaker in short, the facts as portrayed here by Mrs Ward is correct

MRS GRIFFITHS Thank you Madam Speaker if I may ask a supplementary question and direct it to the Chief Minister with responsibility for the Public Service. Chief Minister given that it's over seven months we've been waiting for the actuarial report on healthcare and workers compensation, can I ask if this case is an oversight or is it normal practice that our consultants contracts do not have financial penalties for not reporting on time

MR BUFFETT Madam Speaker I would like to consult with the CEO who has supervision of various contracts of this nature to see if in the wider spectrum there are such penalty clauses. I think it would be wise of me to just have some conversation there. If I want to speak generally, it's not been my observation that, that has been the main thrust but I could be wrong about that and if I have this conversation I could be more substantive in giving some detail

MR ANDERSON Madam Speaker a supplementary question to the original question to the Minister. Have we yet received the draft report and do we know when we are likely to receive a final report ~ the actuarial report

MR SHERIDAN Thank you Madam Speaker and thank you Mr Anderson. Yes, in fact we've received two draft reports and they have been forwarded to the Commonwealth as per their request and at this stage I expect the full report, the final report to be delivered to me within the next couple of weeks but I can't put a timetable on that

SPEAKER Thank you Minister. The next question on notice 160 Mrs Ward to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker, Mrs Ward's question reads, if there is no legal requirement for the Minister to cross reference and reconcile passenger statistics received by the Immigration department and the Tourist bureau, will he take action to ensure a member of the public sector be directed to carry out the task? Madam Speaker I'm unable to direct a Member of the Public Sector to undertake a particular task but what I can assure Mrs Ward is that I have discussed this matter with both the Norfolk Island Government Tourist Bureau General Manager and the CEO of the Public Service to nominate an employee to undertake and have responsibility for this task

SPEAKER Thank you Minister. The next question on notice 161 Mrs Ward to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker, Mrs Ward's question reads, the Minister stated at the last sitting of the House that he had provided information to the Commonwealth on potential revenue streams for intergovernmental consideration in the following areas: international shipping, telephone number range leasing, offshore banking unit and foreign national tourism visitation to Norfolk Island. Will the Minister inform the House as to how these initiatives were received by the Commonwealth and what progress has been made? Thank you for the question Mrs Ward. I previously provided a précis of each of the listed areas and provided that summary to the Chief Minister to assist in inter-governmental meetings and subsequent communications with Minister Crean and his department. This enabled the Chief Minister to provide an outline of these areas as a means to diversify our revenue and reduce our heavy dependency on airborne tourism. The feedback I've had from the Chief Minister was that these initiatives were welcomed, additionally with the consultative e groups for Tourism Industry and Development and myself, we met with Minister Crean on 15th February and I highlighted three of these areas as part of our discussions and at the Minister's request and again the response was positive. The progress to date has been, international shipping register. I've written to Anthony Albanese through Minister Crean's office to express our interest and opportunity to be considered as part of the analytical process carried out by Mr Albanese's office. Telephone number range leasing. As reported to the last sitting of this House a Heads of Agreement has been signed and ongoing contractual information is being assessed by both the Norfolk Island Government and the Commonwealth. Offshore Banking Unit. We have had expressed to us significant interest in evaluating Norfolk Island's capacity to provide this facility and assess it against the findings of the Johnson Report. However more work is required and will need to be carried out with an involvement of both Governments. Foreign National Tourism. In much the same way as Australia has recently embarked upon an MOU with China to stimulate inbound tourism, Norfolk Island has also taken some steps to analyse our opportunities for Chinese tourism.

We've involved the various Australian Departments to assist us in analysing the various agencies and although we await a substantive written report, we have been provided with data through our tourism Australia connection. As a result of the recent Australian tourism exchange, Norfolk Tourism is also assessing other international destinations, specifically the UK and USA and as we were informed yesterday, Europe is in amongst the group as well, following their specific interest in Norfolk Island as a holiday destination

SPEAKER Thank you Minister. The next question on notice 162, Mrs Griffiths to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker, the question is will the Chief Minister table at the May meeting of the House the 2009/2010 financial accounts and the accompanying management and audit reports? Yes Madam Speaker I plan to do that at this Sitting

SPEAKER Thank you Minister. The next question on notice 163, Mrs Griffiths to ask the Chief Minister

MR BUFFETT At the April meeting of this House, the Chief Minister advised that the Volunteer Rescue Squad was to undertake a survey of the cliff at Anson Bay. Has this survey been undertaken and can the Chief Minister now assure our Island weavers that this site is stable? Madam Speaker I have been advised that the Volunteer Rescue Squad was deployed by the Norfolk Island Police to conduct a survey of the Anson Bay cliff face which is the area earlier referred to which confirmed no visible change as a result of the controlled destination operation in that area

SPEAKER Thank you Chief Minister. The next question on notice is 164 from Mrs Griffiths to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker, Mrs Griffiths question reads, given that gaming has a possibility of generating much-needed revenue; can the Minister advise this House on his progress with gaming; where he is up to with the long awaited prospectus and website; what funds were appropriated for these activities and how much has been spent to date? Thank you Madam Speaker I've been advised by the Norfolk Island Gaming Authority that significant activity has been occurring over the last twelve months with a number of applications and licence approvals. The Authority has offered to provide a full briefing to the Members in the coming week that would include a presentation on proposals from lottery and online gaming companies as well. The website address for those who are interested in seeing that website is www.gaming.gov.nf and it has a forward slash index html that will give you the indication that the website is up and operational. The completion of the prospectus was halted due to the budget review and I've requested that that matter now be finalised. There was a question with regard to the funds allocated to that area, funds of \$3,000 were initially appropriated with \$1500 having been spent. Thank you

SPEAKER Thank you Minister. The next question on notice 165, Mrs Ward to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker. 165. The question reads, the Commonwealth appeared, during Mr Crean's visit, to be keen to assist with the appointment of the Commonwealth Financial Officer to work locally and

provide much needed expertise for the financial accounting and disclosure requirements imposed under the Commonwealth Finance Minister's Orders.

- 1 Are those Orders now operative and what action has been taken to commence compliance;
- 2 Has the Commonwealth Finance Officer been appointed and if so who is the appointee; and
- 3 Has a delegate of the Commonwealth Finance Officer been identified to take up the local role and when will they commence? If no action has been taken or no appointment made what is the Government doing to encourage the Commonwealth to deliver on its undertaking?

The response Madam Speaker is the Orders have been operative since the 24th February 2011 and the Administration is working through the compliance requirements according to the transitional provisions that they contain. We've not been notified of any appointment of a Commonwealth Finance Officer (CFO) but we understand that the Commonwealth is identifying a suitable person. Appointment of a CFO is by the Governor-General and there is no provision for delegated responsibility under the Act and the Government has expressed its support towards the appointment of a suitable officer under these arrangements

SPEAKER Thank you Chief Minister . Moving now to the next question on notice 166, Mrs Ward to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker. The question reads, the Variation Number 1 to the Commonwealth Funding Agreement signed recently by the Government gave commitments and time frames for matters that are still the subject of consultation with the Community. Was this acceleration of the consideration of matters such as self funded retirees and access for Australian citizens to opportunities to open new businesses given at the insistence of Minister Crean or was it pressure being exerted by the Department of Regional Services? Has the Chief Minister spoken to Minister Crean personally to express the Government's view of the Department clearly breaking away from the agreed partnership principles Minister Crean emphasised as being critical to the successful implementation of change? Madam Speaker parameters of the funding agreement has as I understand it, endorsement of the Minister's office and indeed the movement in some of these areas have been initiatives that have been identified by Minister Crean. The detail however is usually worked out by officers, and that obviously happened in the context to which we refer here to amendments or variation to the funding agreement. I have by confidential documentation to Minister Crean, expressed the Government's concern about delivery and execution on that document. The pre-emption of the Road Map, concern about implications that we need to be forced to make Ombudsman legislation and the like. You will recognise those things from the funding agreement and so in saying that, I share the community's concerns, particularly on the pre-emption of the Road Map and I've taken that matter up with Minister Crean

SPEAKER Thank you Chief Minister. Moving now to the next question on notice 167, Mr Anderson to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker. The question reads, and thank you Mr Anderson for these series of questions. The Variation to the Funding Agreement with the Commonwealth places limitations on capital expenditure present and future. Are there any significant capital purchases that this will impact upon this financial year? Madam Speaker the indication here that there are capital expenditure curtailment is very accurate. I just pick up one particular one, the proposed purchase of a wheeled loader for example for the Waste Management

Centre is in that category. I think that is \$100,000 plus in terms of projected capital expenditure and there are smaller items that would be curtailed. It is part of the financial constraints that we are faced with at this moment.

