



NORFOLK ISLAND LEGISLATIVE ASSEMBLY
13TH NILA HANSARD – 11 APRIL 2012

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.

Gentleman feel free to take off your coats if you so wish, and make sure your mobile phones are switched off, thank you.

CONDOLENCES

SPEAKER We turn first to condolences, Mr Snell.

MR SNELL Thank you Madam Speaker. Madam Speaker, it is with regret that this House records the passing of Jennifer Joy Cook, a lady who has lived on the Island since 1979. Jennifer nee Broadway, was born in 1937 in Melbourne, the eldest child to Phyllis and Sydney Rupert Broadway. During the war years with her father stationed in Darwin, she would go with her mother and aunt to the Waverly Riding School on weekends for horse rides. This began her long affair with all things equestrian. Jennifer started as a day girl at Korowa Anglican Girls School and continued as a border when her parents left to go to Kurrumburra to operate a business they had purchased. She enjoyed the academic and sporting curriculum at the school, winning the coveted School Colours for her sporting endeavours. While there she started training as a high board diver and won the Victorian High Board Junior Diving Championship. Leaving school she worked at Leith Bartlet Architects where she married a draughtsman. They moved to Adelaide and their daughter Candice was born. Only staying in Adelaide for a short time they returned to Melbourne where Jenny commenced working for The Australian newspaper, D.W. Paterson printers and finally with Jetset Tours where she was a travel consultant. From that experience she became a true Jetsetter. During this time she also became a pioneer in Victorian Terrace renovations saving St. Vincent's Place, which is now a National Trust Melbourne landmark. Jennifer's sporting life took a new direction when she purchased a Conamara-cross gelding called Clarry. She embarked on having classical riding lessons with Tony Uttendale, ex Olympic coach and Colonel Imrik ex Hungarian Cavalry. In 1979 she visited Norfolk Island and fell in love with the Island. So much so that she and her husband and Clarry relocated from Melbourne to Norfolk Island buying a property known as Ross Haven. Jennifer over the next 25 years competed in Adult Equestrian and Pony Club events, winning many blue ribbons and many Lady Champion Rider sashes over the years at the Royal Norfolk Island Agricultural and Horticultural shows. Most of all she displayed her strength of character to show jump. Her granddaughter Pixie shared a love of horses and rode with her grandmother when she came to visit. Her grandson Edward shared her love of golf and played with her at Kingston when he visited. The essence of Jennie's life was good wine, good friends and good food but especially good times and she will be sadly missed by all who knew her. To her husband Tony, her daughter Candice, to Pixie and Edward, her sister Susan, brother Andrew and her many friends this House extends its deepest

sympathy. Madam Speaker it is also with regret that this House records the passing of Shirley June Fox, late of Turramurra, Sydney. Shirley came to Norfolk Island as the wife of Russell Walter Fox when he was appointed Chief Justice of the Supreme Court from 22 January 1982 until 1 February 1989. Since then Shirley was a frequent visitor to the Island. Their children, Geoffrey, Jennifer, Anthony and Ian are now adults with children of their own who would often visit the island whilst their grandparents were here. To her family and friends, this House extends its deepest sympathy. Madam Speaker.

SPEAKER Thank you Mr Snell. Honourable Members as a mark of respect to the memory of the deceased, shall we stand in silence.

PRESENTATION OF PETITIONS

SPEAKER Thank you Honourable Members. Honourable Members we move now to presentation of petitions, are there any Petitions to be given this morning Honourable Members? No petitions.

GIVING OF NOTICES

SPEAKER Giving of notices, are there any notices this morning?

QUESTIONS WITHOUT NOTICE

SPEAKER We move then to Questions without Notice. Are there any questions without notice this morning? Mrs Griffiths.

MRS GRIFFITHS Thank you Madam Speaker, my question is to the Minister for Health, Minister what capacity does the Norfolk Island Hospital have to follow debtors who have left the Island and does the proposed privacy act impact on debt recovery?

MR SHERIDAN Madam Speaker I just ask the Member to repeat the question please.

MRS GRIFFITHS What capacity does the Norfolk Island Hospital have to follow debtors who have left the Island and does the proposed privacy act impact on debt recovery?

MR SHERIDAN Thank you Madam Speaker and thank Mrs Griffiths for the question. Madam Speaker the ability to recover monies from people who have left the Island for the hospital, as it would be for most people I suppose, or businesses on Norfolk Island and the Administration is difficult if they do not know their forwarding address you might say, the hospital has found it difficult at times because people do leave the Island with a debt outstanding and request for information from Immigration, from the Immigration Department within the Administration for forwarding addresses, unfortunately have not been able to be processed due to the Freedom of Information, or the Privacy Act, more inline with the Privacy Act, not the Freedom of Information. The Privacy Act negates the ability for people to obtain information whereas that information was given not for that specific purpose. The Administration may have to change the forms, and have a disclaimer on there to note that information that is provided may be given to other agencies within the Administration, and not necessarily kept within the domain of that one agency. So yes Madam Speaker at this time, the Hospital does find it hard to recover money from people who have left Norfolk Island and their forwarding address is unknown to that Hospital Enterprise.

MR KING A supplementary question perhaps addressed more to the Chief Minister and ask whether an examination as taken place on the implications of the extensions of the Privacy Act to Norfolk Island to the inter-change of information between branches of the Administration and how that might impact.

MR BUFFETT Madam Speaker there has been no enquiry of that particular nature, in terms of the privacy provisions, which are recent introductions, no doubt that, and some others, may well be deserving of some examination, but they have not been at this time, given what Mr Sheridan has just said, maybe there is some pressure now to be more active than we have before.

MR KING One more supplementary, given my understanding that the inter-change of information is somewhat prevalent within the Administration, would the Chief Minister prepared to examine the question of an overall review of the situation?

MR BUFFETT Madam Speaker I make no comment about whether that is the case or not the case, or whether it is appropriate or inappropriate, but what I can undertake is to make some examination of that which has been identified.

MRS WARD Thank you Madam Speaker my question is for the Minister for Community Services, at the last sitting of the House the Minister said that he hoped to be able to table an amendment Bill to effectively update the Mental Health Act, as it is not on the Notice Paper, would the Minister provide the House with an update please.

MR SHERIDAN Thank you Madam Speaker and thank you Mrs Ward, the Mental Health Act review that I had requested the LSU and other relevant personnel to undertake still has not reached my desk, or has not come back from LSU, so that is where it is at at this point in time, it's still with them and hopefully by the next Sitting I will have something to bring to Members.

MR KING Thank you Madam Speaker, a question for the Chief Minister in his responsibility for the function of Immigration. Can the Chief Minister confirm for the record that the requirement for the holder of a Temporary Entry Permit to maintain a ticket for return travel to Norfolk Island can now be satisfied by now providing to the Administration a cash surety of an amount to the cost of a ticket for travel to a destination where entry will not be refused.

MR BUFFETT Madam Speaker there have been changes of recent times, the earlier airline operation provided for open tickets and the like. The present carrier, that is Air New Zealand, does not issue open dated tickets, however people can provide a return travel date that can be adjusted, but not an open dated ticket. The alternative is, that has been described, the lodgment of a bond, the indicators to date are that people are finding that a useful method to do that and a number are, that is available, that method is available.

MR KING Just one supplementary question, Chief Minister is it therefore a fact that a holder of a Temporary Entry Permit, who is neither an Australian nor New Zealand citizen, but never the less holds current permission to enter Australia or New Zealand need only provide surety of travel to that place, that is Australia or New Zealand.

MR BUFFETT That is a matter of some contention. And that is being further examined.

MRS WARD Thank you Madam Speaker my question is for the Chief Minister, at the last meeting I asked whether or not the Roadmap had the endorsement of Minister Crean's Federal colleagues, and the Chief Minister has now indicated that a Capacity Building Team will arrive from the Commonwealth Departments towards the end of the month, isn't it a fact that this is a clear indication that Minister Crean has been successful in bringing his federal colleagues on board, and securing joint commitment to the Norfolk Island reform process?

MR BUFFETT Was that a question to me or a statement to me?

SPEAKER I take it to be a question.

MR BUFFETT Okay. Madam Speaker Members will know, and I have reported to Members that the relationship with Minister Crean in terms of the Road Map is sound and ongoing, there are still processed to bring aboard various other Commonwealth Departments, we have instanced those, plus the Taxation Department, plus the social welfare and a range of others, that work is work yet to be completed the signs are good in terms of those areas that have been illustrated by Ms Ward and those people are scheduled to arrive on Island towards the end of this month, there are good signs about that, but that is not completion of the process. There is still significant work to convince those people about progressing those areas that are contained within the Road Map to deliver services to Norfolk Island.

MRS GRIFFITHS Thank you Madam Speaker a supplementary. Chief Minister with the Capacity Building Team arriving on the Island shortly are there any formal mechanisms being developed to train our own Public Service Officers, or will they be trained by osmosis?

MR BUFFETT Madam Speaker there are five areas in terms of capacity building and those areas are those that have been identified in the Public Sector Reform Report. There is yet to be worked out the method of operation of those five areas, and there is to be a workshop when the team arrives to go through that process and obviously they will work alongside Norfolk Island public servants to lift capacity, that's what the team is about, a capacity building team. I'm not too sure that you can describe it by osmosis, but nevertheless there will be processes to endeavour, to encourage people in new methods, in the reform processes and for Norfolk Island's service, and standards of services to be lifted, that's what it is about.

MR KING Thank you Madam Speaker, a question for Minister Nobbs, Minister what action has taken place or is in hand to complete the ongoing RESA works at the Airport and what is the current situation with approvals or dispensations from the regulatory authority.

MR NOBBS Thank you Madam Speaker and thank you Mr King for the question. Currently as I understand it there has been communication between the Airport Manager and the regulatory authorities to advise them of the positioning of RESA for the incomplete end, there has been discussion both between the Airport Manager and the Acting Chief Executive Officer and also at Cabinet on a regular basis to ensure that we're providing the resourcing for the completion of RESA and there is a commitment in the upcoming budget, the 12/13 budget, to facilitate the completion of RESA.

MR KING Yes Madam Speaker, in relation to those works on Runway 29, or Runway South or whatever it's called, how does one reconcile Minister your, recent report to Members that completion of the runway safety works is expected to cost an additional \$280,000, how can I reconcile that with your earlier statements to the House that the projects will cost \$270,000 and that some \$100,000 had already been spent by the end of calendar 2011, \$270,000 plus \$100,000 equals \$380,000, \$280,000

plus \$100,000 equals \$380,000 compared to an expected cost of \$270,000 which you reported to this House about one year ago. Additionally can the Minister explain how some 12 months after the expected completion date, announced by him in the House, the project is still nowhere near completion?

MR NOBBS Thank you Madam Speaker and thank you Mr King for the question. Quite simply the formula that was originally projected by the Service for the methodology to complete RESA was to utilize Forestry resources and manpower and some of the equipment and to use exchange within the public service resources to get the job done, utilizing manpower that may have been available from the other areas as well as equipment on a as needs basis to keep costs down and to maintain the progression of RESA, due to some changes and most of them we are aware of, in terms of manning levels in some of those areas, particularly in Forestry, that has meant that the project has fallen well behind time. In pursuing it, I am also mindful that there had previously been plenty of criticism for Ministerial involvement of this project at the other end, the completed end. So I have enabled the completion of this, as an operational matter, through the service, if there have been changes to that arrangement, then they have been reported back to Cabinet and as far as we have been informed, the proposal that is in the 12/13 budget encompasses the completion of RESA.

MR KING A supplementary question Madam Speaker. Thank you Madam Speaker I am very happy to hear that Mr Nobbs has abandoned his practice of micro-management Madam Speaker but I'm sure that he still understands that he retains ultimate executive authority to ensure that...

SPEAKER Your question Mr King?

MR KING to ensure that planning and control is evident...

SPEAKER Your question Mr King? I am just enquiring your question Mr King?

MR BUFFETT Yes it was a point of order.

SPEAKER The point of order is upheld, your question Mr King?

MR KING Madam Speaker may I ask in the light of what Mr Nobbs has not said, whether the runway project, the runway 29 RESA project is simply another example of unplanned and uncontrolled Airport expenditure, given that from his own figures that there is already a 33-35% cost blowout?

SPEAKER In so far as that question contains conjecture, I leave it to you Minister Nobbs.

MR NOBBS Madam Speaker I am comfortable to say that the Acting CEO and myself have had a watching brief over the project the Acting CEO has reported to Cabinet very recently that there is a process in mind, there is a budget that is proposed to complete the project, that is the key issue.

MR KING A supplementary Madam Speaker if I may?

SPEAKER We have had three, this will be your last on the past practice of allowing four.

MR KING Thank you Madam Speaker I can count to four very readily these days! Thank you Madam Speaker, perhaps Madam Speaker in an effort to

demonstrate to the community that the Minister has the RESA project well in hand and has capably managed and planned the project thus far...

SPEAKER Your question?

MR KING Indeed Madam Speaker you must be patient! Can the Minister publish in the local paper a short piece, just a short piece, revealing his original published cost estimates, cost details, budget allocations and expenditure over the term of the project?

MR NOBBS Thank you Madam Speaker as is already detailed this is an operational matter through the service, rather than a ministerially micro-managed project, I will discuss with the Action CEO the parameters that Mr King has talked about.

SPEAKER Thank you Minister Nobbs, let's move along, further questions?

MR KING A further one Madam Speaker?

SPEAKER No, that's four Mr King, further questions Honourable Members? Round the table, no further questions without notice? Mrs Griffiths.

MRS GRIFFITHS Thank you my question is for the Minister with responsibility for broadcasting, Minister at the last meeting you indicated that an online survey of our radio station is being undertaken, where is this survey at and when can we expect to receive it?

MR NOBBS Thank you Madam Speaker, the survey that I reported on was some work in progress by the Radio Station Manager, I haven't actually sought an update on when he is releasing that or whether it may well have even commenced, but I will see that after the Sitting.

MR KING A supplementary Madam Speaker. Could the Minister perhaps advise what is the objective in conducting the survey – is it to determine listeners requirements and expectations or is it to determine in the light of the current mood for reducing public sector functions whether the radio station should be privatized?

MR NOBBS Thank you Madam Speaker, my understanding is to ensure that it enhances the community operation of the radio station.

MR KING Sorry, could I ask the Minister just to repeat that?

MR NOBBS My understand will be that the survey is aimed at enhancing the capacities of the community radio station.

MR KING Another supplementary Madam Speaker. Permission to proceed? Thank you. Would the Minister then have prepared for Members an indicative profit and loss statement for the radio station for the past two full years and can this statement be made available to Members without having to wait until the next meeting of the Assembly and secondly for fear I run over the magic number, does the Minister recognize that the informed decision regarding the retention of the Government run radio station can not possibly be made without extracting such data.

MR NOBBS Thank you Madam Speaker happy to compile that data.

MRS WARD Thank you Madam Speaker my question is to the Chief Minister and relates to the Norfolk Island procurement of goods and services purchasing tenders and contracts guidelines that we use. The Chief Minister had said that he asked the service to ensure that we update ours, since ours goes back to 2004, I am wondering if the Chief Minister attached a timeline to that, or whether in fact that would be something that the Commonwealth Finance Officer would do?

MR BUFFETT Madam Speaker I did ask for that to be done at an earlier stage, because there was some adjustments in the Commonwealth arrangements and we wanted to ensure that they stood side by side, since then however, we have had the Commonwealth Financial Officer arrangement come into play, plus we have had a public sector review. I've got to say that I've not sought the latest information about that at this time, I can do so of course, so I don't have a ready response on how that sits, except that I confirm that it has been requested, and it's gone out of my mind exactly, but there was a subsequent arrangement that I equally wanted to tack onto that, and did so.

MR KING Thank you Madam Speaker. A question for the Chief Minister, Chief Minister what examination or level of discussion has taken place on the ability for people in the community to access legal representation, has the Government identified a difficulty amounting to an access to justice problem and how does the Government intend to address that difficulty?

MR BUFFETT Madam Speaker this is an area of continuing difficulty about people having access to legal representation when matters are brought before the courts or the like, there is the legal aid arrangement, that has its difficulties which are endeavouring to be addressed at this moment, one of the guidelines which are quite strict at this time, and there is a question mark as to whether they remain applicable in the environment that we now find us, but there is also the funding aspect in which both the Norfolk Island Government and the Commonwealth Government have in the past placed funds to assist this process, the Commonwealth have not put in funds, for at least two years, if my memory serves me correct, and therefore there is a diminution of funds there and it probably would only take a major case to utilize all of the funds that stand there at this moment. There have been discussions amongst the various elements of the legal fraternity to try and move forward, including with the Office of Administrator in terms of some Commonwealth participation, I've got to say that that has not brought a ready, nor amendable result, it remains a difficulty, but it continues to be examined.

MR KING Madam Speaker I am not sure whether I heard an answer to that part of my question which sought to understand whether any discussion, and what level of discussion had taken place at Cabinet, I'm not asking the Chief Minister to broach Cabinet confidentiality, I am wanting to understand whether the Government has properly considered the matter, whether it has had papers before it, whether it has had discussions, whether it has formally acknowledged the difficulty and whether it has adopted a position and an objective.

MR BUFFETT Madam Speaker the Ministry which is in my area of responsibility has continued to address this matter, it is not a matter which has, in recent months, received Cabinet attention, but that does not mean that it has not received Government and Ministerial attention.

MR KING Thank you, a question for the Chief Minister. Can the Chief Minister advise the House of the success or otherwise of the Government's so called staff recruitment freeze imposed from memory in 2010. Expressed in terms of staff numbers and dollars saved, I understand that he might not have that information now, but I place it on notice that I will ask it at the next meeting.

MR BUFFETT I am happy for that to be placed on notice, Mr King may take that initiative to record the details so I can research it. I can say this, what I have don't have in the forefront of my mind are the figures which would be useful to Mr King in terms of staff numbers, the value that relates there, I continue to confirm that that arrangement continues however.

MRS GRIFFITHS Thank you Madam Speaker my question is for the Minister with responsibility for education, and the Minister might like to take this on notice, Chief Minister does the NSW policy on children being recommended by their teachers to see a counselor, contradict this Islands Child Welfare laws?

MR BUFFETT Yes, I will take that on notice. It's not my understanding that there is contravention of any laws, but I will happily, readily research that.

MR ANDERSON Yes thank you Madam Speaker a question for the Minister formerly or more currently responsible for the now defunct airline, is there any ongoing liabilities in the wind down of the airline, such as are we continuing to pay the rent on the office up at Burnt Pine?

MR NOBBS Thank you Madam Speaker I understand there are a few areas that are still in tidying up stage I am happy to get some detail on that rather than guesstimate whether there is still an ongoing relationship for the rental of the premises.

MR ANDERSON Just a supplementary, so you are unaware of... the furniture is still in the building, I am just concerned as to whether or not we are still paying the rent or whether there have been any negotiations to extract from the tenancy.

MR NOBBS Thank you Madam Speaker I am aware that there has certainly been some negotiation and work done to extract ourselves from the rent yes.

SPEAKER A supplementary Mr King.

MR KING I was just wondering if the Minister could inform us if there is going to a garage sale of the furniture to recoup some of the airline losses.

SPEAKER Further questions without notice Honourable Members? Mr King.

MR KING Will the Chief Minister provide to Members before the next sitting details of contractual arrangements for the provision of all services to the Legislative Assembly and the Norfolk Island Government within the Old Military Barracks, including the name of each contractor, the agreed consideration, the term of each contract and the last date of which each contract went out to open tender.

SPEAKER Chief Minister mindful of Standing Order 72A. Would you like to repeat the question?

MR KING I'm not mentioning any names.

SPEAKER No I realize that, but they are identifiable, you are comfortable?

MR BUFFETT No I'm happy to respond Madam Speaker. Madam Speaker to the best that I am able I am able to prepare something to circulate to

members. I just mention that some of them maybe in the area of the Speaker in terms of engagement, I am unsure about that, but I am very happy to liaise with you Madam Speaker where that might be appropriate to do so.

MR KING Thank you Madam Speaker, Madam Speaker a question for Minister Nobbs, given that the White Paper on Marine Safety has essentially been in development for some three years, since we called upon to be developed three years ago, and is now such a substantial document, why is it necessary to impose a short, less than two weeks, for community submissions on the White Paper? Would you consider reallocating time for community response?

MR NOBBS Thank you Madam Speaker. Look I would be happy to entertain an extension of that period if there is enough interest demonstrated that it would be utilized, it is the same as any of the consultation processes, you want to make them effective periods for consultation, not so short that everyone doesn't get the opportunity, but also not so long so that there is a degree of lethargy and you don't get the responses in the first place. So if there is a demonstrated need from certain areas that they would like more time, by all means I am sure I can accommodate that, I did endeavour to bring that paper to the House by June.

MR KING In the nature of a supplementary Madam Speaker. Minister are you saying that by establishing a consultation period of less than two weeks you have assumed that there is no interest, or inadequate or low interest?

MR NOBBS That is ridiculous since we have put out a consultation period.

SPEAKER That question is out of order.

MR KING I'm sorry.

SPEAKER Let's move along, questions without notice Honourable Members? Mrs Griffiths.

MRS GRIFFITHS Okay why not Madam Speaker! Don't let me miss a chance to ask one of my regulars! Minister Nobbs can you provide us with an update on your alternate energy initiatives please?

MR NOBBS Thank you Madam Speaker thank you Mrs Griffiths for the electrifying question! The work that is being done currently with the alternative energy system is that they have been provided with a draft legal document from our LSU Department here, Legal Services Unit, they are in the process of considering that and giving us feedback and I'm hopeful then that we are going to start seeing some definitive dates that we can look to do installation work.

MR KING Does the Minister understand if this machine does arrive before March next year, it will ensure his electoral survival?

SPEAKER Moving along. That question is out of order Mr King, further questions without notice, Mr King.

MR KING Madam Speaker a question for the Chief Minister if I may, has the Government Chief Minister in agreement that legal Drafting services are inadequate and deficient and what immediate steps can be taken to improve the quality of Bills presented to this House?

MR BUFFETT Madam Speaker I wouldn't place the description offered by Mr King in terms of the professional people that handle our drafting role at this time, but I do confirm that we are looking at other options, that might be applicable for Norfolk Island's circumstances, they have not reached any conclusive stage at this time, it may then go to a tendering process. But that is not a conclusion at this time. The drafting service is quite a rare service in the processes and they are reasonably defined within the Australian scene as where they may be accessible, but I make the comments that I have made.

MR KING Thank you Madam Speaker, a question for the Minister for Community Services. Somewhere, I can't find it, but it is my recall that I was going to ask, could the Minister please advise the House of the full and final costs of the project relating to the project of the air curtain incinerator and the incomplete environmental impact statement and advise the House of the benefit to the community of those expended funds?

MR SHERIDAN Thank you Madam Speaker, Mr King, I'll take that on notice, I'll get those figures to Members prior to the next Sitting if I can.

MR SNELL Thank you Madam Speaker, Madam Speaker, there have been some contention recently about the tender for the fuel supply to Norfolk Island can the Minister responsible give any indication on his decision how he is going to address the matter of tendering for fuel?

MR NOBBS Thank you Madam Speaker in the Question On Notice component of this Sitting today I actually respond at length on those.

MR KING Madam Speaker can the Chief Minister inform the House of the nature and extent of activities undertaken by the Government or the Administration to promote or market Norfolk Island as a place to live and/or invest?

MR BUFFETT Is that related to one of the questions on notice? Maybe you even asked me Mr King?

MR KING I often get confused.

MR SHERIDAN Yes, it is 366.

MR BUFFETT If that is the case, I'll try and answer...

MR KING Through the Chair Madam Speaker a supplementary. Whether your answer for that question from Mr Anderson might encompass the extent to which the Government has considered it might, or is able to provide incentives to invest in Norfolk Island.

MR BUFFETT Okay.

MR KING Thank you Madam Speaker, a question for the Chief Minister. Chief Minister in the light of current media reports that a boat loaded with refugees had or was about to embark from Australian waters to seek status in New Zealand and pass through the waters of the South Pacific to the west of Norfolk Island, what is the Government's state of preparedness if this vessel decides to veer left for Norfolk Island?

MR BUFFETT Madam Speaker, Honourable Members will know that at this time we are seeking significant areas of assistance from the Commonwealth, financial at this time. If we are contemplating a boat, departing Australia to New Zealand,

it may well be that we could endeavour to identify this is a difficulty with the Commonwealth, but also endeavour to open relationships with New Zealand for some area of assistance given this boat, whether it be fictitious or otherwise, it sometimes difficult Madam Speaker to get a grasp of some of the things that Mr King is tossing on the table when we sit around here of a Wednesday morning, I've got to say that maybe I'm behind the news for some reason that I haven't realized that there were Australian people, no doubt Australian Nationals who would want to approach the waters of the Tasman to go to New Zealand, attractive though of course New Zealand may well be, that is something of a mystery at this time, and I'm not too sure that the Norfolk Island Government might be compelled to make planning purposes to confront such a difficulty, if it is considered a difficulty.

MR KING A supplementary question Madam Speaker, my first Madam Speaker...

SPEAKER Mr King, I will ask you to pause there, the matter of supplementary questions lies with the Speaker, and yes we have had the tendency of late of allowing four, but don't take that of being the practice for the future necessarily. We will just see how it goes along.

MR KING Arbitrary is it Madam Speaker is it?

SPEAKER Your supplementary is?

MR KING Depends who is asking the question?

SPEAKER Your supplementary question is? Not at all Mr King. Your supplementary question is?

MR KING Let's go back to this ship, it's a boat! Whilst this incident has not been reported on VL2NI, and lack for which George can be blamed perhaps, it is never the less a current issue, it was reported this morning.

MR NOBBS Point of order.

SPEAKER Your point of order being?

MR NOBBS There is a statement there, that the VL2NI has not carried out part of its function, I'm aware that it has.

SPEAKER Your point of order is upheld. Mr King we will move along now, Honourable Members further questions with notice? I am not entertaining that question Mr King, I'm not entertaining a further supplementary on the boat issue. Okay please move along with your next question, your next question without notice Mr King.

MR KING As trite as it may seem I nevertheless Madam Speaker I ask whether the Norfolk Island Government had received any alerts in relation to such things and whether we are in a position to deal with such an eventuality as refugees turning up at Anson Bay, or any other point in Norfolk Island.

SPEAKER Thank you Mr King, I take your question.

MR KING Given that the planned route between the top of Australia and New Zealand would pass to the west, about 300-400 kilometres.

SPEAKER Yes, Chief Minister.