The next Madam Speaker is 168 and the question reads, in the Variation to the Funding Agreement with the Commonwealth emphasis has been given to assessment of the financial viability and sustainability of the Healthcare Fund. Given the Healthcare Fund is currently being underwritten by the emergency funding from the Commonwealth was consideration given to eliminating the considerable short term effort involved in investigating and supporting the existing Healthcare Fund and concentrating that effort in assessment of the possibility of introducing Medicare sooner than proposed and thereby switching the existing funding to a long term commitment?

Tape 2

The answer to that Madam Speaker is yes there has been a consideration about the earlier introduction of Medicare sooner, however the Commonwealth response to date that is has been to link it with the commencement of the Australian taxation system, to give in, take out, in much the same time frame. However having said that, feedback on the Road Map gives opportunity for further opinion to be given on the suggestion that has been made by Mr Anderson and that's part of the consultation process that we are on about

SPEAKER
your name from Mr Anderson

Thank you. Question 169 Mr Buffett is also in

MR BUFFETT Thank you Madam Speaker. I'll read the question firstly. The Variation to the Funding Agreement with the Commonwealth commits the Government to facilitate "the full extension to Norfolk Island of the Trade Practices Act 1974 with effect from 1 January 2012, or such other date as determined by the Commonwealth". What consideration was given to the impact of the extension of this legislation? What assistance has the Commonwealth undertaken to provide with the implementation in return for this being agreed to by the Government? If the date is "determined by the Commonwealth" to be earlier than 1 January 2012 does the Government have the capacity and resources to achieve the implementation? In response Madam Speaker I think I made reference to some of this in response to an earlier question about resources and the Commonwealth requiring various things but in terms of this, the need for resources to support the operation of Commonwealth legislation in Norfolk Island and Commonwealth measures introduced by the Commonwealth for example in the Norfolk Island Territories Law Reform Act to make adjustments to the Norfolk Island Act, for example Freedom of Information and the like, have consistently been identified with the Commonwealth. There have been undertakings to assist but there has been limited delivery in terms of that to date. The Trade Practices Act is one of a number of Commonwealth pieces of legislation identified in the Road Map for introduction between 2011 and 2012. there has been no consideration of impact by the Norfolk Island in terms of this Trade Practices piece of legislation at this time. The funding agreement seeks to facilitate the extension of the Trade Practices Act by the indicated date of the 1st January 2012 however it has been identified in discussions that if there are impact or capacity constraints that might mitigate against that particular date there is room for some adjustment within it but there are to my knowledge no impact studies by the Commonwealth either in terms of this matter

SPEAKER Thank you Chief Minister. Question 170 is Mr Anderson to the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker Mr Anderson's question reads, At the last sitting the Minister agreed to take on notice to provide information in relation to the renewal of the contract for services of the Chief Executive Officer of Norfolk Air. Can the Minister now advise when the contract expires and precisely what action has been taken regarding its renewal and what stage the process has reached? Given the Chief Executive Officer is employed under contract and is not an employee, will the renewal be subject to the Government procurement procedures and dealt with accordingly? If there will be no public scrutiny via the procurement process how does the Minister intend ensuring open and transparent consideration of all appropriate candidates? Thank you for the question Mr Anderson, the expiry date for the contract of employment is the 10th June 2011. Actions taken have included discussion with the current CEO regarding his expiring contract, the Airline Board has discussed time frames and options particularly given ongoing assessment and negotiations with Our Airline and Deloitte as I earlier referred to. At this point in time the Board is working with Our Airline and Deloitte's on our options for air services. When negotiations are complete, appropriate decisions on the airline CEO position will follow

SPEAKER Thank you Mr Nobbs. Question 171 is also Mr Anderson again to the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker. Mr Anderson's question reads, All members of the Assembly have been provided with a resolution of the Chamber of Commerce that expresses 'discontent and a lack of confidence in the Government's ability to drive our one and only industry – Tourism – back into prosperity'. They also expressed concern with the unprecedented low level of forward bookings currently held by their members for June and July. What does the Minister plan to do to stimulate the accommodation, hospitality and retail sectors to avoid the possible closure of businesses and to overcome the real fear many locals now hold for their continuing employment? Thank you Madam Speaker perhaps before I begin I should point out that the Chief Minister has responded to the motion passed by the Chamber of Commerce and Members at our regular meeting had input into that response. In answering Mr Anderson's question I need to point out that many initiatives have already been commenced to address the issue of low tourist numbers. We utilised the professional expertise of our Tourism General Manager, the Norfolk Island Government Tourist Bureau Board and our industry representatives to assess and implement initiatives that in their professional opinion will have the best outcome given our limited financial capacity. I listed in the briefest possible summary many of these initiatives and that brief summary consumed some four or five pages of the Norfolk Islander on the 16th April and I table that summary here Madam Speaker. I along with the Airline CEO have, some time ago taken a low season reduced fare proposal to the Airline Board for consideration however we are currently as I've stated earlier, negotiating with Deloitte and Our Airline so the fare structure cannot currently be altered. Passenger movement charges have been discussed as part of our budget preparations and we hope to remove the \$70 per person passenger movement taxes that attach themselves to ticket sales in the 2011/2012 financial year therefore making the final ticket price more attractive. From a ministerial responsibility perspective my role is to work with our tourism promotional arm and where appropriate enable initiatives and programmes as proposed by experts and community Members through the Norfolk Island Government Tourist Bureau. I don't think anyone could find any instance where it's not given full focus or in any way ended the initiatives forwarded to me through the GM of the Bureau or for

that matter employing tactical initiatives for the Norfolk Air operation. Madam Speaker I've expressed my concern for all of us who are dependent on the tourism dollar for quite some time. I acknowledged the challenges ahead not long after commencing the role of Tourism Minister and where ever possible I've utilised my ministerial position to leverage expertise for promotion for Norfolk Island. Along the way I've worked with our industry reps to review the group market options; put in place additional twelve month promotional programmes with our New Zealand representation and worked on a similar proposal with our Australian representation, and a number of other initiatives that have been reported in this House that deal with activities outside and inside Norfolk Island. The new membership of the Tourist Board consist of the presidents of both the Chamber of Commerce and the Accommodation and Tourism Association. I initiated this membership to remove any barriers between what the activities of the Bureau are and what information may be available to these recognised bodies. In a nutshell the Government Tourist Bureau Board and the General Manager are charged with assessing and driving the initiatives that encourage our visitors to come here. The Presidents of the two bodies are now in the drivers seat and will have first hand experience as to any other initiatives they or for that matter I may be able to engaged in within our financial capacity. Thank you

MR ANDERSON Madam Speaker a supplementary question please. So are you saying that there is nothing new being initiated to address the obvious deterioration in our numbers and the potential for impact on the businesses and the employment

MR NOBBS Thank you Madam Speaker absolutely not. I gave a list of areas that are certainly under review or to be introduced and if Mr Anderson had perhaps looked at the summary in the newspaper he would see that there were a number of particular initiatives that don't start right now to sort out the issues. They commenced some time earlier and they continue through these trying times that we are going through and into our low season. What I will talk about later on in the next question is some of those forward booking numbers as well so that we can see what that picture looks like