MR BUFFETT Yes, maybe to just be serious for a moment, Madam Speaker if we are talking about international unauthorized entry into Norfolk Island and this obviously immediately sparks a role for the Commonwealth Government in terms of international arrangements, in terms of people who do not have Australian authority to be in Norfolk Island, Members will know that Norfolk Island's immigration process is this, yes we have our own system, but when we are talking about people beyond Australian and New Zealand nationals, they must first of all gain entry by the Australian immigration authorities and that would need to take place whether they follow the normal processes or whether they may be boat people as described, therefore that would automatically trigger activity on the part of the Commonwealth.

MR KING Can you advise whether you are any closer to providing the community with audited Financial Statements for the public account for 2010/11?

MR BUFFETT I thought we had done that to be quite frank, but if that hasn't been the case, I will immediately attend to that, 10/11, no, no, I'm sorry we had a long delay in terms of the previous year, that what was in my mind at this time, my apology Mr King, that has now been tidied of course, 10/11 I had an exit visit by the External Auditors, probably some month or so ago now, to give finality of signing off of those accounts, they've not been delivered to me at this moment.

MR KING Thank you, so there is some prospect that the accounts for that financial year might be available before the end of this financial year in three months time?

MR BUFFETT Yes I know that there are difficulties at times, they have...

MR KING The difficulties are accountability Chief Minister.

SPEAKER Through the Chair Mr King, Chief Minister.

MR BUFFETT There have been a range of difficulties that the External Auditor needed to be able to sign off upon, I understand that that is now able to be done, when we conclude here I can advise Members and Mr King as to where that matter stands.

MR KING Thank you, could I ask the Minister for Tourism whatever happened to the regular tabling of visitor statistics in this House for facilitation of debate?

MR NOBBS Thank you Madam Speaker, for a start very rarely was debate on them, however the time there was debate about whether I should have any role in those visitor statistics, hence it became removed from the Parliament and it was carried out on the basis through the various agencies.

MR KING Madam Speaker a supplementary, can the Minister provide us with any statistics which give us any confidence, not necessarily a restoration of visitor of numbers, but at least a plateauing that the decline has halted, what statistics can he give us.

MR NOBBS Thank you Madam Speaker the Burroughs system that had previously been used to capture the immigration and passenger movement data that was instrumental in developing the passenger statistics had some time ago ceased to operate fully to capture all that data, so there has been a number of methodologies used

between that point and now, as I'm recently informed, a new software system is in operation, and shortly, I would imagine we will be able to get some data that we can certainly put out there that demonstrates the work that's been done by the Tourist Bureau and the outcomes that have eventuated from the Air New Zealand air service undertaking.

MR KING An obvious supplementary, Minister are you saying that we may be blessed in a short time of having some statistics to show us where we're headed, that we don't know now.

MR NOBBS Madam Speaker the difference between the data that we have been capturing up to this point and what has been previously available is that there has been a reconciliation between the Burroughs System of various immigration elements of visitors to the Island and of residents transiting to and from the Island, that system has been rectified with a new operating system, and I envisage that yes we will be able to provide that data very shortly, in the interim there has been data collected by the Tourist Bureau and by the General Manager of the Tourist Bureau in particular to analyse how we are going in contrast to the same time last year and similar.

MR KING Thank you Madam Speaker can I ask the Chief Minister whether he has given some thought to a question left unanswered at the last Sitting in relation to identifying to the House the circumstances as to which he has Chief Minister would continue to support a Minister who had placed himself in a position of gross conflict of interest and whether, wittingly or unwittingly, sought to gain personal reward from information supplied to the Administration.

MR BUFFETT Madam Speaker I have a statement about that matter and I will make a statement about that when we come to statements.

MR KING Just one final question for Chief Minister Madam Speaker if I may, yes, just one final question, Chief Minister is the legislative programme which is referred to by yourself and the Government from time to time reflect the Government's legislative priorities and where can a member of the community find a copy of this document.

MR BUFFETT Madam Speaker the legislative programme has really, at this stage, been more driven by the Road Map, and at this stage there are still a number of studies that are to be done that might dictate what legislative arrangements that might need to be made, there are some items on the programme today for example, Immigration, is a part of the Funding Agreement and Road Map progression, I think as we progress the Road Map we will be better able to erect a drafting programme for legislation.

QUESTIONS ON NOTICE

SPEAKER Honourable Members I believe we have exhausted Questions without Notice, we move now to Questions on Notice and the first is Question on Notice 362 Mrs Ward to the Minister for Tourism, Industry & Development.

MR NOBBS Thank you Madam Speaker the question reads, is it a fact that Norfolk Island Gaming duty rate was adjusted downward in January this year; if so, what was the decision based on and is the new rate increasing or decreasing budget income? Madam Speaker the answer is yes, a decision was made by the Gaming Director and the Gaming Authority to reduce the duty rate from .5% to .25% I've previously written to the Gaming Director requesting an explanation and the documented business case that supports such a decision, the Gaming Director has committed to providing a response to my request in the next few days.

MRS WARD Madam Speaker, the last part of the question is budgetary, it's asking whether the duty rate having been adjusted downwards whether it's creating an increase or a decrease in the budget, I would have thought that was a Finance Manager question, not a Gaming Authority question.

MR NOBBS Thank you, I'm happy to answer that question, on the level of viewing it in the financial indicators as recently presented it shows that there has been a decrease, but you will see when I answer the next question, I am specifically asking whether there is a methodology to the Gaming Authority and the Gaming Director's change that is going to increase that revenue.

SPEAKER We will move to 363.

MR NOBBS Thank you Madam Speaker the question reads, does the projected revenue figure within the 2012/13 draft budget for Gaming, take into account the now reduced gaming duty rate; and, if so what is the revised figure? And the answer to that Madam Speaker is that I will be able to provide an answer to that once the Gaming Director provides the previously mentioned business case and the projected revenues that the authority and the Director proposed will come out of that change.

MRS WARD Madam Speaker I don't understand the answer to that question. I don't understand why the Minister can't look at the draft budget and look at the projected figure for Gaming, can he please answer that question, what is the figure?

MR NOBBS Thank you Madam Speaker, I just have to really reiterate that yes there is a defined shortfall in what I've seen in the financial indicators, however, there may well be a business case assigned to this that shows that there is methodology in the Gaming Authorities work, so until I have seen all of their documentation I will...

MRS WARD Advise us...

MR NOBBS Exactly.

MRS WARD Sorry Madam Speaker, I'm not asking for the revised figure, I'm asking what the projected figure is on the draft budget that was presented to the Commonwealth for 2012/13, I appreciate it may need to be adjusted, but I am just asking what the figure is, currently.

MR NOBBS Thank you Madam Speaker, from recollection just over \$800,000.

MR SNELL May I have a supplementary, thank you. Madam Speaker a supplementary to Minister Nobbs on the same subject, Minister Nobbs can you give any indication to the House as to why this downturn in this rate has been approved, or why was it approved without any budget implications, was there a reason for this?

MR NOBBS Thank you Madam Speaker and thank you Mr Snell for the question, that is precisely why I have written to the Gaming Director to seek the business case which supported such a change so we can better understand what it will mean in terms of new business opportunities or whether there is an improvement or a detrimental outcome to the Gaming revenue.

MR SNELL Another one Madam Speaker, so Minister Nobbs you're saying to us that the Gaming Authority has the ability and the authority to take a decision that affects the budget of the Administration, of this Government.

MR NOBBS Thank you Madam Speaker, in reality yes, and I just draw everyone's attention to the August 2011 Question which was on Notice, which there was some questions aimed at me to ensure that the Gaming Authority and those aspects were at absolute arms reach from the Ministerial input and that sort of control I suppose, or co-management, or whatever terminology anyone wants to put to it, in real terms, I have had an audit carried out of the Gaming operation and the Gaming Legislation and the positioning of Members within that Legislation as well and there are a number of areas that need to be tidied for accountability and for better performance indication management and for reporting and certainly prior discussion to enable better understanding of any changes to such things as the duty rate.

MRS WARD One more to Minister Nobbs if I may, as I do appreciate that the Authority will have good reason for having reduced a duty rate, however the question is, has the Gaming Authority issued any new licences since January when the rate was dropped.

MR NOBBS Thank you Madam Speaker, I will be tabling in papers the Gaming Report which is part of, from my recollection Section 46 of the Gaming Act, and it does not indicate that since January there have been new licences activated.

DEPUTY SPEAKER Thank you Minister Nobbs, Mr Anderson you wish for a supplementary?

MR ANDERSON A supplementary, yes everyone else has had one, I'll have one too thank you Mr Deputy Speaker, is the Minister aware whether the reduction from .5 to .25 is going to be applied retrospectively to any existing licence holders or is it being selectively applied to existing licence holders or is it intended to only be applied to new licence holders, so are you aware at this stage who it is impacting?

MR NOBBS Thank you Mr Deputy Speaker my understanding that it applies across the licences commencing in January.

DEPUTY SPEAKER Thank you we move onto 364, Mrs Ward to the Chief Minister.

MR BUFFETT Yes thank you Mr Deputy Speaker the question is, how many authorized virements have been made over the previous three financial years, including 2011/12, and to what value in each given year? Mr Deputy Speaker the number and value of virements for each of the previous three financial years, they're as follows; the year 2009/2010 there were 119 the value was \$888,600 and that was in a total budget of 16.8 million dollars, the next year 2010/11 there were 359, the value there was \$1,732,250 out of an annual budget of 58.8 million dollars, the year to date, that is in the year 2011/2012 there are 156 to date, the value is \$862,460 and I remind Members that the value of the budget is \$49 million in this particular financial year. I make three notations in respect of those figures, the 2011/2012 figure that is for the period up to today, the 11th of April, so you will see it is not a complete year, the second thing is, virements are a requirement of the revenue fund only and you will note a smaller figure for the first year 119 rising to a bigger figure 359, but note that the annual budget was 16.8 in the first but 58.8, that was the year that we brought all of the GBE's into the Revenue Fund, and therefore the subsequent figures will have virement provisions where as it did not have before. I do make mention of course that all of those virements, except those that I am going to table today, in the normal fashion, all of those have been tabled, so

that's not new, none of that is new, but it is no doubt collating the information, I hope that is useful.

DEPUTY SPEAKER Thank you Chief Minister. Move onto 365, Mrs Griffiths to ask the Minister for Community Services

MR SHERIDAN Thank you Mr Deputy Speaker. The question reads how much is the Administration paying, personnel, equipment and materials, to maintain the area set aside for Landcare at Cockpit? Mr Deputy Speaker the response is that there is no area set aside for Landcare in the Cockpit area of Cascade Reserve, or any other reserve and the Administration do not pay outside bodies to maintain these areas. However, since the early 1990's, landcare groups on Norfolk Island have assisted with the rehabilitation of native habitat in the Cockpit area of Cascade and Quarantine Reserves on a voluntary basis. These areas are fully the responsibility of the Conservator of Public Reserves and Norfolk Island Reserves and Forestry, and ultimately the responsibility of the Administration of Norfolk Island. The fact that community groups have at times donated significant resources to native habitat rehabilitation in these reserves does not place those groups under any obligation to continue to maintain those areas. The costs of maintaining these areas are allocated in the reserves and forestry budgets on a yearly basis and for the months of January and February of this year, Forestry staff have spent nearly 40 hours maintaining the areas established in Cascade Reserve by Norfolk Island Landcare Group. Mr Deputy Speaker over the past few years Norfolk Island Landcare has expended vast amounts of funds and labour in kind to a total of well over \$160,000. Norfolk Island Landcare continue to assist the community in planting trees, removing weeds and in general making the reserves a much better place for the community to enjoy. Mr Deputy Speaker I would just like to acknowledge a job well done by Landcare in these areas and just as an aside I did note in last week's Norfolk islander that Landcare did have an article in the paper virtually mirroring this question, and they had their costs down in their article on how much they had expended in those areas and how much voluntary labour had been expended in those areas over a period of time, so Mr Deputy Speaker again I acknowledge and applaud Landcare for the job that they do do.

DEPUTY SPEAKER Thank you Minister. 366, Mr Anderson to the Chief Minister.

MR BUFFETT Thank you Mr Deputy Speaker the question is, does the Government intend to develop a program to promote the opportunities for self funded retirees to settle in Norfolk Island and if so when is it anticipated that it will be ready? Has there been any promotion at all outside Norfolk Island since the change of policy to allow self funded retirees to settle here? Mr Deputy Speaker the Government has promoted the changed Immigration Policy Guidelines through media releases, one was on the 8th of July last year, and the guidelines allowing self-funded retirees has also been placed on the Telecom website which is available from outside the Island. The Government hasn't at this time developed a specific programme to promote self-funded retirees to settle on the Island, but I do mention this, which is important to go hand in hand with it, the Government is soon to release a policy paper to promote Competition and Investment, Mr King raised a matter about investment earlier, and in this context there is an option to promote opportunities for this policy paper and to provide those who have interest in investing and possibly settling in the Island to have some benefit of the detail of this paper, I have had some very interim discussions with my Ministerial colleague, whether the PR Team we have in our Tourism area might be able to offer some advice as to how we might go about this, this is not a tourism matter, but it is a different matter, but maybe their expertise in promotion may well be a factor that could be taken into account, and I will continue to pursue that when we have this further paper which will be shared with Members, of course, in terms of competition and investment in Norfolk Island. One of the things in terms of offering incentives are, that there are not a great deal, in terms of the parameters, to offer in terms of incentives, if of course we had a taxation regime and a

number of other things then we may be able to offer some of those things, but they are not available at this time, but that doesn't eliminate the examination of some things that we may have, and they will be in the mix when we get to that stage.

SPEAKER Thank you Chief Minister. Proceeding now to Question on Notice 367, Mr Anderson to the Chief Minister, Chief Minister.

MR BUFFETT Madam Speaker thank you, two parts to this question: Can the Chief Minister report on the outcome of his six month trial of the lower customs duty threshold for small personal packages that was commenced in August 2011; and b) At the last sitting the Chief Minister agreed to make some checks to determine whether the interpretation of the lower customs duty threshold for small personal packages was mistakenly being applied to other packages where each item on an invoice was under the \$100 threshold, irrespective of the total value of the invoice. Could the Chief Minister advise the outcome of his enquiries. Firstly the latter part of that, Madam Speaker I have of course examined this of course with the Customs people, separately packaged parcels, accompanied by separate invoices, for which the amount of assessed duty of the total value of the goods on the invoice is less than \$12, and that is the \$100 mark, are admitted free of duty, if the assessed duty of the total value of that particular invoice is \$12 or more duty is collected upon it. In terms of the other bit, which is the report, I have asked the Collector to let me have such a report and he advises me that he will have that report so that I might bring it forward at the May Sitting, in the meantime of course the programme that we have in place continues.

SPEAKER Thank you Chief Minister. The next question we move to now is Question on Notice 368, to the Chief Minister, Chief Minister.

MR BUFFETT Thank you, will the Chief Minister provide detail to the House as to the profitability of the REO Café? Madam Speaker in response, for the period 1 July 2011 to date, that is the 31st of March 2012, almost to date, the REO Cafe will have produced a profit of approximately \$8000 and the second point I make is that the Cafe also earns income that is recorded in other cost centres, for the sale of museum passes, cemetery tour tickets and trial of fifteen play tickets. Let me just walk through a number items here Madam Speaker, I do make mention that a full stock count has not been able to be undertaken in time to respond to this question to enable a profit and loss statement for the year to be produced, however, taking the value of stock as it was at the 30th June 2011 which I am advised is a reliable figure as the stock take doesn't tend to alter a great deal from year to year, for the period 1 July 2011 to the 31st of March 2012 the REO Cafe has produced a profit, as I have reported, or approximately \$8000, I make this additional point, this profit figure is from sale of food and books only. The Cafe also earns income that is recorded in other cost centres, that is for sale of museum passes, cemetery tour tickets and trial of fifteen play tickets, \$29,997 worth of museum tickets and \$3020 worth of cemetery tour tickets sold at the REO Cafe in the same period as recorded separately, I additionally mention if total sales for all activities undertaken by the REO Cafe were recorded together, the year to date profit would be in the region of \$41,000 and these figures do indicate that the Cafe is a profitable enterprise, I additionally mention that this information, the year to date REO Cafe income is something like 23% above that of the same period of last year. I hope that information is helpful.

MR KING Can I move that the Chief Minister table the document that he was quoting from.

SPEAKER In that case I won't put that as a question, thank you Chief Minister. Moving now to Question 369, Mr King to the Minister for Tourism, Industry & Development, Minister Nobbs.

MR NOBBS Thank you Madam Speaker the question reads, is the Minister aware of any ongoing mechanical problems with one of the million dollar plus Rosenbauer fire engines which are perhaps not covered by a warranty and are the problems capable of being addressed? Madam Speaker I have discussed this with the Airport mechanic section and the issue is a high revving miss in one of the tenders, it is being discussed with the suppliers and the suppliers intend to correct the issue under warranty, there is a second part to the question Madam Speaker which says; is it a fact that warranty on the vehicles has been voided or capable of being voided by the fact that there is too little use of the vehicles and if so was that caveat identified and understood at the time of purchase? Madam Speaker I am informed that the warranty is in no danger of being voided as long as caterpillar maintenance procedures are followed, there is a five year warranty period. Madam Speaker I might just take a moment to compliment the Airport mechanics for the work that they are doing, not only on the fire engines but also on our electrical section for the generators, they have a stringent testing process that goes through oil and fuel measurement, and in the processes that they engage in they are able to pick up issues and correct issues I think at a much higher percentage than many other areas with the same equipment in place, so I compliment them on that.

SPEAKER Thank you Minister Nobbs. Question on Notice 370 Mr King again to the Minister for Tourism, Industry & Development, Minister Nobbs.

MR NOBBS Thank you Madam Speaker the question reads, when is the Minister to report to Members on the result of his inquiry into the recent fuel shortage in the Island and will the report be made public? Madam Speaker I am advised that the report to Members will be available by April 30th and I will be tabling it at the Sitting of the House in May.

SPEAKER Thank you Minister Nobbs. Moving to 371 Mr King to the Chief Minister, Chief Minister.

MR BUFFETT Thank you Madam Speaker this question is in three parts and I'll respond accordingly. The first part is: Would the Chief Minister confirm to the House that Bartercard dollars held by the Administration form part of the public account as community assets? Madam Speaker the Bartercard Trade Dollars are recognised as an asset in the financial statements but due to the unpredictability of fair value of the products and services that may be purchased from those trade dollars, they are fully provided for, or in other words, yes Bartercard dollars are recognised in the accounts, but they are, I am advised, at a nil value, but at a nil value. B) is it a fact that some \$900 worth of public assets were recently expended by the Minister for Tourism on a dinner for the departing General Manager of the now defunct Norfolk Air and can the Chief Minister advise if those assets were Bartercard dollars? Madam Speaker in December 2011 \$965.50 was spent on a trade and industry farewell, not a dinner for the CEO of Norfolk Air, no Bartercard trade dollars were expended. C) can the Chief Minister advise the House where legislative authority existed for the payment of public moneys for this purpose; whether a requisition for funds under section 25 of the Public Moneys Act 1979 was raised before the expenditure occurred and whether an expenditure order was issued under section 26 of the Public Moneys Act 1979 before the expenditure occurred? Just let me cross reference this question for a moment please. I'm sorry to be taking this time Madam Speaker I'm just trying to cross reference. Madam Speaker I'm just going to leave that for a moment and I'll come back to this.

SPEAKER Thank you we'll move to 372 Mr King to the Chief Minister.

MR BUFFETT This question is a similar question Madam Speaker 372 asks this, can the Chief Minister advise the House of the cost to the public account of the recent planned farewell dinner for staff of the now defunct Norfolk Air and whether that

cost was settled with Bartercard dollars? The cost of the trade and industry function gathering, it wasn't a dinner, recognised the efforts of the Norfolk Air Team, cost \$1070 and 50% of that cost was settled in Bartercard Trade Dollars. The second part of that question: can the Chief Minister advise the House where legislative authority existed for the payment of public moneys for this purpose; whether a requisition for funds under section 25 of the Public Moneys Act 1979 was raised before the expenditure occurred and whether an expenditure order was issued under section 26 of the Public Moneys Act 1979 before the expenditure occurred? Madam Speaker a requisition for funds and an expenditure order, as required under Section 25 and 26 of the Public Moneys Act were raised for the cash component of the cost of that function. Madam Speaker if the others might continue and I might come back to the other one that I had been referring.

SPEAKER Thank you Chief Minister, we move to Question on Notice 373, Mr King to the Minister for Tourism, Industry & Development, Minister Nobbs.

MR NOBBS Thank you Madam Speaker the question reads, is it a fact that the current fuel importer Natjola Pty Ltd enjoys a contract term that ensures an automatic rollover of existing arrangements if the Administration fails to take steps to attract wider interest in fuel supply and what is the latest date by which such steps should be taken? The current fuel supply contract includes a clause whereby the contract will be automatically renewed unless either party elects to terminate by giving notice in writing 180 days before the contract expiry date, I am informed the latest date for giving notice is May 13th 2012. Part b of the question: what processes are proposed to be followed in an effort to ensure continuity of fuel supply to the community at the lowest possible price? Procurement will follow the Administrations Procurement and Policy Guidelines and adhere to part five of the Commonwealth Finance Minister's Norfolk Island Orders 2011. Part c of the question: given the Minister's recent report to an informal meeting of MLAs that contract arrangements for fuel supply are currently being discussed with the Commonwealth; can the Minister advise the basis of such discussions and whether tardiness in finalising those discussions might contribute to the Government and the community losing its opportunity to source cheaper fuel supplies? The discussions with the Commonwealth Madam Speaker are aimed at examining best opportunities for fuel supplies and the contracts of the magnitude of the fuel supply contract fall under part five of the CFMO's and must satisfy the principles of value for money, open and effective competition, fairness and equality in dealing. Part d of the question: can the Minister indicate any reason or reasons for not immediately advising the current supplier of the intention to end the contract for fuel supply with that company and proceed to an open tender process in order to provide the fairest and best outcome for the people of Norfolk Island. Madam Speaker advice is currently being sought from a number of sources as to the best way forward for the supply of fuel to Norfolk Island indeed the March 2012 economic development report recommends the sale of Norfolk Energy, so there are a number of areas being looked at at the moment, thank you, pardon me Madam Speaker, there is a part e: who within the Norfolk Island Government or the Administration will determine the future of this contract and on what criteria will such a determination be made. As previously advised Madam Speaker procurement will follow the Administration's procurement and policy guidelines and adhere to part five of the Commonwealth Finance Minister's Norfolk Island orders 2011.

MR KING Part d, where it was sought to understand whether there were any reasons for not immediately advising the current supplier that the contract will be ended, I fail to hear any answers to that particular part, are there any reasons for not immediately advising that there is an intention to end the contract and pursue normal tendering processes.

MR NOBBS Thank you Madam Speaker, as I've said, the key reason really is that we are in discussions with the Commonwealth and evaluating it on a

number of levels, there is still the threshold to come for notification and this enables us to do the analysis and move through the other procurement processes.

MR KING Just to outline the timetable to be able to make this assessment, and complete the process of resupply.

MR NOBBS Madam Speaker I understand that the Acting CEO has been in touch with the supplier to inform them that there is a cut off threshold by which time if we have not had further advice from the Commonwealth that they are effectively notified that the contract ends and that they are then reinvited to apply in the normal process.

SPEAKER Thank you Minister Nobbs. Moving along to Question on Notice 374 and 375 both of which are from Mr King to you Chief Minister.

MR BUFFETT Thank you Madam Speaker if I might just come back to 371 which I was endeavouring to cross reference some final words there. This question was in three parts, I've answered a and I've answered b and I'll repeat item c so it gives clarity of where we are running now, it asks can the Chief Minister advise the House where legislative authority existed for the payment of public moneys for this purpose whether a requisition for funds under section 25 of the Public Moneys Act 1979 was raised before the expenditure occurred and whether an expenditure order was issued under Section 26 of the Public Moneys Act 1979 before the expenditure occurred, and the response therefore Madam Speaker, no requisition was raised under section 25, however the essential requirement of the Public Moneys Act 1979, that is the certifying and authorising processes set out in section 31 was followed prior to the payment of any public moneys, I additionally add out of that matter Madam Speaker that I have since issued a directive to the Acting CEO to ensure compliance with all sections of the Public Moneys Act 1979 particularly sections 25 and of 26.

MR KING Can I ask that the Chief Minister table the document from which he has quoted?

SPEAKER If the Chief Minister is comfortable to do that, I won't put that as a motion to the House.

MR BUFFETT Done. Madam Speaker 374, can the Chief Minister advise the House if the redundancy packages recently granted to former staff of Norfolk Air were based on contractual obligations or whether they were unplanned ex gratia payments; if the latter can the Chief Minister advise where the statutory authority existed for these redundancy payments? Madam Speaker I am aware that there has been constantly used the word redundancy, I think it is probably more accurate to describe these as incentives to remain, not necessarily compensation for cessation of work. But I wouldn't want to make a great argument of that, I do confirm that Norfolk Air staff were on contracts that could be terminated with four weeks notice, they were given in this particular instance more than four weeks notice, and indeed some of them would have known some months in advance that there was the projected cessation of the Airline service. But in December 2011 staff were presented with an incentive proposal whereby if they remained in the employ of Norfolk Air until they were no longer required, in other words cessation of service, they would receive a payment based on their length of service, this was a commercial decision aimed at ensuring flights were not disrupted due to crew shortages and the exiting of the Airline business was completed in an efficient and effective and a professional manner and that was how the matter progressed and was brought to a conclusion. Thank you Mr Deputy Speaker.

SPEAKER Thank you Chief Minister. We now move on Question 375.

MR BUFFETT I will be making a statement with respect to that matter Mr Deputy Speaker.

PRESENTATION OF PAPERS

DEPUTY SPEAKER Honourable Members we move now to Presentation of Papers Honourable Members, Chief Minister.

MR BUFFETT Mr Deputy Speaker I have to table firstly a report of the Legal Aid, this is a requirement, a statutory requirement, I have received a report from the Legal Aid Advisory Committee, I have compiled a report resulting from that and it is that report, with the attachment which have come from the Legal Aid Advisory Group that I table today Mr Deputy Speaker.

MR BUFFETT The second matter I have relates to virements, I answered a question earlier about virements, but this is the normal monthly procedure in terms of tabling virements that have taken place over the last month or so, the totals of these I infact incorporated in the question that I had on notice and I so table that document.

MR NOBBS Thank you Madam Speaker as discussed earlier in terms of the Gaming Act under Section 46 I table a report from the Gaming Director.