SPEAKER Thank you Minister Nobbs. The second last question on the notice paper today is question 172 from Mr Anderson to the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker. Mr Anderson's question reads, the Minister has previously indicated that he would provide regular updates of the forward bookings, either in actual numbers or percentages, held by Norfolk Air. When can this information be expected to be made available and what are the current forward booking statistics for June and July 2011? Is the Minister planning any special tourism campaigns over the traditionally slow period of winter? Thank you Madam Speaker the information regarding forward seat load factors has already been printed in the Norfolk Islander, I placed that in the Islander on the 9th April and they covered the May, June period and I earlier reported I cannot provide Qantas seat load factors as they are commercially sensitive and Qantas have certainly advised the Norfolk Air CEO that they would never contemplate public announcement of their forward bookings for a number of reasons and issues. As at the 1st May forward bookings held over the May September period are currently 5.8% more than for the same period last year. For the network by month the following applies with passenger numbers on bookings held versus last year as at the 1st May, for May it's down 6.4%; June is positive 10%, July which is a particular concern to us is a negative 11.2%, August is positive 50.2% and September is positive 10.6%. now

the actual seat load factors that roll out of that Madam Speaker as at 1st May are as follows, May has a seat load factor of 43%, June has a seat load factor of 31%, July has a seat load factor of 16%, August has a seat load factor of 26% and September has a seat load factor of 31% and I should also mention obviously that we have additional seating capacity that perhaps in this year makes those statistics look a little worse than previously as well. Regarding the question with regard to tourism campaigns, I imagine I covered that off in the earlier answer, thank you Madam Speaker

SPEAKER Thank you Minister Nobbs and the final question on the notice paper today is question 172 from Mr Anderson to the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker. Mr Anderson's question reads, the Norfolk Island Gaming Authority was expected to provide a substantial contribution to the Government's Finances in the current financial year. Can the Minister provide an update of the extent of income received from Gaming Authority's activities and how far behind the original 2010/11 budget the income that has been received is, and what is the estimated outcome for the full financial year, in terms of the amount originally budgeted. Madam Speaker I'll talk about the outcome for the financial year in its totality first, and that is if you are to look at the Government's revised budget for the financial year that was revised to \$780,000, the income projection to be reached by the end of the financial year is \$981,100 which in that instance gives a surplus of \$201,100. It is worth noting however that in the initial budget preparation for the 2010/2011 budget that an initial income projection was put on the table for some \$1,010,000 so that just gives you an idea and if we were relying on that then obviously there would be a shortfall of \$28,900 but as of the revised figure we're ahead

SPEAKER Thank you Minister Nobbs. That concludes Answers to Questions on Notice and we move now to Papers

PRESENTATION OF PAPERS

Are there any papers for presentation this morning

MR BUFFETT Thank you Madam Speaker firstly I have some virements to table as is required. Members will know that under section 32(b) of the Public Monies Act 1979 the Minister has responsibility to table virements that have gone through the various processes and I so table the documents that I have in that context

MR NOBBS Thank you Madam Speaker in accordance with section 41 of the Interpretation Act 1979 I table the Postal Services (Amendment) Regulations 2011. Madam Speaker just to provide information to the listening public what this relates to specifically is the rates for transmission of postal articles from Norfolk Island to Australia so as to bring our charges in line with the Australian charges, thank you

MR BUFFETT Madam Speaker thank you. I have a number of papers that relate to finances. Some of them I should have attended to at the last sitting so there will be some of a previous period and I'll walk through those now if I may. Firstly may I table the financial indicators firstly for February 2011 and then next for the month of March 2011. Madam Speaker may I say in tabling those, this is a normal process that happens periodically that a number of these figures have already

been published in the Government Gazette. There is a requirement under the funding agreement for various publications of our financial situation to be so published and so some of these have already appeared in the Gazette and the like. I formally table those. It's not a legal requirement in terms of the Act but we do so. I also would like to table the Economic Indicators for the quarter that is December 2010. These figures come from the GST returns and they are very useful, and in doing so I again acknowledge the work done by Mr Anderson in formulating those so that they can be seen by the community in the various categories of operation of business activity in the island. There was an earlier one as I understand it, tabled for October therefore that was the quarter before. This is now for the quarter that ends in December 2011 and the period following that is in preparation at this moment so I table that also. Thank you

SPEAKER
presentation. No. We move on.

Thank you Chief Minister. Any further Papers for

STATEMENTS

We move to Statements of an Official Nature and as Speaker I have two brief Statements to make

Honourable Members I wish to record the making of history in the New South Wales Legislative Assembly with the election yesterday of its first female speaker, South Coast Liberal MP Shelley Hancock. I offer my best wishes to Ms Hancock on her election to this prestigious position in Parliament.

Honourable Members, I also wish to acknowledge the invitation I have received as Speaker from the Hon John Mickel MP, Speaker of the Legislative Assembly of Queensland, for the Clerk to the Assembly and I to attend the Regional sitting of the Queensland Parliament being held later this month in Mackay. This is the third occasion that the Queensland Parliament has sat outside of Brisbane. Whilst circumstances do not allow us to attend this event, nevertheless I record our thanks to Speaker Mickel for his kind invitation and offer our best wishes for the holding of this event.

MR BUFFETT
Madam Speaker I have a Statement on advancement of the Norfolk Island Road Map and the Road Map as we know was presented to the House on the 2nd March in 2011. We all know that this is a Road Map for change and the reforms that are contained in it are to strengthen the economic diversity of the island, social cohesion and resilience, and the island's unique heritage and its environment. The reforms mentioned in the Road Map range over seven headings from governance to extension of Commonwealth laws. We've had a couple of questions about extension of Commonwealth laws today. The Road Map sets out actions from immediate to actions over a five year period. This Road Map also recognises the need to periodically present further information in the form of Fact Sheets and the like, and to conduct surveys, gather information and to consult. There has been to date successful conducted a household study and a wellbeing report has resulted, conducted by Deloitte Access Economics. This was a voluntary survey which had a response rate in the 80% area and that is a very good response. I pay compliment to the community in their effort in making this response. This was a Commonwealth funded report. An overarching socio-economic study for the island is placed in the Road Map 2011/2012 and at this stage I see that, certainly as interpreting and developing from the basic information that is progressively being gathered and collated. Deloitte's, a separate arm to that, that I've just mentioned, is assisting the Norfolk Island Government in its current commercial assessment and

negotiations with the airline operation which is also part of the Road Map so I'm just mentioning a number of things, a range of activities that have advanced as we go along this track. One of the difficulties that we've struck is the production of Fact Sheets on a range of subjects to assist assessment and feedback in the consultation process but these are now available and they are on the web. Fact Sheets on taxation, social security, economic development, health and aged care, education and extending Commonwealth laws to Norfolk Island. I've got to emphasise that this is information provided by the Australian Government and therefore it specifies what happens on the Australian model and these sheets provide some basic facts and then gives you a website for further information, so it's just a couple of sheets with the basics and then information as to where you can go for further advice, but the ask in all of this is to assess whether this would be a suitable model for us in Norfolk Island, because it may or it may not. Have your say about it. That's the process. The date of lodging comment and responses has been extended to the 13th May in 2011 of course. There has been some significant responses already made and I acknowledge and I thank those who have responded. What I've just mentioned now is an opportunity for further comment. Some comments to date have been made with great publicity and volatility and others have been more discreetly and privately lodged and of course the views vary but whichever or whatever your views are welcome. That needs to be emphasised. That's what this process is about. It's the very thing that the Road Map and the consultation process is about. There's no doubt in my mind and I think we all share it, that there is recognition for the need for change. The Government's taken the initiative and I think a brave step of actually presenting, putting something on the table for change. Quite packed with a difficult terrain I might add but nevertheless there we are, and feedback which is what is being presented now, offers guidelines for both the Norfolk Island and the Australian Governments. The Road Map of course principally addresses the longer term issues. Not solely but mainly. In the here and now, of the present financial year, that is to the 30th June 2011, we have received short term funding totalling \$5.7m. Two tranches. Last year \$3.9m towards the end of last year, and then April of this year \$1.8m a total of \$5.7m. I do acknowledge these funds with appreciation from the Commonwealth of Australia and particularly Minister Crean and his participation in those processes. In the processes we've needed to have our officers sign funding agreements in respect of the provision of those funds. There's been some mention in the questions to date about some of that. I tabled the original funding agreement some months ago and I now table the funding agreement as amended. It's been publicly displayed but I formally tender it today in this Sitting. Thank you Madam Speaker