MR BUFFETT Madam Speaker I table the Norfolk Island Development Report, the final report, the ACIL Tasman which is a report of some 128 pages, a detailed report, the principle of the report is Dr James Fogarty, this is not a new document that I am putting on the table today, it has been publically released but I am presenting in a formal sense to the Assembly so that it might receive whatever attention Members want to give it at this time, and it will be the subject of some further discussions at other occasions. The report as I mentioned is extensive, it has an extensive bibliography, it is a detailed report, but I think the report can be considered to have these four elements, it discusses micro-economic reforms, it reports on revising fiscal, that is Government financial framework, it mentions and reports upon pre-requisites for reform and provides timeframes. That is not the exact format of the report, but they are key components that are within it, and I would just like to briefly overview those four. First of all in terms of micro-economic reforms, the report, believes that the most significant factors limiting investing and economic development in the Island are the dominant roles of the Government in the economy, associated protectionist legislation and lack of infrastructure investment by the Norfolk Island Government it proposes in this report a reduced role of the Government through the adoption of Competition principles, privatization of GBE's and corporatization of those that might remain in public ownership, the report projects, combined with tax and public sector reforms that those things that I have just mentioned will result in a substantial increase in the role of the private sector and improved productivity, that is the first item that I mention, micro-economic reforms. The second, the report records and recommends a revised fiscal framework, it talks about implementation of arrangements between the Commonwealth and the Norfolk Island Government's so that Norfolk Island can secure access to regular fiscal equalization payments from the Commonwealth and an example of that is via the GST scheme. That's the second item, revised fiscal framework. The third, pre-requisites to reform, and the report recognizes these things, the report indicates or identifies that the context that the proposed reforms is different to that which economic development has occurred in the regional Australian context and relevant is the experience in recent world transition economies. It identifies in particular that the following things are missing or lacking in the Norfolk Island context of those things, introduction of a social safety net is the first and the second is an increased access to relevant adult education services, capacity building, including commercial capacity building, so that is the third bit, pre-requisites to reform. And the final, the final element talks about timeframes and there are three time frames that it sets out, the first

time frame, phase one, they have us lasting something like 18 – 24 months and involves these things, immediate actions to improve welfare and provide stimulus, extension of medical services, school infrastructure grant, capital works temporary credit, KAVHA works, social and sporting clubs maintenance grants, privatization of the liquor bond and commencement of other GBE's with Commonwealth provided people expert in divestment and corporatization of GBE's. It talks about removal of accommodation bed license restrictions on developments, it talks about articulation of a clear and credible time line for integration within the Australian taxation regime, it talks about a formal approach to ipart which is an independent arrangement to act as an economic regulator. Complete asset revaluation exercise of Norfolk Island's Government's assets, introduction of an efficient dividend into the public service and implement the recommendations of the public service review. So you can see a range of things that it recommends over the first 18 – 24 months. Phase two which is a period of over six years and involves these four things that are mentioned in the report: continued privatization of most of business operations, corporatization, improved shipping access infrastructure and construction of a new hospital. And the third phase which follows phase two involves resolution of the long term taxation and funding arrangements for Norfolk Island. That's a bit of a long read Madam Speaker but it's really trying to pick up some integral parts of those things that are mentioned in the report, that's what this report says, there are a whole range of associated things, but trying to give it some summary that's what this report says. So what do the two Government's say, that is the Commonwealth and the Norfolk Island Government in response to the report saying those things. Well firstly the Commonwealth Government makes it clear that it is not the Commonwealth speaking in terms of this report, but it is a commissioned report and they have said to us little else at this particular stage, but I'll make mention of some further discussions in a moment. The Norfolk Island Government has encouraged and now secured a visit by Dr Fogarty to discuss his rationale for the recommendations he has made and dates have been set for this to happen, from the 21st – 24th of April, so it is soon. And I do project a public meeting to hear Dr Fogarty and that is projected to be Monday the 23rd of April so that we might have discussions and a public discussion to assist in responding to that which he has reported upon and I thirdly mention that workshops between officers of the two Government's have been projected for when officers might visit in early May, so whilst the Commonwealth have not given their decisive opinion at this time, there are those projected discussions to be had and that will be following Dr Fogarty's report here to the Island. I give that overview Madam Speaker in terms of tabling this report for the records of this Assembly and give opportunity for Members who wish at this stage, that will be prior to Dr Fogarty's visit and further discussions but there may be discussions to be had at this time. I so table this report.

MRS GRIFFITHS Thank you Madam Speaker I move that this Paper be noted.

SPEAKER The question before the House is that this Paper be noted.
Mrs Griffiths.

MRS GRIFFITHS Thank you Madam Speaker this report has been a long time coming and I'm not just talking about the past few months. I welcome it. While I have many views on many parts of the report, I'm going to confine my comments to one particular area; what it says about our agricultural sector. It's true that Norfolk has not enjoyed a comparative advantage in agricultural production for many years; it's true that productivity is limited because our agriculturalists have little access to extension services. It's true the lack of cheap readily available fresh produce has a negative impact on our visitor experience; it's true there are opportunities to develop niche markets for Norfolk specific agricultural products. I agree with all of that. The report recommends that the agricultural sector would be best served by employing an agricultural extension officer. It suggests costs be shared across our agricultural producers, and the Norfolk Island and Commonwealth Governments. I don't necessarily disagree with that, it recommends that the NSW Department of Primary Industries enter into a service delivery agreement with

the Commonwealth to provide ongoing extension services in the horticulture and livestock areas. It proposes an audit of our agricultural systems, pests and products. It proposes that once the audit is done, specialized extension officers would review varieties that suit Norfolk's growing conditions, as well as developing strategies to assist us in tackling pests and diseases, improving soil conditions and so on. The report proposes that these extension officers serve on Island for several months at a time to provide growers with intensive assistance. It proposes they be provided with Government housing and paid NSW wages, that they work with land holders to produce different varieties for each land holding and to track the performance of products through follow up services. It proposes this be an ongoing arrangement with the number of man hours diminishing over time as growers on Norfolk improve their skills and knowledge. This is where the report starts to go off-track. If our agricultural sector grows, obviously we would need to maintain access to support, training and information, not have it diminished over time. Regardless of that sustainability detail, it sounds brilliant. However it also sounds time-consuming and expensive. To me it really sounds like we're trying to re-invent the wheel. There is no doubt our agricultural resources can contribute a greater portion to our economy and our community. Food prices have risen significantly over the years and they are expected to stay high for the foreseeable future. Like other Islands, most Norfolk residents have fresh seasonal produce however much of the food consumed by our visitors is imported. We could and should boost our agricultural production for ourselves and for our visitors. Our forests too have economic significance. Most timber for construction is imported onto the island yet Norfolk manages 18 public reserves of approximately 225 hectares; about 34 hectares of public lands and 130 hectares of Forestry within the National Parks. While Norfolk is isolated it is not immune to plant and animal pests and diseases; we have pest and plant disease problems. Our sanitary and photo-sanitary standards are weak and we've seen the introduction of new threats all which hinder production on the Island. I was pleased to see the report gave some attention to our livestock; an estimated 60% of the meat currently consumed on the Island is imported. Meat products are expensive, and they represent a significant proportion of food consumed in dollar terms. Developing this area could reduce our spending on imported animal products. The reason I say it seems like we're trying to re-invent the wheel is because just up the road, in our closest neighbour in fact, is an organization that exists just to provide such support to small Islands like us; an organisation that already has a strong land resource focus. Madam Speaker I'm talking about the Pacific Community or SPC, a non-political organization that specializes in providing these services to small places such as ours. Norfolk, like other small Islands are small in size; they are geographically remote; their biodiversity is fragile, and they are exposed to natural hazards. Most importantly, we are all limited by our natural and human resource base. SPC was founded to provide advice, assistance, and training to its members. It recognises that human capacity is limited in small places like ours and supplements national capacities by directly providing or facilitating access to specialised expertise. It is not a funding organisation. SPC works to achieve three development outcomes, sustainable economic development, sustainable natural resource management and development, and sustainable human and social development. If we were to become members of SPC, we would have immediate access to their Land Resources Division; access through membership; access without the Commonwealth and NSW State Department of Primary Industries having to enter into a service level agreements; access without having their extension officers on the Island for months at a time; access without us having to provide housing and access without support being diminished over time. While SPC has six different divisions, their Land Resources Division provides advice, expertise, technical support and training to its members on all aspects of agriculture and forestry. Its objectives are: improved food and nutritional security, integrated and sustainable agricultural and forestry resource management and development, and improved and increased trade in agriculture and forestry products. To meet with today's challenging conditions; it also considers issues such as climate change, unsustainable practices, particularly in managing forests, increasing food prices, and land management. In particular its work in relation to agriculture, the Division provides policy advice and analytical support through the development of policy papers and briefings on

trends relating to land use, agriculture and forestry. Specifically the division strengthens the capacity of its members to implement sustainable forestry management and appropriate forestry and agro-forestry policies, strategies and legislation. The Division also supports capacity building to research and develop new income generating opportunities from the sustainable use of forest and forest related products. In relation to plant protection, the Division assists its members to be ready and develop emergency response plans for high priority pests and diseases. It supports and builds the surveillance and diagnostic capacity of quarantine, plant and animal health staff; and coordinates the response to new incursions, including containment and eradication activities. In relation to animal health, the Division builds local capacity to develop, test, and implement emergency response plans to deal with potential outbreak of emerging and re-emerging diseases. It also works to improve the health, welfare and general management of farm and other domestic animals to minimise risks. Interestingly this program has also developed comprehensive waste management practices using livestock waste as organic manure. Madam Speaker on this basis alone you have to ask yourself, so why aren't we there already? Why aren't we already members and reaping the benefits of what this organisation has to offer? The truth is Madam Speaker the Commonwealth won't allow us access; even as recently as last year, Minister Crean denied a request by the Council of Elders to consider membership to this organisation saying that, Norfolk was an integral part of Australia. Integral part of Australia or not, it is simply not a good enough explanation to deny us access to an organisation that can help. It's appalling that Australia as a founding member of this organisation continues to deny its own territory access when other metropolitan members actually advocate for their territories to strengthen their relationship with SPC. By metropolitan members I mean France, the United States and New Zealand. Unlike other organisations in the region it is a place for territories; there are 16 independent members of the Pacific Community, including: Australia, the Federated States of Micronesia, Fiji Islands, France, Kiribati, Marshal Islands, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, the United States and Vanuatu. Then there are ten territories. They are; American Samoa, the US territory joined SPC in 1983, the Cook Islands, a self governing state in free association with New Zealand joined SPC in 1980; French Polynesia, a French overseas country joined SPC in 1983, Guam, an unincorporated territory of the US joined SPC in 1983, New Caledonia, a French overseas territory joined SPC in 1983, Niue, a self governing British Commonwealth country, in free association with New Zealand joined SPC in 1980, Northern Mariana Islands, a self governing commonwealth in union with the US joined SPC in 1983, Tokelau, a self-administering territory of New Zealand joined SPC in 1983, Wallis and Futuna, a French overseas territory joined SPC in 1983, finally Pitcairn Islands, a British dependent territory joined SPC in 1983. So Madam Speaker it doesn't really matter what type of territory you are, it is for all territories. Madam Speaker, our sister Island, Pitcairn recently enhanced its relationship with SPC to conduct a range of activities specific to Pitcairn's needs and priorities, SPC's Land Resources Division has just assisted Pitcairn to develop and implement import risk assessments for various products of animal origin, including food stuffs, audited the fruit fly surveillance system, initiated a programme concerning parasitoids, which is the strategy where a parasite lives in or on the body of a single host individual, eventually killing that host, they have advised on a quarantine pest surveillance regime, they have provided training materials relating to animal disease surveillance, including post-mortem applications involving the use of rapid test kits, as well as sampling and packaging techniques. They have identified through their joint country strategy approach that the division will continue to help Pitcairn to: control pests such as they Green Back Beetle and Fruit Fly; assess the risks of importing live chickens for local egg production; build the capacity and infrastructure support for bio-security staff; provide agricultural extension services relating to crop rotation; review the agro-forestry potential of Pitcairn; introduce root crops and other vegetables suitable to Pitcairn's soil and conditions; develop irrigation systems and establish reliable water supply; assess the possibilities for small holder livestock production such as poultry, cattle, sheep, goats, honey bees and pigs for local and export markets; para vet training, for interested persons

in a range of veterinary skills, including care for domestic animals; and ascertaining the possibilities of milk production for the domestic market. Lucky Pitcairn, it sounds like Pitcairn is implementing the recommendations of our Economic Development Report. So what is the hold-up for us? Over the years I've asked this question a number of times and none of the responses are satisfactory. I've heard it said that Australia doesn't want to give aid to an organisation and then have one of its own territories receive it back. If that's true it's ludicrous. It doesn't seem to be a problem for any other metropolitan country that has a territory as a member. Indeed, as I've said before, other metropolitan members actually advocate for their territories to have a stronger relationship with SPC. Obviously SPC is used to working with countries and territories as partners so that doesn't hold water. I've heard it said that Norfolk is not entitled to receive funding from any place other than Australia that's fine because SPC is not a funding organisation. It does not hand out money for programs or activities. It primarily provides human expertise and access to resources. Exactly what we need, I've heard it said that Norfolk should attend SPC meetings as observers with the Australian delegation. That's all well and good if the purpose of our membership was to attend meetings. The problem is that attending meetings as observers would not give us access to SPC programs. The only time attending as observers with the Australian delegation would be useful is in the two years it would take until we could next formally apply for membership. I've heard it said that we should attend based on our social links with Pitcairn Island. This wouldn't work. SPC is a non-political organization; it has no other forms of membership such as observer or associate membership as other organisations do. It has countries and territories as full members irrespective of their political or historical status and relationships. Madam Speaker the Australian Government has pledged to its people to deliver a balanced budget in its term. I applaud and support that goal. Goodness knows though I fail to understand why the Commonwealth would insist on going it alone with us considering the vast range of expertise and technical resources we need to undertake the vast range of reforms that we need. It's interesting that Australia, in addition to its membership fees, contributes substantially to SPC work programs. For example in 2009 it announced that it would provide 18.5 million dollars over four years to healthy pacific lifestyles; it is also providing 10 million Australian dollars over four years to strengthen support services for statistical services in the Islands. It also provides support to other territories in the region through their Pacific Rural Internet Connectivity System, The Australian Climate Change initiative, The Australian Maritime Authority, the Australian Centre for Agriculture Research, for Aquaculture, an area not even touched on in our economic development report, but which has some potential here and funding a study on gender-based violence. Don't even get me started on that Madam Speaker! Madam Speaker these are also areas where we could benefit but which aren't included in this report. Interestingly in an article published in Islands Business this month the Director General of SPC, Dr Jimmie Rogers, claims that governments don't quite know how to use SPC to their advantage. This appears to be true even of its founding members. It doesn't make sense to me that the Commonwealth when trying to balance a budget should pay twice for such programs; once to SPC for its members and once again for our needs. I propose that it would be far more equitable for Australia in general and Mr Crean in particular to support an application by us to SPC members. The cost to the Commonwealth would be less than 30 thousand Australian dollars per year. For that price if we got half of what Pitcairn has and will receive it will be value for money. And that's only the Land Resources division. I haven't even touched upon what the other divisions could do for us. Let's not even mention what their demography and statistical division could do. How long have we grappled with our population development? Maybe the Commonwealth could fund another study? Or maybe SPC could do it as part of our membership? Madam Speaker my proposal is pragmatic not political. SPC has no interests in politics. The question now is how do we go about this pragmatically? In the first instance I urge the Chief Minister and our new Administrator to follow up on this proposal. I urge them to discuss it with Minister Crean. I urge Minister Crean and his colleagues to really think about the broad range of needs Norfolk has and then think again about how much it's all going to cost and think again whether or not they can really deliver this balanced budget that they've

promised while they are assisting us, while they are cutting their own Public Service? Madam Speaker I think a large part of our current situation is that we've been isolated from development. We've not got out enough and learned what's going on. We don't hear of modern solutions to emerging problems and if we do it's more good luck than good management. Madam Speaker, we have been like a child locked in a closet all its life then pulled out and expected to have all the social graces of a debutant. It's impossible and unfair. Realistically we need to attend as many SPC meetings possible in the next two years, as observers with the Australian delegations of course. We need to learn of current issues and modern responses that Island's like ours are facing and SPC is working on. When the time comes for SPC membership applications, which is every two years at the Conference of the Pacific Community, then together with Australia we make our submission for membership. After that the decision is in the hands of the other SPC member states. So really the decision on our membership is not really a decision for Australia at all. It is merely the first and apparently the biggest hurdle. Thank you Madame Speaker.

MRS WARD Thank you Madam Speaker yes. Thank you to the Chief Minister for tabling this report today which yes has been long awaited by the community and this report, the economic development report is one of a series of reports which has followed the signing of the Road Map by the Chief Minister and Minister Crean in March last year. So it's not a matter of what we want to do or what the Commonwealth want to do, it's just another report which provides recommendations but I will pick up on some pieces within the report just as a matter of discussion and hopefully to encourage the community to provide feedback, as the Chief Minister has said Dr Fogarty is planning to visit at some stage later in the month so that will be opportunity for the community to come to a public meeting hopefully and again give submission feedback orally obviously through any member of the Legislative Assembly or dare I suggest it's staff but also through to the Chief of Staff in a written form. Dr Fogarty writes, and I'm going to highlight these because I want to highlight the need for structural reform which I'm a big supporter of. And I'll quote "The most significant factors limiting investment and economic development on Norfolk Island are the dominant role of Government in the economy, the associated protectionist legislation... and the lack of infrastructure development by the Norfolk Island Government." It goes on to say "since 2005 the cost of living on Norfolk Island has increased by 26% and at the same period within Australia it has increase by 19%. It is particularly notable that relative to mainland Australia medical costs on Norfolk Island fall disproportionately on low income families. Now these words might be enough for people to ask themselves well why, how did this happen. Well it happened Madam Speaker because as a community, that's what we have wanted over thirty years, the Chief Minister in November 2010 along with the Commonwealth Government took the first steps to move away from that direction and here we have this report as a result, I think that the community so far is to be commended for the job it has done in giving information and ideas to Dr James Fogarty of ACIL Tasman. As a result we could not only see the problems we face but that there are also many opportunities. We understand that our economy has developed in isolation and most of us understand that our jurisdictional status, and the associated costs, is what is holding us back from developing the foundations we need to grow both economically and socially. But this report is like the Public Sector Review though, there's nothing in it that is new. The difference this time is that the Government can not put it in the bottom drawer, it literally can not afford to ignore this document. My hope is that the Federal Government will continue to support Minister Crean with the Norfolk Island reform process and that many of the recommendations within the report will in fact be implemented in time including the prerequisites that the Chief Minister mentioned, which are the social safety net and the ability to retrain people. That is certainly very important, if both Governments decide to move into a privatisation phase within the Government Business Enterprises. If the Commonwealth remains committed we'll soften the blow for those people, if it doesn't remain committed, the landing will be hard, because put very simply we are spending more than we earn, we are not paying back the debt that we owe, for example over \$11 million still owing on the

airport reseal, and we are not putting any money away for the future. And I don't say those things to alarm people Madam Speaker, I say them because they are the facts and we must address major financial fiscal reform and that may very well include privatization and corporatization of the GBE's. The Plan should be, I hope, financial and economic reform that it will go hand in hand with governance reform, and again that is why it needs to be done in partnership with the Commonwealth. And I understand that we were told recently that the partnership is at play and we were told that the Regional Department has already been proactive in offering places for Administration staff to participate in a grant application writing programme, so let's hope that that is getting us prepared for when the Norfolk Island Government is eligible for appropriate Commonwealth Government administrative grants programmes, as recommended in the report. I think we need to be very careful at this time is not to discuss the areas of the report or the recommendations in isolation. Both Government's need to look at it as a big picture problem, or a big picture plan. But I will comment on a few, because the report, as the Chief Minister said, does cover our basic economic model and it looks at our current model of delivery service and where we may reduce our outlay, they are objectives. An important point to mention is that any privatization or divestment of assets will be done by a professional person, who would be recruited, not by lay-Politicians. One of the revenue raising options which is suggested as part of the new fiscal framework is land tax, now if we cast our minds back to 2003 we will remember a tax options discussion paper was commissioned and it contained land tax that came from Australian Treasury at the time. The thing with land tax is that it is seen by economists and Governments as a stable or steady tax, with the least fluctuation and that is what makes it attractive. I think the time has come to gather all the information put the facts on the table because until we do, there is no debate to be had, it's just scare mongering and fear tactics. And I'm going to put a couple of facts on the table today and I'm also going to sincerely commit to taking note of the many questions that are being asked by the community. And the first is that land tax is a local Government matter and it will be this Assembly or the next Assembly, who will decide whether or not Norfolk Island will become subject to land tax, not the Commonwealth. And secondly before we can do anything, we need to find the answers to some of the questions for example what is the value of our land? How many portions are not being used as a saleable commodity? How many people are land rich and cash poor? What is the history of the Absentee Land Levy and will it be removed? What services would the community expect to have in return for paying such a levy or land tax? And I'm interested to know how many portions of land are still held by the same families as was granted that land in 1856. These are some of the questions being asked in the community and answers must be provided and given full consideration. Because at the end of the day we don't have to implement this land tax, the Northern Territory doesn't use it, but we must it examine it and either use it or put it to bed. But I would caution my colleagues and members of the community that we must not block looking at anything because to do so is continuing with a self limiting path. And again it has to be seen in an overall tax reform programme. The suggested privatization is another one that the community is concerned about and for Norfolk Island within this report it means two things, one is to remove the Government and Administration from the ownership and management of business and the other is to raise money in order to reinvest in infrastructure and create a stimulus package. And in fact the report suggests that 75% of money collected from the sale of GBE's should be put back into infrastructure. Importantly at this stage the report doesn't suggest what the price tags are that would be attached, so we don't know, we don't have an idea of how much money would be collected if this is the path that we followed. The suggestion to sell the liquor bond is primarily, as I read it, to provide a stimulus package. And I think when people voted against the sale of the liquor bond in 2010, it was to do with the fear of what would happen with the money. There was a fear that it would be spent on recurrent expenditure or frivolous objects, and that after a short time there would be nothing to show for the asset. Currently it is impossible to argue the loss of the liquor bond revenue, which I think is around \$800,000 per annum, is a good thing when it stands alone, because we don't yet know how we are going to reduce outlay in other areas. But I think that if we do concentrate on the big picture and present the community with a well

thought out divestment Plan then there is a great chance that they will appreciate the need to seriously consider selling off this particular asset. If we are wanting to create stimulus package in the short term. Some may see the Bond as an essential service Madam Speaker, or an essential product, I don't share that view, so I am open to the concept of privatization in this area. Some have questioned the sale of the Liquor Bond, as a monopoly to the private sector with 5 year protection status. Now if the Road Map highlights the need for competition the question has to be asked how does the Government still get to sell a monopoly. Is it our intention to impose one set of rules on the general population but then to work under a different set of rules ourselves. Another suggestion that has come from the community is that we could sell the stock and shut the door and that would provide business opportunity to the community, but anyway I just place that on the table Madam Speaker. But the overarching picture that I pick up, and I of course welcome and encourage people to debate because nine people can read a document and pick up different aspects, that's what getting people engaged in this document and the community as a whole engaged about, because I may see something in a completely different light to somebody else, but as I see it, the report is telling us that if we want to provide any form of stimulus or reinvestment into infrastructure then we need to sell assets, that is the financial state we find ourselves in, and it doesn't sound dissimilar to anywhere else these days, any other state or territory. But I just hope that we can learn some of the lessons that have been learnt in Australia over recent years when they have provided stimulus packages and more importantly let us learn from our own mistakes in the past as well. We need to be careful to base the stimulus on industry where the best return is expected, I will certainly not support a stimulus package going into industries which are not willing to change, we can not fall into that trap. The new World Heritage listing for KAVHA has huge potential we need to invest wisely and of course everything is about improving the visitor experience. We must be sensible about grants that we receive, again it's all about where we place infrastructure or money into infrastructure, what comes to mind is the Waste Management Centre. And it was partially money gifted or granted by the Commonwealth originally, it is a centre which now costs over \$450,000 to run and the way we dispose of our household waste is no different to how it was when I was a child. So again, we need to be very careful about not creating new buildings or multi-purpose centres at the School, when we know right now that we can't even maintain what we've got. It's got to be about a quality spend, not unsustainable growth, that is my major point. A full or partial privatization of Telecom is addressed and I don't intend to argue either way on the privatisation or corporatisation of these GBE's because you can't without having more information in front of us and financial figures. But I promise to be open minded and I certainly will be, I look forward to perhaps one day when the pricing structure is determined so for example NIDS or others may pay to use Government owned infrastructure. But there is one point that I would like to clarify in the report and that is where Dr Fogarty states and I'll quote "Norfolk Island Telecom is currently on a debt repayment program with Telecom New Zealand, which acts to restrict investment that Norfolk Telecom can undertake". We've got to remember that the reason Norfolk Telecom is on a debt repayment program with Telecom New Zealand is because the former Government took what they thought was profit and lent it to the Airport and we know what happened there. But that is what has restricted investment to Norfolk Island Telecom in recent times, past Government actions, not the inability of Telecom to turn a profit. Lighterage and Norfolk Energy again, the price tag and the conditions attached to the sale of either of those entities or areas is not going to be easy to determine and again it is a professional who will carry out that role once both Government's agree on a way forward. On the subject of lighterage though, we appreciate the need to upgrade landing and fuel supply facilities is getting closer every year. A more modern method of landing goods such as containerization will require large capital expenditure well in excess of the capacity of the lighterage undertaking and well beyond the fiscal capacity of the Norfolk Island community and Government. Again it is difficult to make comment on this area and think about moving away from current practice until we know the Commonwealth level of commitment in this area. I'll just touch on one point that Mrs Griffiths raised which related to agriculture and it was actually to do with the

reserves. There is a recommendation that I support, and it says, and I quote “the Norfolk Island Government and National Parks to work collaboratively on arrangements that would see National Parks take on responsibility for additional areas of high conservation value or high recreational benefits” it’s not suggesting taking over management of the entire park, but it is focussing on the high conservation value or high recreational benefit which again is where you would hope to put infrastructure or board walks, or anything that might improve the tourist experience. I think in terms of protection for the natural environment it is about finding better ways to do that. And I think that the state of, for example our Ball Bay Reserve is a sad reflection of past Gov and even current Government attitudes, so I look forward to that hopefully being picked up and run with. I certainly have some questions in the recommendations and comments for example the one that Medicare be delayed until 2015/16. I question the second option raised when taxation is discussed. I don’t accept that ad hoc funding arrangements might continue to be acceptable for Norfolk Island. I do see there are a few factual errors within the report relating to soil samples etc, but there is nothing in it that alters the over arching message within the report. But again Dr Fogarty will come and people who have issue with some of the factual errors can take those up with him. There is a point that I think the subject actually deserves debate in its own right on another day, and it’s titled “Uncertainty and business investment and Actions to lower Uncertainty” and we touched a bit on that earlier in the House this morning, it is something that I intend to discuss with my colleagues and how to bring that question back into the House and highlight how we are going to remove that uncertainty to business investment in the very near future. Just in summary Madam Speaker the aim of all the reports is to look at how best to reshape how we do things in order to set us on a path where we can continue to be as self-sustaining as possible. No-one wants Norfolk Island to end up as a basket-case least of all the Commonwealth. And I think both Government want to maintain the good level of health service, the standard of education and an appropriate levels of social welfare. Again I would want thank community members who are becoming involved in the Road Map process, who are accepting the need for change and who are being active participants in shaping our future. Unfortunately we as Members are not telepathic and we don’t have great departments to help us develop policy along the way, but having said that I’ll mention the Road Map Senior Advisor who does a tremendous job. What I’m saying is that we do rely heavily on community feedback so I would encourage the community to take opportunity to respond as the Government puts out media releases trying to draw feedback in this process. The suggested timeframe in this report is very long, as the Chief Minister has said, it spans over six years. But hopefully by the end of it, if we can bring the community with us and if we can remain committed, and the Commonwealth remains committed then we will have move away from being called a communist economic state, and we will have implanted public sector reform and we will have a new governance and fiscal framework, one which will result in an equitable taxation system, and new foundations which are there to support us not squash us, but in the end we will have a vibrant economy that will continue to sustain us into the future, Thank you Madam Speaker.