I do have another if I may. It relates to the Joint Standing Committee of the National Capital and External Territories. Madam Speaker this group under the chairmanship of Senator Louise Pratt is to visit Norfolk Island commencing tomorrow from the 5th until the 8th. These are the members of the group who are to visit. They are coming in tomorrow but some are coming in from Sydney and some from Brisbane so it's not the same flight but as I was reminded, the same aircraft but different flights. These are the people; the Chair is Senator Louise Pratt, Mr Luke Simpkins MP who is the Deputy, Senator Steve Fielding, Senator the Hon Alan Ferguson, Senator Gary Humphries, Senator Judith Adams, Ms Gai Brodtmann, Dr Andrew Leigh and Mr Patrick Secker. There will be officers who will accompany the group of course. I'm advised Madam Speaker that there will not be formal sittings, of the Joint Standing Committee but they are available for community meetings and those are continuing to be arranged as I understand it, through the Office of the Administrator. The Government of course and the Members here will meet with this group whilst they attend in Norfolk Island and there is a familiarisation to a number of facilities in the island on the Saturday whilst they are here. I provide that for the information of Members and the community Madam Speaker

SPEAKER Thank you Chief Minister. Any further Statements this morning Honourable Members? I take it there are no Statements this afternoon. We move on

There are no Messages from the Office of the Administrator today

There are no Reports from Standing Committees

That takes us to the substantive matters on the Notice Paper Honourable Members and we move now to Notice No 1

IMMIGRATION ACT 1980 - RE-APPOINTMENT OF MEMBER TO IMMIGRATION COMMITTEE

MR BUFFETT Madam Speaker I move that for the purposes of subsection 6(4) of the *Immigration Act 1980*, this House recommends the re-appointment of Lorraine Carol Boudan to be a member of the Immigration Committee for the period 21 May 2011 to 20 May 2013. Madam Speaker Mrs Boudan is a valued member of this committee and has had a continuing role, in other words she has served previously and we appreciate her participation. She has agreed to continue and I've explored with Members about that and on that basis I bring forward this motion for her continuation as a member. I commend it to the House with thanks to Mrs Boudan

SPEAKER Thank you Chief Minister. Is there any debate Honourable Members? There being no further debate I put the question that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it. The motion is so agreed and I note the absence from the Chamber of Mrs Griffiths

MUSEUM TRUST ACT 1987 - APPOINTMENT OF MEMBERS OF THE MUSEUM TRUST

MR BUFFETT Madam Speaker I move that this House resolve for the purposes of subsection 5(1) and (2) of the *Museums Trust Act 1987* that the Minister appoint the following as members of the Norfolk Island Museum Trust: Albert Fletcher Buffett, Jeanette Elizabeth Calder and Peter Russell Horrocks for the period 5 May 2011 to 4 May 2013. Madam Speaker the Museum Trust plays a significant role in the series of Museums, particularly maintained in the Kingston and Arthurs Vale Historic Area, and we bear in mind that this is now a site with World Heritage status so their role has significance. There have been a number of vacancies and these people have consented to fill the vacancies and I thank them warmly for undertaking this task. Mr Buffett has been a previous member and has agreed to return and the others are new members. I commend this motion encompassing these three people but before I conclude I would like to particularly pay tribute to those who are retiring, and therefore these people are replacing. Mr Arthur Bigg has played a role and he is a person who has particularly heritage and historic interest and knowledge in the island and has brought that to bear in the Museum Trust context. Mrs Jowett I particularly want to mention. She is the longest serving member of the Museum Trust and indeed, before there was a formal trust there was an Interim Trust in which she was a

member and a very active member and indeed was instrumental in setting up various aspects of the Museum's inventory in another place, now the Office of the Administrator I might say and was a faithful person who was there with regularity to show it and exhibit to visitors and residents alike. Her service is long; her service is much valued and although she has withdrawn I am aware that she continues to assist in the Museum configuration of its activities and I warmly thank Mrs Jowett on behalf of the Government. I commend this motion

SPEAKER Thank you Chief Minister. Is there any debate Honourable Members? There being no further debate I put the question that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it. The motion is so agreed

**COMMONWEALTH-FUNDED REVIEW OF THE NORFOLK ISLAND
ADMINISTRATION AND ALL ITS ASSOCIATED BUSINESS ENTITIES**

MRS GRIFFITHS Thank you Madam Speaker, I table the curriculum vitae of Professor Kenneth William Wiltshire and move the motion standing in my name on the Programme in the amended form that this House -

- a) agrees to a Commonwealth-funded review of the Norfolk Island Administration and all its associated business entities;
- b) agrees that the Norfolk Island Administration to make available all information in the Administration's possession to assist with the conduct of the review; and
- c) recommends the appointment of Professor Kenneth Wiltshire AO as our preferred candidate to lead the review team

SPEAKER Thank you Mrs Griffiths. The question before the House is that the motion be agreed to

MRS GRIFFITHS Thank you Madam Speaker the 1st draft of the roadmap for Norfolk laid out very clearly that public sector reform was on the agenda. Our recent variation to the funding agreement tells us that prior to this reform; a commonwealth funded review will be undertaken, with the commonwealth currently looking for the candidates to undertake this review. I don't disagree that this review needs to be done. Having worked in an organisation where the review process was an essential part of an effective and efficient international organisation I think this is a good place to begin. Like many other areas, however, having participated in these processes, I have strong views on how this work should be done and the capacity and qualities required of the people who should do it. Madame Speaker, I have put this motion forward to seek the agreement of this parliament to endorse the recommendation, that Professor Ken Wiltshire is appointed to the Commonwealth team to undertake this review of the Public Service. Professor Wiltshire is a man of eminence. His qualities and capabilities have never failed to impress me over the years. I first became associated with him when he visited Norfolk Island in 1997 as a member of the Commonwealth Grants Commission when it reported on a range of economic and administrative arrangements in relation to Norfolk. My professional association continued for many years with Professor Wiltshire being Chairman of the Australian National Commission for UNESCO. He was also Australia's representative to the UNESCO Executive Board in Paris. It goes without saying the Professor Wiltshire would be culturally sensitive to the unique community that lives here on this island. Although it's important, my desire to see Professor Wiltshire take on this

position is not just about culture. Mr Wiltshire is a Professor of Public Administration with the University of Queensland; he has a degree in Economics (with honours in public administration), a Masters degree in politics and a Doctorate of Philosophy in the field of government. Among other things, Professor Wiltshire teaches 'planning in the public sector' at the undergraduate and post graduate levels. It's not just about education though – like culture it's important but not the whole picture; it's also about knowledge and experience. Professor Wiltshire has that. By tabling Professor Wiltshire's CV – which is impressive to say the least, I welcome any views to the contrary that Professor Wiltshire doesn't have the skills, knowledge and ability we need. Madame Speaker, while I don't intend to go into great details here today - it's important to mention that:

- As a member of the Commonwealth Grants Commission for 9 years, Professor Wiltshire has already enquired into Norfolk Island; he knows us.
- He has served as a consultant to Environmental Protection Authority of Queensland.
- He has been a consultant to the Overseas Telecommunications Commission
- He knows efficiency and effectiveness in Public Sector Management having been a consultant in an enquiry into that very issue for the of Brisbane City Council.
- He has also served as a consultant for: the Commonwealth Public Service Commission; the Commonwealth Parliament Joint Committee on Public Accounts; and the Commonwealth Economic Planning Advisory Committee.