MR NOBBS

Thank you Madam Speaker, before I start I might just provide some endorsement to Mrs Griffiths statements earlier, the access to other areas, other locales and other populations in our region, other Islands that have similar challenges and have been through similar evolutions whether it’s been in private/public sector, whether it’s been in health, whether it’s been in social services, I think can only be a benefit to us to have that extra connectivity and knowledge, so I certainly provide some endorsement to what she said there. I will try and be very brief, the report covers a huge array of activities on the Island, there are some perceptions in there too, to some there will be misconceptions, and some assertions that don’t necessarily line up with how they see the Island has operated or may operate into the future. The recommendation of a decreasing role for Government in business is one that I certainly support where we possibly can. However in that divestment process, there are a number of things that need to be analysed in that, and first and foremost is, the stability of the fiscal environment

when you put those GBE's or other divestment areas up for sale, there needs to be a suitable stability that actually ensures they have a value, there has certainly been discussion in this paperwork that talks about the monopoly value and how that may continue over a period of three to five years to ensure best sale value, we're not automatically guaranteed that those items are going to be sold on Island, so there are numerous considerations there in terms of pricing structures and things like that, which then brings in some of the other recommendations, such as the overseeing bodies that may be in place for any of these areas that go into privatisation, and in effect would form part of the competition and consumer protection arrangements that would be in place. The underlying missing component for me is that there really needs to be a long term landscape depicted from the Commonwealth in this document before we can commit to divesting ourselves of whichever GBE may have returned a revenue, we really need to know what the fiscal arrangements are, we need to know more than just if there is a safety net, we need to know what the funding arrangements would be and what that contribution ratio will be, otherwise we may well be selling the farm ahead of the formula that is going to go on supporting the Island and the community into the future, so I certainly intend having a discussion with Mr Fogarty when he is on the Island, particularly about those areas. There are some areas of competition that are visited upon in the document, such as the bed licences and privatisation oversight bodies and things like that, there are some linkages to tourism elements particularly around about pages 91 and 92 that deal with the development of the destination, the ability of Norfolk Island to more flexibly cater to niche markets, there is also one statement in there under tourism opportunities that reads "diversification within the tourism sector must be led by the private sector although there is a role for Government to make this easier through infrastructure provision ensuring a business investment framework that is conducive to investment and promoting the adoption of quality standards", they're all good elements to bring to recognition. I am reminded though that, not just by my own reading, but also by other peoples feedback, that there have been a number of opportunities for all sectors to invest in boom times where there were less disincentives, where perhaps that investment wasn't made, we're now at a cross road where everyone needs to make some changes, whether it is Government or private sector, and that's certainly highlighted in that element of the report. The local stimulus which is mentioned within the report, I've been a strong supporter of that idea for some time in terms of removing disincentives for investment into business and encouraging, particularly certified upgrades to retail and accommodation sectors, so I'm pleased to see that, but we need to know what the fiscal landscape is from. Another area that is talked about, and it is good to see that it has been recognised in this document, the downward spiral and negative feedback loop, and the reason it is good to see it in the report, it is not good to see it happening on Norfolk Island but it is good to see the acknowledgement of it in the report because it highlights to both Government's that the man on the street and the woman on the street at the moment, there is no light at the end of the tunnel that we are presenting at the moment. We are going through a Roadmap process, we're going through a number of changes and some reports that have given us some guidance in how we manage but aside from the collective work being done and I would have enthusiastically being carried out by the Bureau and the Board to encourage tourism numbers and improve tourism numbers, there's a lack of reward out there for the community given the changes that we are committing to, and by recognising this in this report I hope that means that we get a bit more proactive in providing stimulus and initiatives that can assist the private sector in that regard. The social safety net and the timing proposals in this document are all well and good, however there is a conflict with me in that there is a social safety net versus our ongoing work ethic and environment that is all about being productive, so there needs to be a balance in there to ensure that we're not really creating a safety net and then eliminating some of the good productive work that gets done on the island. That will probably do me for now Madam Speaker. I'm happy to have more input as we go along.

MR SNELL

Thank you Madam Speaker. I endorse and support comments from Mrs Griffiths in her summation of the report and just what here

hands, what will remain in the Government's hands and most importantly where are we going to get our monies from, our fiscal arrangements. This is very important. We have to and I'll repeat that, we have to work out our fiscal arrangements first. We cannot work out the way forward, we can't work out the road we are going down unless we now how these things are going to be covered, who is going to be paying for all these things. Now whether it's paid for by GST now whether that's a local GST or we partake in the Australian GST, we have to work out with the Commonwealth which it will be, and if it is ours we know that we could get about \$7m a year from it. If it is to be the Australian one then we will have to work out what the return is and indications are that it could be around the \$13 \$14m mark. We have to work out who is going to be responsible for our Health Services, our Social Services, Education. Who is going to be responsible for implementing a waste management strategy. We've been struggling with this area for years and it's only because of the want of lack of funds that really these issues haven't been progressed. So I see our fiscal arrangement as being the first priority. We have to nut it out, we have to nut this out so that then, we can plan the way forward. The Report that we are talking about right now indicates that yes we should divest ourselves of some of these income earning GBE's. Madam Speaker I would support in some areas that we do but I would not support divesting of them prior to our fiscal arrangements being known otherwise we are just making a whole larger for ourselves. I see it very important that this Government has to sit down, we have to drag all these Reports together, we have to work out where we are going because at the moment we are doing changes in response to financial agreements on a yearly basis. The next financial year doesn't look any better. If we get some funds it will be very minimal. There won't be any there for major Capital Works or major input into the local economy. It will be another hand to mouth budget. So we have to work out exactly where we are going. This habit of just responding to financial agreements or responding to their demands you might say, not demands I suppose it's not the word I'm really looking for, their wants and these agreements where we've got an Immigration change because we've agreed to these to get some funds. I think those days have to disappear very quickly. We have to work out our whole range of fiscal arrangements, work out a path that we're going down in totality so we don't do it piecemeal. We need to see a 10 year plan and that's what one of the Reports say, that's what we lack is a plan for the future. Unfortunately we can't really plan for the future without the knowledge of where the funds are coming from. Until we know that it is very difficult. So Madam Speaker I see that as the next step. It's well and good all these reports identify this, they say this is responsible, they say whether it's the Commonwealth or whether it's the Norfolk Island Government or private investments, you still have to encourage these people to come on board. They have to acknowledge yes they will commit their funds, commit themselves to those reforms or those recommendations and this is why I believe the Commonwealth has distanced themselves to a degree because they haven't themselves, fully committed to all of those recommendations. They don't know where the funds are coming from and until they can identify where the funds are coming from they could not commit themselves to some of these recommendations. It's the same as the Norfolk Island Government. We can't commit ourselves to some of these recommendations until we know how we are going to fund it, it all comes back down to our fiscal arrangements. So Madam Speaker in the next few months I'd like to see the Government piece together you might see a reformed Roadmap, a repaved Roadmap maybe and it may not be a different direction hopefully we are heading in the same direction down a different path. There is a lot of work to be done a lot of data to digest, a lot of feedback from the community that we expect to get and we have to take their concerns on board because not everybody believes in the same path you might say or the same road. So Madam Speaker just with those few short words and everybody is rubbing their tummies and I'll leave it to the last couple in the House to have their say. Thank you.

MR ANDERSON

If everyone is rubbing their tummy I'll try to be short. Just a few short comments at this time as I do not wish to dissect the Report page by page. Clearly as identified it's chicken or the egg situation where what has to be done and what has to be done first and as Minister Sheridan just pointed out very clearly the fiscal

arrangements are the key and that's what needs to be concentrated on until we can work out what we can afford we can't determine what we can have or do. Mr Snell mentioned that the Report lacks depth but the reality is that was not the intention of the Report. The Report is to be a discussion paper and that depth will come later. The dissection and determination of a way to move forward will involve consultation with the Commonwealth and the community and will necessitate the Government making decisions for the future good of Norfolk Island. That's what will add the depth to the Report. It will probably necessitate essentially a new Roadmap or a variation from the Roadmap having a sub branch, maybe it will be the yellow brick road. If these decisions are not taken then someone else will end up taking them for us. The report is sub-titled "Reform of the Norfolk Island Economy" and is essentially a proposal for reform. It is part of the jigsaw that will assist to determine the future. It is not a template of how it must happen. It is a discussion paper and an economic guide to what is collectively necessary to move the Norfolk economy from the stagnating socialistic system that it is to an unrestrained, or at least less restrained, free enterprise system, which will allow the island to function more efficiently. If the current restraints are not removed the economy will die, along with all those things that are regularly raised as justification for why change should not be allowed. The Norfolk Island Government currently has too large a role in the commercial aspects of the local economy and no government can do things as efficiently or profitably as the private sector. Just because it has always been done the way it has does not mean there is no better way of doing it. The Government needs to get back to its traditional core function of governing and providing government related services. This will reduce government responsibilities and reduce costs and expenses and make the economy more sustainable. The more savings that are achieved the more the recurring expenses of the Government reduce and the less reliant we are on handouts. We have for too long lived beyond our means and rationalised it away by ignoring the deteriorating infrastructure and saying it will all be OK. Now we have to fix the fundamentals that brought us to where we are today. That is what the reform aspects of the report is addressing. As the CM outlined, this cannot be done overnight and will in fact take many years to complete. It must be a progressive move forward with changes introduced gradually. We will need a safety net to ensure as change occurs everyone is taken care of. We will need to re-train our workers and that will also present more opportunities. There are many aspects that will be unpleasant like land tax and sales of the GBE's both of which I can spend a great deal of time discussing but we need to consider that if you shut it out straight away what's the alternate source of revenue, you can't just dismiss it, but when we sit back and view the whole picture, the pluses and the minuses, we should see that necessary change will lead to a more sustainable Norfolk Island. I suggest that rather than cherry pick those aspects of the report that are regarded as unpleasant or off the radar, step back and look at the whole for the future of everyone. Self interest will always be a feature but the common good must prevail for there to be any future. Lets now get on with it before it is too late. We need to remove the uncertainty so there is comfort for all, that this way forward is the best thing for Norfolk Island and is absolutely necessary.. Thank you Madam Speaker.

MS ADAMS

Thank you Mr Deputy Speaker and thank you Chief Minister for offering Members today the opportunity to have preliminary discussion on Dr Fogarty's ACIL Tasman Report. Could I echo the words of Mr Snell and to applaud Mrs Griffiths for the work that she has done in respect of one aspect of the Report. She has my 100% support in the words that she has said and I look forward to her bringing to this House perhaps a Motion in respect of membership of the SPC so that discussion can take place in this House and debated. Mr Deputy Speaker my contribution to the discussion today on the ACIL Tasman report is to document issues and questions that have arisen from my reading, some issues and questions that have arisen from my reading of the Report and from reflections on the report provided to me by people for whom I have great respect, issues and questions which for my part require further discussion with Dr. Fogarty when he returns to the Island later this month. The first of these is this, does the