It seems the Commonwealth thinks as highly of Professor Wiltshire as I do... and rightly so - he has exactly the qualities we need. In 2009 Professor Wiltshire was awarded the Institute of Public Administration Australia inaugural Patrons award for Excellence in the Public Sector. To receive this award, nominees must show "an outstanding personal and professional contribution to the public sector or to service delivery, sustained over a significant period leading to an identifiable lasting legacy". Mr Acting Deputy Speaker, it is essential that this review give us the best possible results, that is its conduct and findings has our very best interests at heart. While we may like not like everything that this review finds, it will be a considered and well-informed view. Of that, we can be assured. Mr Acting Deputy Speaker, I commend the motion to this house.

ACTING DEPUTY SPEAKER SHERIDAN Thank you Mrs Griffiths

MS ADAMS Thank you Mr Acting Deputy Speaker. The motion being proposed by Mrs Griffiths has my in principle support. On 25 November 2010 the Norfolk Island Government and the Commonwealth Government signed a Memorandum of Understanding relating to "Financial Assistance for Essential Services on Norfolk Island". On 16 December 2010 a Funding Agreement was entered into between the Commonwealth of Australia and the Administration of Norfolk Island. On 13 April 2011 the existing Funding Agreement was varied. One of the Variations required Norfolk Island "to agree by 31 May 2011 to a Commonwealth-funded review of the Norfolk Island Administration and all its associated business entities". As Members are aware I made it quite clear during discussion on the proposed Variation that the document did not have my support. One of my key concerns was that the Road Map was with the community for their comment and that it was inappropriate for Members to sign off on any matters in the Road Map before the consultation process had concluded. My other concern related to the Ombudsman Bill currently before the House; and that the time for the Federal Minister to comment on the Bill is clearly spelt out in the Norfolk Island Act of 1979 as a result of the TLR Bill. Notwithstanding my not supporting the Variation document, the majority of members did, and therefore in the interest of transparency and consensus government I hold the view that the appropriate procedure now is for the

House by resolution to formally agree to the review of the Norfolk Island Administration. The motion being proposed today by Mrs Griffiths, if agreed to, will achieve this. The variation agreement makes no reference to Terms of Reference for the review; however draft Terms of Reference for the review have been provided to Members for comment by Friday 6 May 2011. I seek the assurance of the Chief Minister that the terms of reference once agreed to will be made available promptly to members of the Norfolk Island Administration as it is their positions that are under review. We have been repeatedly assured that with the signing of the MOU last November that Norfolk Island has entered "into a partnership arrangement" with the Commonwealth of Australia. Additionally Minister Crean, our Federal Minister, has both publicly and in a meeting with Members made it clear that ultimately the future of Norfolk Island "is in our hands". What does "in our hands mean"? To me it means we make the final decision on "our destiny". Clause 7(c) of the Variation document causes me great concern. It commits Norfolk Island to implement the recommendations flowing out of the review that are agreed between the parties and, if agreement cannot be reached between the parties on any of the recommendations the Commonwealth reserves the power to issue a written direction in respect of those recommendations on which agreement cannot be reached. I find it very difficult to reconcile this power with a "partnership arrangement. Surely if Norfolk Island is unable to agree a recommendation it is reasonable to presume that there is a very good reason for our non agreement based on our local knowledge and circumstances. Surely a more democratic approach would be that in the event of non-agreement our partnership arrangement with the Commonwealth would accommodate a) re-negotiation; and b) in the event of a deadlock, that recommendation be negated. To conclude. I find it difficult to accept that Minister Crean was aware of the contents, or the implications of Annexure 3 of the Funding Variation document that was presented to members for consideration. Our on island discussions with Minister Crean gave me confidence that he was genuine when he stated that Norfolk's destiny is in our hands. The variation document is not consistent with this statement. Accordingly I ask the Minister, in the interest of proper process that he give serious consideration to revoking clauses 7(c) 9(c), 16(b) and 17; thereby putting the Road Map consultation process back on track and gives this community some control over our future. I support this motion which attempts to do that. Thank you Mr Acting Deputy Speaker.

MRS WARD Thank you Mr Acting Deputy Speaker. While I'm happy to support any move to assist the Commonwealth funded review of the Public Service and associated business entities, I'm not comfortable with the final point © of this motion which appears to direct or in some way influence or interfere to the Commonwealth to appoint Professor Kenneth Wiltshire to the role of review team leader. I must confess I do not know Professor Kenneth Wiltshire, nor do I have any documentation to support his inclusion except for his very impressive CV. I do not officially know that he is willing to accept nomination to the role if chosen. The only comfort I can take is to understand that the Professor was part of the 1997 Commonwealth Grants Commission Team and needless to say it is not for this House to suggest that a tender or recruitment process be bypassed in our own jurisdiction, let alone suggest the Commonwealth to do such a thing. I do believe it's reasonable to assume that the reviewer would be an organisation rather than an individual, having taken note of the draft terms of reference provided to us by the Chief Minister on April 28th, under the heading Review Support Arrangements. The Chief Minister has indicated before this meeting that he would move an amendment to this motion in part (c). If such a move is to be forthcoming from the Government I will await that amendment. If not I am unable to support that motion. Thank you Madam Speaker

MR BUFFETT Madam Speaker if I might seek the call now and put on the table an amendment. It might just give perspective to how we might move forward. Madam Speaker may I pay compliments first of all to Mrs Griffiths, for identifying an eminent person to be considered in this process and for her to draw on her own expertise so that it can be brought forward and explained in her experience in this process. This review that we are talking about which is a review of the Public Service is in the Road Map. It's not new. It's in the Road Map. The arrangement is Commonwealth funded. I have circulated amongst Members the draft terms of reference so that they can have participation in the process and some have already ~ including Mrs Griffiths ~ given me responses to that and I thank them for that process. I would like to make an amendment to this. It's really about procurement. And it's really just an effort to cast the words a little differently. Still identifying Professor Wiltshire. If in fact we pursued this, it just identifies one person. We don't know if there are others around but we are identifying it as a person of substance and eminence and to ask that, that be considered in the process. And so my amendment Madam Speaker would be along these lines, that in terms of (c) here, we might delete the words after "recommends" and insert these following words, "the Professor Kenneth Wiltshire AO be considered in the appropriate selection process for this task". I think if I just might refer to Mrs Griffiths for a moment, she made a marginal adjustment to (b), is that right. Yes that's right. It now says agrees rather than instructs. Yes, thank you very much for that clarification there. I have no further amendments. It would now read if Members are of a mind to consider it in this context, (a) agrees to a Commonwealth-funded review of the Norfolk Island Administration and all its associated business entities; (b) agrees the Norfolk Island Administration to make available all information in the Administration's possession to assist with the conduct of the review; and (c) recommends that Kenneth Wiltshire AO be considered in the appropriate selection process for this task; and that would be the entirety of it in the amended form if Members are of a mind to consider that and that will be my proposal. I formally move that Madam Speaker

SPEAKER Leave is granted for that amendment Chief Minister. Debate Honourable Members on the amendment and the motion

MRS WARD Thank you Madam Speaker and thank you Chief Minister for that proposed amendment, I would be able to fully support the motion as proposed by Mrs Griffiths and make it clear again that my apprehension was not to do with Professor Wiltshire's qualifications or vast experience. Thank you

MR NOBBS Thank you Madam Speaker and in particular thank you Mrs Griffiths for bringing this to the table. Likewise with the amendment I tend to fully support this but I would laik a tal that bin haepn tuu mach taim in aklans paas said wi get a salan paten dems vyuu a auwas ailen en dem gat noe ptikla kamfrom. Dem nort noe de evoluushan wi bin thruu en wathen bin haepn f get ya said wi es en soe luken orn dieh rekomendieshan said dieh fala bin haew input intu Norf'k Ailen, riiserch en andastaenden wi hau sensetiw tu auwas kalcha, lorngfe ai laik a thort thruu dem Kohmanwelth Graants Komishan Riport ena Rivyuu ai thort his andastaending a de ohparieshanl nohledj en Norf'ks kalcha wud bii baut es raelawent en brord es wieh wi el ekspec f wan salan gat dieh kaina kwolefekieshan soe ai miin fe seport et. Thaenk yu.

MR ANDERSON Madam Speaker in respect of the original motion and the amendment I agree that Professor Wiltshire is well qualified, has a suitable background and the prior involvement with Norfolk Island is obviously an advantage. My concern was that we are pre-empting the outcome of what the intention of the Commonwealth is as the motion was originally proposed and it's not

appropriate in my view for us to be interfering with what may in fact be a tender process hence the amendment will resolve that difficulty. It may be appropriate for Professor Wiltshire to comment on the report prepared by whomever is eventually appointed. I therefore am prepared to support the motion as amended but I had severe reservations as (c) originally stood. Thank you

SPEAKER Honourable Members the question before the House at the moment is that the amendment as proposed by the Chief Minister be agreed to and that relates to paragraph (c) of the motion which will now read, "recommends that Kenneth Wiltshire AO be considered in the appropriate selection process for this task

MR BUFFETT Madam Speaker shall I read the words again, if that would be useful

SPEAKER That would be very helpful please Chief Minister

MR BUFFETT Yes, delete all the words after "recommends" and the following inserted "that Kenneth Wiltshire AO be considered in the appropriate selection process for this task"

SPEAKER Thank you Chief Minister. Is there any debate Honourable Members on the amendment? There being no further debate I put the question that the amendment be agreed to

QUESTION PUT
AGREED

The ayes have it. The amendment becomes the motion and I'll now read to you the motion that I'm asking you to vote on. That this House (a) agrees to a Commonwealth-funded review of the Norfolk Island Administration and all its associated business entities; (b) agrees the Norfolk Island Administration to make available all information in the Administration's possession to assist with the conduct of the review; and (c) recommends that Kenneth Wiltshire AO be considered in the appropriate selection process for this task. We are comfortable with that wording. I put that question that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it. The motion as amended is so agreed

CUSTOMS (AMENDMENT) BILL 2011

MR BUFFETT Madam Speaker I present the Customs (Amendment) Bill 2011 and move that the Bill be agreed to in principle and I further seek leave for the Bill to be considered through all its stages at this sitting Madam Speaker

SPEAKER The question before us is that leave be granted Honourable Members for the Bill to be considered through all its stages at this sitting. Honourable Members is leave granted? Thank you. Leave is so granted. Chief Minister

MR BUFFETT
Bill be agreed to

Madam Speaker I move in a final sense that the

SPEAKER Thank you Chief Minister. Debate Honourable Members on the question that the Bill be agreed to. Being no debate I put that question

QUESTION PUT
AGREED

The Bill is so agreed to

OMBUDSMAN BILL 2011

SEPAKER We move now to Order of the Day No 1, the Ombudsman Bill 2011 and we resume debate on the question that the Bill be agreed to in principle and Chief Minister you have the call to resume

MR BUFFETT Madam Speaker I know we've called this Bill on, but it's not one that is able to be progressed today and I'll explain. When we introduced this particular piece of legislation I indicated that prior to it's introduction here I had forwarded a copy to the Office of the Administrator so that we might seek Commonwealth comment in respect of it and I have advise from the Administrator that he has forwarded that to the Commonwealth people. They have not at this stage responded. I am disappointed about that but I understand that there are processes. I therefore will seek to adjourn this for a further period of time, hoping that in our June sitting we will have response so that we are able to finalise this Bill and put these processes into place. May I just say that Norfolk Island long ago took some initiatives to provide Ombudsman arrangements here and negotiated at some significant length with the Commonwealth to produce appropriate legislation to be able to do so and the Commonwealth in its Territories Law Reform Act of 2010 gave approval for the Commonwealth Ombudsman to be able to extend his activities to undertake Ombudsman activities in Norfolk Island and so that's what this programme is all about. I will endeavour to bring it on again Madam Speaker when we sit next. I seek to have it adjourned at this moment. I move that this matter be adjourned and made an Order of the Day for a subsequent day of sitting

SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting and thank you Chief Minister I'll put that question forthwith

QUESTION PUT
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

FIXING OF NEXT SITTING DAY

MRS WARD Thank you Madam Speaker, I move that this House at its rising adjourn until Wednesday the 1st June 2011 at 10 am

SPEAKER Thank you Mrs Ward. Any further debate Honourable Members? No debate. Then I put the question that the motion be agreed to

QUESTION PUT

liquor mart? See what I mean about government and bureaucracy? Why would you impose this through a funding agreement? Without seeing the results of the wellbeing survey; Without finalising the road-map; Without completing the public sector review? Madame Speaker, the facts we have now tell us that we already have a disproportionate number of older people on the Island, and you certainly can't say our economy is thriving. An older population will have implications for the level of health and community services required in future years. While some in the community and the commonwealth might be content to think that they'll address this issue when it comes to the provision of health and community services, I assure you, ignoring it, or even thinking about making it worse, will have disastrous consequences for the social fabric of this community. I can't imagine that this obligation will see either Australian retirees or business people swamping our shores; I fail to see how more retirees will stimulate our economy unless it's through the creation of such elite employment as lawn-mowing, house cleaning and ironing. I have greater aspirations for our community than that. Why would we go down this path when the report of the well-being survey tells us that our men are already over-represented in part-time employment and that 51% of both men and women in our community want more hours? Madame Speaker, another example. Item 17 of the funding variation, and the extension of the Trade Practices Act to Norfolk Island".

I have to ask: Why extend this, or indeed any, legislation without justification; Why do it through a funding agreement; Why extend it without clearly providing the reason, or the context and challenge, that it responds to? And as I've asked before Why impose this prior to the completion of the road-map? Without completing the public sector review? Madame Speaker, through you I urge the Commonwealth to stick to its agreed path – that is our road map – our shared vision for Norfolk for the future... If you have to impose anything, impose upon us the tools and resources to get it done properly. If you have to extend anything, extend to us – respect and consideration. If we are going to do surveys and reviews, let's use the information as a tool to move forward. Prove to me and to this community that this is not just about justifying the extension of Commonwealth control. Recognise that only 31% of this community identify themselves as Australian and reject notions that every solution to our problems can be found in other parts of Australia. Between us – we must find solutions that may well be 'outside the square'. While this variation seeks my endorsement as a member of this Assembly, I too, seek assurances from the Commonwealth. I ask the Commonwealth to:

- Prove to me that this is a partnership and not just an opportunity for wielding unequal power;
- Demonstrate to me that that the Commonwealth has overcome its past ethnocentrism and that you recognise that we, the people of this community do know what is good for us;
- Assure me that this reform process will be done in the genuine best interests of those of us who will have to live with the results;

When I have evidence of the above then - and only then - can the Commonwealth count on my support. Thank you Madam Speaker

MRS WARD Thank you Madam Speaker. I'll take the opportunity to touch on the variation of the funding agreement which was signed on the 14th of April and it really follows on from the Chief Minister 's statement as well. Since the Chief Minister gave the order for the variation of the funding agreement to be signed almost three weeks ago, there has been allegation of an absence of democracy in our community. When the Chief Minister gave that order to sign, he had a choice, no one should say he had no choice, he did, a very real choice and what he chose was to keep the public service employed. He chose to have the department of education account paid, he chose to maintain the internet to the island and he chose the option of being able to cover pensions and the workers compensation fund. If the Chief Minister had chosen

not to give the order for the agreement to be signed, we would have the beginnings of a collapsed economy and government, and to do that to this community would be unforgiveable. In fact, what the Chief Minister did was what a responsible head of government would do. Yes, the Chief Minister made an executive decision. He made it to provide the greatest level of stability and security to the community as possible and I have no doubt that his action has allowed people to remain in jobs and put food on the table today. The total amount of Commonwealth assistance provided to the Norfolk Island Government is \$5.62m for this financial year and raises the question of what we are going to do next year and in the following year. That must form debate for another day. I asked question No. 166 on notice which covered the acceleration of the self funded retirees and new business investment as a community question because the community wants to understand; it wants to be involved and keep control of this process and some are understandably upset by what they perceive is a done deal but there is nothing in the funding agreement conditions that is unrealistic and the fact that further funding was accepted before the closing date of community consultation process for the road map was a matter of urgency and does not effect the general direction of the road map. It is very clear that there is concern over what can be termed open immigration. We are part of a free market economy and that means that ultimately we will have to accept some change in population and competition and that makes some very uncomfortable. Some will fight against change and I understand the reasons behind that. I think most of us understand the reasons for anger and fear but we must step out of our conservative, protectionist mindset if we are to survive, develop, grow, and provide for the next generation all the opportunity they need for their education and future. At the same time, I don't think anyone can disagree with Mrs Griffiths point about Government stifling business. The community needs to be involved in development of good policy going forward and that is why it is paramount that people do not to give up on making submission to the Road Map but remain active and submit to whichever body they see fit because it is the community submissions that are going to be crucial for the development of good policy in the near future. The time has been extended to Friday the 13th and fact sheets on tax government payments, education and economic development are now available online to assist with the process and no doubt if anybody approaches the secretary they will be made available to them in print. I think the Chief Minister has been very honest in saying that no consideration of impact has been given by the Norfolk Island Government in many areas. No impact studies have been made or developed yet and that is why it is so very important that local people have input. The 19 conditions may appear daunting to some but if we break them down or better still lump them together, it can be seen that they are rational. Most of us know that these reforms have been needed for years and the chance to do it ourselves has passed and it is now the Commonwealth who will review our finances, public sector and government business enterprises or our GBE's. Conditions 1,2 and 3 are in the area of financial information, they are to provide greater accountability and transparency in that area. 4, 5, 6 and 8 deal with our current healthcare scheme and our current policy objectives in relation to Immigration and moves into the potential impact of the extension of federal laws to Norfolk Island in the areas of privacy and social welfare. 7 as we've already debated, is the review of the public service and the GBEs. 9, 10, 11, 12, 13 and 14 demand better management of public money including a debt repayment strategy to be developed. 15 deals with the Airline situation and that scrutiny and negotiation is currently underway as the Minister for Tourism and Chief Minister have stated today. 16 seeks to remove restrictions to self funded retirees and enables Australian citizens to start new businesses by the end of this year. 17, 18 and 19 aims to ensure that Norfolk Island's residents are protected in the same way as other Australian residents by way of the Australian Trade Practices Act, the Ombudsman and the Australian Administrative Appeals Tribunal. So we can see that some of the conditions are

already being complied with, some cover areas that are yet to be examined and others will result in challenges but they all make sense in a modern world. The clear message to the Commonwealth now, is that we are committed to reform. The detail of those reforms clearly have not been decided but we are committed to moving forward, and it is our job as Members of the Legislative Assembly to stay focused on the task at hand. It is the obligation of this Government to not take umbrage at the challenge from within the community but to provide those groups with information to allow them to assist in the process. There should be continued community consultation and the development of workshops must be embraced in cooperation with the Commonwealth or under our own steam as the Minister for Tourism has already demonstrated. However, this is not a one way street and it is not the sole responsibility of government to engage the community. It is equally up to the community to stand up and have its voice heard, but remember that democracy is at play here Madam Speaker. The nine members are here today representing their community. The democratic process is alive and well. It is sitting here today, represented by men and women who do not fear loud voices; but who listen to them with compassion of course understanding of individual positions, but remain focused, as we must, on the big picture. And it is as Parliamentarians that we are able to do this with conviction because we see the big picture and rebuilding the foundations of our island community, is the great challenge we are facing. Members of this House recognizes that there will never be able to fund one solution to satisfy 100% of this population, but as leaders we need to bring the community with us the best we can. Thank you

MR SHERIDAN Thank you Madam Speaker just something on a completely different tack. I would just like to acknowledge the 50thj Bounty B owls Tournament that's being currently played at the Norfolk Island Bowling Club. I would just like to congratulate Mr John Christian and his committee and the committees that have gone before them, in providing this important bowling tournament to Norfolk Island. It is a very important sporting even in our calendar. I would also like to make special note of Mr Dan Yager who's played in 49 of the 50 tournaments so far and I don't think he's finished. So in saying that I would just like to welcome all our visitors to the island, I hope they enjoy their stay and that everybody enjoys their bowls. Thank you

MR ANDERSON Thank you Madam Acting Deputy Speaker. I would just like to provide a few bouquets and a few brickbats by way of observations of the discussions surrounding the roadmap and the consultation. I am hearing that the effectiveness of the disinformation that is making its way around the Community is to some extent drowning out the information that has been provided by the Government. I thought I might therefore reflect on the emergence of an increasing number of "armchair experts" some of whom have sat in this chamber and must share the blame for the situation we find ourselves in. These people are keen to either provide criticism and remain anonymous or to put their names to statements in the paper and in circular letters, and express the belief that the way forward for Norfolk Island is NOT how we are now progressing. All, without exception, noticeably lack any suggestions for alternatives and all conveniently ignore the FACT that the clock is ticking and the island's economy is dying. All suggest the process should be delayed and greater consultation to occur. Perhaps the problem is the information that is being provided is not comprehensive enough and not easily understood. People appear to be listening to the biased interpretation, of others, and not forming their own views. That is understandable if they feel they are being left in the dark. However, making motherhood statements like tourism is our principal industry and we must reinvigorate it to provide greater employment and sustainability and we must drive the private sector to be diverse, vibrant and robust to ensure economic growth

and prosperity, is all very up lifting but where is the action plan and where is the funding to achieve this. Empty rhetoric will not pay the bills. What is the specific criticism of the steps included in the road map that are designed to do precisely what these people are calling for? Opening up a flat non competitive and essentially socialist economy and increasing the population to a level that will support itself are obvious solutions and that is part of what is being proposed. It will not happen overnight despite what people are suggesting when it comes to immigration and business. If people do not understand the proposal then the Government is failing in properly informing the man in the street. I fear this is what is happening and the lack of available detail is not stimulating discussion of what would be appropriate. This does not however stop constructive suggestions or alternatives being proposed. There has been a view expressed that the Assembly has acted beyond its mandate and without the permission of the Community. Words in the paper. This overlooks that the concept of representative Government is based on electing individuals by a majority, not unanimously, to make decisions for the Community as a whole. Those elected representatives are now driving the changes based on what they said they would do before they were elected. It is essential that common sense prevails over self interest. Protectionism cannot be disguised as a plea to protect culture and heritage. These can be protected without retaining the inefficient and unproductive economy that we are used to operating under. In the meantime the job has to be done. Had the Government not taken the steps it has taken ~ and this will perhaps sound a little repetitive ~ the Government purse would probably have run dry about a month ago, that is about April, after which there would have been no need for further debate, because the island would have rapidly closed down. We are expending much energy criticising the way things have been done, which is now history, but perhaps it would be interesting to reflect on what would have occurred if the Government had chosen not to act but to instead consult and develop every detail, in depth, until there was unanimous Community agreement – which would have been and remains in my view - totally impossible. The Government prior to the first grant of funding by the Commonwealth was rapidly approaching a liquidity crisis. Once a Government cannot pay its debts it gets no more credit and people who owe the Government money - stop paying. The revenue flows to the Government dry up. The public service cannot be paid so it would be stood down. With the public service suspended the airline and the airport would have to close and no flights could come in, the electricity plant would eventually break down - if it does not run out of fuel first, the hospital would close and generally an irrecoverable situation would evolve. In the mean time in depth consultation could have occurred - except there would be no one to confer with and nothing to confer about. The Commonwealth Government could have simply let the island sink, and still may - but introducing delay ignores our perilous financial position and the funding we are receiving - that could stop at the flick of a pen - to enable more talking to occur. The process is a continuing one but the brakes can be applied if everyone accepts that closing down the island for a few months would somehow make a difference to the submissions that could be made. I am not being flippant that is what would have happened. This Assembly was elected with the knowledge that things were not good but no one understood the true state of the finances, hidden from the Community, was as bad as it was. Something had to be done quickly – and it was. The rapid course of events has lead to the Government not negotiating from a position of strength. That was not the case last time the Commonwealth was talking to the then Government and there was an opportunity to avoid the mess we are now in, a mess that was not then foreseen. We are stuck with our current circumstances. I believe that substantial change is acknowledged by the MAJORITY of the Community as being necessary and that MUST of necessity involve the Commonwealth Government. The vocal and for the most part well off minority simply overlook that the majority of the population are suffering and something must be done to stop the decline. Many less well off are leaving simply

because there is no alternative. This Assembly has a responsibility to the MAJORITY to secure their future AND to at the same time to consider and manage the impact on the Norfolk Island culture and heritage. No one is mentioning the 51% of people on the island who said in the recent survey that they are just getting by, or the 27% that have missed paying a utilities bill or the 11% who have not been able to pay their mortgage or rent on time. No one is mentioning the islander families who are unable to feed themselves and who are being supported by the churches. No one is mentioning the food parcels that are being provided to needy local islander families. No one is asking why the unpaid debt to the hospital is in the order of half a million dollars and growing. Perhaps it is because the islanders cannot pay the first \$2500 before the health fund starts to pay. No one is asking why the Healthcare fund is going broke to the extent of three quarters of a million dollars while most people do not even reach the threshold of \$2500. These problems demonstrate the grass root Norfolk islanders are suffering and there is no immediate local solution. The Armchair experts say let's stop the process and talk about the best way forward. This is not a new crisis it is one that was inherited by the current Government and which had been developing for many years, without any recognition that if the old policy which keeps being trotted out by people who are not suffering that "it will come good and we will be okay – it always has in the past" may finally not happen and obviously appears not to be. It has not to date, and we could no longer just sit on our hands and wait. People were and are suffering. How many of the people still pushing that barrow, that it will all be okay and work itself out in the end, are not able to buy food for their family each week or are considering leaving? The current progress is frustrating but the Commonwealth has bigger problems and we should be very grateful Minister Simon Crean is dedicating so much time and energy to us. As a proportion of his total responsibility we do note rate the attention we are receiving. That does not mean we should not fight for the best deal possible. Of course we should but we got ourselves into the current situation and we cannot expect the Australian taxpayer to bail us out - and then just go away. Delays are arising from the failure of the department to deliver on the items that Minister Crean, as part of the partnership, agreed to provide. If the department is not delivering or not consulting it is up to our leaders to shout from the hill tops so we are not overridden. If we are being overridden why are we letting them get away with it. Our leaders must speak up promptly or we cannot complain about how we are being treated. I emphasise that in respect of the roadmap and despite the Variation to the Funding Agreement in all these areas consultation is still open and the Government needs to hear from the Community. Just as an aside and to put things into context, the Commonwealth Government deficit for the 12 months ending January 2011 rose to \$62.3 billion when there was a target deficit of \$41.5 billion ~ .and we think we have problems. With the floods in Queensland and Victoria and Cyclone Yasi in north Queensland plus the other disasters and problems. the Commonwealth Government appears to be a bit strapped for cash. Government revenues are down and with the softer economic conditions and the tight monetary policy set by the Reserve Bank in late 2010, the Commonwealth Budget which comes down next week is going to be very tight. They have falling revenue flows and a need to reduce the deficit so where will Norfolk Island fall on the Commonwealth's radar? If may not appear at all and if that happens conferring about the process will be academic. Conferring now about what is necessary for survival and sustainability, is the process we are following out of mere necessity. I am not saying abandon consultation, I am saying let's look at the big picture and put everything in perspective and then set the priorities. Let's ensure the less well off majority is represented and properly protected. If anyone tells you that Norfolk is okay and we will get out of this ourselves without financial assistance, ignore the rest of their advice they tell you as well. Let's stop concentrating on fear mongering and agree there might be some positive. But there is no such thing as free lunch. There might of course be one possible alternative to permit lengthy and

MR NOBBS Thank you Madam Acting Deputy Speaker if I can just add a couple of things to what Ms Adams has just covered and that is that this is obviously of concern for us in the process so we obviously want to make sure that Norfolk Island is part of the consultative arrangements in the assessment of these areas. We also want to make sure that there is recognition for those, for want of a better word, for those traditional fishing activities within the box. The reason I just put those issues forward is so that I can also perhaps table some documentation off the website for the marine bioregional planning and what I seek to do Madam Acting Deputy Speaker is to table this, note it and print it so that Members of the community will then have access to information that provides them with a website address as well as some of the areas where they can actually seek to be updated in the process of the assessment as well as to provide their input at certain stages and I certainly welcome their input in this as well as I would hope that they would put their input into the environment's website so in finishing up I would just say that on the public consultation page of the website it talks specifically about the areas for further assessment where it says areas for further assessment are a step in the Marine Bioregional Planning process aimed at assisting the identification of new Commonwealth Marine Reserves. Areas for further assessment are not Marine Reserves, they are areas within which future Marine Reserves may be located. I think we need to be proactive in this. We need to ensure that there is a recognition of the area and that we are recognised as a stakeholder to be consulted. Thank you

ACTING DEPUTY SPEAKER GRIFFITHS Minister have you moved that the paper be noted and printed

MR NOBBS Yes

ACTING DEPUTY SPEAKER GRIFFITHS Thank you. I put the question

QUESTION OUT
AGREED

The ayes have it. That motion is agreed to

MS ADAMS Thank you Madam Acting Deputy Speaker. At the April sitting during discussion on the road map I focused my debate around the Island elders of this community and the role that they could play at the negotiation table on the current road map. I sent out the call in my debate to the Island elders who hold the wisdom. I sent out the call to the Island elders to gather, to come together and bring their wisdom to the new road map. I called on the Island elders to talk about whether the new road map honours us, whether the new directions we are asked to consider will still enable us to retain the strengths that have underpinned this community from its beginning and whether or not the partnership being proposed is the best partnership for the future of our Island that we are entrusting to the younger generation of today. I am heartened that some of our respected Island elders have responded to that call. Those Elders - Marie Bailey OAM, Bernie Christian Bailey, William Blucher AM, Tom Lloyd AM, Ken Nobbs, Jim Olsson and Greg Quintal MBE - have come together to share their thoughts, their anxiety and apprehension regarding the current decisions concerning the future of Norfolk Island. They have penned an open letter to the members of the Norfolk Island Legislative Assembly. That letter which was delivered to me as Speaker has been copied to all members. I table that letter which is titled "Norfolk Island is our home" and give my thanks to them for responding to my call. The message they have given us is clear; and whilst my view openly expressed in this House and in my election platform is that

any major constitutional change must be first agreed by the people of Norfolk Island through the referendum process; these respected Island elders have requested that this process should be taken one step further than a referendum and are requesting that in order to arrive at the way forward, quote, “an Act of Self Determination should be conducted immediately to gain the accurate and undisputed will of the community in irrefutable numbers”. They go on to request that this procedure be set up by both the Norfolk Island Government and the Commonwealth Government of Australia, conducted and overseen by the United Nations Committee on Human Rights.” Honourable Members history will record whether their call is heeded. Thank you Madam Acting Deputy Speaker

MR BUFFETT Madam Acting Deputy Speaker I earlier explained that I intended to put on the table some papers and I explained that those papers had not arrived. I just now am able to say those papers have arrived, and although it's right at the end I table those papers, the audited Financial Statement for the year ended 30th June 2010

ACTING DEPUTY SPEAKER GRIFFITHS That paper is so tabled. Any further debate Honourable Members. There being no further debate I put the question that the House do now adjourn

QUESTION PUT
AGREED

The motion is agreed. Therefore Honourable Members this House stands adjourned until Wednesday the 1st June 2011 at 10.00 in the morning.