figure of \$37 million quoted as loans and grants over the past 9 years to the NIG also include salaries paid to Canberra-based public servants and expenditure on Commonwealth-owned assets including the National Park, Kingston Pier, Government House and KAVHA. If so, clarity around this figure is important to avoid incorrect conclusions being drawn and we would have all see that Sydney Morning Herald article which that figure was quoted. No 2 is it is unclear to me and others how ACIL has arrived at the conclusion that the role of the Commonwealth in respect of Norfolk Island is an advisory one as that is far from being the position. The Commonwealth has the power to disallow or refuse assent to Norfolk Island legislation and under the Norfolk Island Act controls whether or not the Administration may borrow money. If Dr Fogarty is made aware that it is because of Commonwealth controls that Norfolk Island has been unable in such areas as fishing and seabed resources, online gaming and online tertiary education etc. to develop options for full sustainability, he may have arrived at a different conclusion in respect of our ability to raise revenue from these sources. Without clarity around Norfolk's position vis-à-vis Australia, findings in the report have the potential to be distorted. The third point is that the report seems to assume that increasing population numbers will automatically lead to economic growth and sustainability, without attention being given to the potential negative impact on the culture, history, environment or resources of this Island. I look forward to hearing Dr Fogarty's rationale for what seems to be "growth at all costs" being the panacea for the current ills of this fragile community. The fourth point is the ACIL Tasman report, like earlier reports such as the Commonwealth Grants Commission Report, find it difficult to locate "comparable communities" on the Australian mainland as a barometer against which to compare our economy, consumer costs, population trends and governance structures. The ACIL Report has used Broome in Western Australia as having an economy of similar structure to that of Norfolk Island. I have been provided with the following data: "Broome has a population eight times as large as Norfolk Island and has several significant industries other than tourism, including pearling, fishing, aquaculture, port facilities, grazing and horticulture, supplemented by substantial income generated through support facilities for a large area of hinterland. It attracts around 210,000 visitors a year for 1.25 million bed nights, with an annual tourism spend of around \$600m. Around 40% of all visitors arrive in Broome by road. 15% are from international destinations other than New Zealand". It would be helpful to have Dr. Fogarty's reasons for choosing Broome as the barometer against which to measure us, particularly as it is not a self-governing community responsible for raising all of its own revenues to provide infrastructure, health, education, social welfare, customs, immigration and quarantine services. Broome receives revenues from state and federal governments and is part of mainland Australia, thereby giving it direct land access by high quality roads to the whole of Australia. The fifth point is that Norfolk was set up in 1979 by the Commonwealth as a self-governing territory – a microstate, and given that it is an island surrounded by miles and miles of open ocean, one would think it more realistic to compare Norfolk with other microstates in the Pacific roughly comparable in area such as Niue, Tokelau, Nauru and Tuvalu and with larger microstates of similar size and population such as Tonga and Kiribati. These states receive much more external assistance than Norfolk Island which it could be argued is well ahead when comparing it against accepted measures of well being. Point 6 It seems imperative to ask Dr Fogarty what his reasons are for not considering Norfolk as a Pacific microstate; as it is being argued that modelling Norfolk in that way would result in a very different economic sustainability model than that currently being posed by ACIL Tasman or implied in the Roadmap. 7 - My respect for Dr Fogarty as a consequence of my one on one discussion with him as well as being part of the public community gatherings has me questioning why he would put the weight that he has in much of the report on the community survey conducted to which only 33 people, I repeat only 33 people in a population of over 1700 participated. The weight given to the views of 33 people and the statistics and graphs compiled from those views at best are questionable and raises the question whether the validity of the views expressed are even valid. I am keen to understand why an economist of Dr Fogarty's standing for whom I have greatest respect had in mind in that regard. Point 8 Clearly the report gives much emphasis on a belief in

the necessity of the Norfolk Island government to divest itself of most of its trading enterprises either by their privatisation or corporatisation . Added to this is the requirement for economic restructuring of the operation of the Norfolk Island government by –1. Removal of barriers to competition 2. Privatisation of government businesses 3. Expansion and reform of the tax base 4. Fundamental public sector reform. The report is silent however in documenting the many areas blocked in the past or now being discouraged by the Commonwealth bureaucracy such as offshore banking and financial services, online tertiary education, electronic gaming and commercial access to seabed or fishing resources. It would be helpful to know whether or not Dr Fogarty is aware of these constraints and if not, whether, if he had been, would he have arrived at these same conclusions as he has in the report. Perhaps if these issues were addressed as a positive alternative for building a sustainable economic future for the Island, he may be persuaded to look in that direction in preference to relying on much higher Norfolk Island local taxes, removal of many regulatory protections and fire sales of assets which have the potential to make Norfolk Island a contingent liability on the Commonwealth rather than a sustainable showpiece in its own right as has been the case with many of the British island dependencies such as the Falklands, Jersey, Guernsey and the Isle of Man. Perhaps this is the singular most important discussion that Norfolk and the Commonwealth Governments should be having at this time! Mr Deputy Speaker the ACIL Report contains a great many other issues, it has a great degree of good things within it that we as an Assembly need to turn our minds to, and as I said at the beginning of my debate what I'm putting down here into the debate is not just my views, not just my views. So we have many areas that require discussion and a great many questions that require answers and Minister Sheridan has touched very clearly and I support exactly what he has said and it is to be hoped that this debate will continue over the coming months in the knowledge that the decisions we take on the Island's future in this, the 13th Assembly, affect not only those of us who live in this community today, but also they will affect the lives of our children and our children's' children. Today, I will work towards concluding my debate by documenting for future discussion the very important and I think I heard Mr Snell talk about the World Bank publication "Pacific Futures" which documents the change in the thinking of the World Bank as reported by the Australian National University Development Policy Centre under the heading "The World Bank challenges conventional thinking on the Pacific Island region" following a public seminar last month in Canberra with World Bank representatives Ferid Belhaj, World Bank Director for PNG, Timor-Leste, Pacific Islands and Vivek Suri, World Bank Lead Economist for the same region This work is available online and I can direct anybody there if they would like that. Pacific Futures opens up the possibility of an entirely different economic analysis leading to a complete change in economic strategies toward achieving sustainable and equitable development in the small island states of the Pacific, among which in economic terms it could be argued Norfolk Island fits much more appropriately than being considered analogous with much larger mainland states and jurisdictions. While it is not my intention to go into the World Bank findings in depth at this time – that is an important debate for another day - nevertheless I feel it is of key importance to record the following to help us in our future discussions to look outside the square from where the ACIL Report is currently focussing. Dr Suri highlighted that, based on World Bank studies, micro economies require relatively large public sectors due to their small size, not inefficiency. In practice much of their private sector depends on public sector demand and consumer demand from those on public wages. If the public sector is significantly reduced or too many services privatised, the private sector may see some growth, but experience in small states shows that overall demand falls and the economy contracts. It would also seem that Dr Suri questions the insistence on external imposition of complex governance and regulatory reforms on small states. He said that many of the accountability, financial and administrative changes were far too complex and costly to implement and operate in micro economies. This was often because external "experts" wrongly identified issues caused by small size and limited revenues and resources as "poor governance," thereby complicating the very problem they were attempting to address by adding structures and procedures beyond the capacity of the microstate to absorb or fund. Based on the World

Bank findings It could be argued that we are in fact at risk if the ACIL Tasman strategy is adopted in Norfolk Island. In concluding Mr Deputy Speaker I wish to record my gratitude to Mr Peter Maywald, former Secretary to Government for 5 years here until January 2010 for the 29 page review of the ACIL Tasman Report that has been forwarded to me and I believe widely available in the community and certainly can be made available to Members if that is not already the case. Mr Maywald's paper supports many of the views that I and others in the community hold on the way forward for Norfolk Island and it is from his review document that, with Mr Maywald's permission, I have taken some of my debate today. Just before completing what I'm going to say I would like to add to what Minister Sheridan said about the 10 year, the need for a ten year plan. I hold the view the Vision must come before strategy and when we released the Brand for Norfolk Island 2 years ago the Brand of the World of Norfolk Island Small World no Small Wonder what those people missed was the single line that sat at the bottom on one of the slides which I've taken hold of and it's my vision for Norfolk Island and that vision is that we become the number one sustainable tourism destination and once we agree on the vision we can then develop the strategy, but without that vision of who we want to be in say 10 years time or 20 years time how can we develop a strategy and so perhaps in our future discussions we need to determine what that catch phrase is for us Norfolk Island. On that note Mr Deputy Speaker I will conclude my debate for today and at an appropriate time unless another Member wishes to do so we discuss this at the meeting of members yesterday I'm happy to move, it was Mrs Ward that suggested that we adjourn debate and resumption of debate made an Order of the Day for a subsequent day of sitting, so Mrs Ward that was your idea and I'm happy to do that. Thank you Mr Deputy Speaker.

MR KING

Thank you Mr Deputy Speaker. I quite frankly hadn't anticipated that the debate would be as extensive as it is today for the simple reason Mr Deputy Speaker is that I feel that more could be gained by putting a substantive Motion before the House in relation to this document. Have I said something wrong already. I rather felt that more could be gained by putting a substantive Motion before the House in relation to this and in relation to other Reports. If I understood Mr Sheridan correctly I understood him to be saying when he was talking about pursuing a direction which might be a little³ different to the direction we're heading is that we now have and we're nearing the point where we have all the Reports necessary to begin to pull our threads together to understand and develop a strategy towards achieving the major objectives which had been clearly set by our Government. That is what I understood him to be saying. I didn't understand him to be saying that we would be deviating from the agreed path. Mr Deputy Speaker no one like to hear that they have failed and I am not going to make any reference or elusion to reasons why there has been a failure in certain areas, that's been done and redone and I don't wish to do that but there is no doubt I am sure in most sections of the community that we have erred in conducting or following protections policies over the years that we have curtailed and suppressed investment with long standing policies. I alluded to one only some few months ago about a policy which was implemented on the 28th May 1981 and it remained in place for 30 years until it was abandoned last year in respect of the objectives set out in the Roadmap to stimulate investment in the community and that was the Immigration policy which appeared to preclude at all costs anyone that coming in to invest in new business in the island. How unfortunate that policy was and how even more unfortunate it was that it remained in place for 30 years during a time when very clear statistics available to all of us showed very clearly that we were in a declining situation, our fiscus began to decline almost from day 1 of self government. Now I don't need to sit here and shove those statistics down anyone's throat Mr Deputy Speaker and I won't do that but the writing has been on the wall and it has been clearly on the wall to be read by those who wanted to read it and to be understood by those who wanted to understand it. I say Mr Deputy Speaker that there are still and it is unfortunate and there are still Members in this Assembly who will not be convinced that we have failed at self government in very material aspects. I am amazed to hear around this table that there are still lingering denial and self delusion about our situation, the situation that we find ourselves in both economically and fiscally. I am

amazed to find that there is continuing resistance to the general way forward. How do you say it the ACIL Report, the Fogarty Report is not a perfect Report nor are the other Reports that we are joining together but the substance of them and the theme and the flavour of them cannot be denied and those thinking people in the community accept that. If one wants to attack a particular Report you can do that quite successfully by attacking the particular weakness of it or a particular aspect of it and seek to tear down the whole Report. You can do that with any of these Reports I've done it before in the past, some in this House over the last 33 years of self government have been masters at it but quite frankly we can't do that, it's not consistent with the way forward that we have adopted or decided upon taking. We must now bring these Reports forward. Mr Deputy Speaker I and I don't wish to focus on your own contribution from the floor but I object to paying income tax, I don't bloody well want to pay it, I don't think there is anyone on the island that want to pay it, we all understand that but this debate is not about and cannot be seen to be just about payment of income tax. It has to be seen that that is a key to entry into the fiscal equalisation programmes and the other attendant services that come with being part of that system. It can't simply be seen about the payment of income tax, no one wants that of course we don't want that. Land tax, it will be an issue, it will be something that needs to be very seriously considered. Mrs Ward suggested that that ultimately will be a matter for the Norfolk Island Government to pursue, well that may be the case but most assuredly they will be pursuing it because they are expected to make a reasonable and responsible revenue raising effort if Norfolk Island is to participate in fiscal equalisation. Mr Deputy Speaker I think that we have shown today in debate that there is continuing resistance. I hope that on the next occasion we meet that there will be a substantive Motion put before the House to decide upon, not just simply a Motion to note the paper, that doesn't take us anywhere and I'm not sure that the right approach is to adjourn the debate on that nature but maybe for someone to anticipate bringing a Motion forward a substantive Motion which will seek to establish a position adopted by this Assembly, this House in relation to this. Maybe, maybe by May that we will be in a position to be able to draw all the threads together and put forward a one page substantive Motion which ties it all together and establishes a very clear policy of this House towards the way forward the development of a strategy. So like you Mr Deputy Speaker my mind boggles but it boggles for different reasons, it boggles because I fail to accept that people cannot still understand where we are at and how we arrived there. I will reserve any further comments until hopefully a substantive Motion comes forward.

MRS WARD

Thank you Mr Deputy Speaker. Just on the question of whether we adjourn the debate or have a substantive Motion, we could probably do both I'm flexible. I pass the baton so to speak to the Chief Minister in his summary, I'm happy to role with the punches. I'm just6 going to second a few of the statements made well firstly by the Government and Mr King. Ms Adams' debate and the previous debate by Mr Snell on the floor is basically formulated around a document which has been provided and is being circulated by as Ms Adams has said Peter Maywald. It is a 29 page document and it's titled, it refers to the ACIL Tasman Report – A Misguided Ill Informed Outdated and Ineffective Approach. When I take a step back and I did read the document last night and I thank the members of the community for forwarding that to me, I see it in the same light as the alternative Roadmap. It's very valuable to have these documents put on the table rather than just stand up against each other and we are never going to agree, let's put it all on the table and have a look, but basically the argument of this document is that we maintain ourselves as a Pacific microstate versus the direction that is being taken by this Government which sees us very much as an Australian Territory or island model in the future. So I would just like to throw my weight behind the current direction of the Government and the Commonwealth Government at this stage. Thank you.

MR BUFFETT

Mr Deputy Speaker the way ahead – we need to change our methods of how we are governed and the provision of services, our fiscal arrangements, and I want to acknowledge the value of the Roadmap and lenience to

where we are now to evaluate all of that. The Roadmap has led us along this path to draw together, have commissioned various surveys, various studies to bring together information so that we may have a debate such as we have had today, the broad spectrum of views to be put on the table so that we might then forge forward, because that is what we need to do. No good talking about all of the things of the past, we need to find the way ahead, we must survive, we must provide long term sustainability for this island for the way ahead, and the Roadmap has led us to this very very significant path. This is probably one of the most important Reports that we've received. I'm not in any way trying to say that the others don't have value but this is extremely significant, it's also extremely challenging, extremely challenging but we're at the stage of now evaluating that. I thank all of the Members for their contribution. I think that that will encourage members of the community also to add their weight to this discussion and all of that is to be applauded. I see that we will reach a stage, I wouldn't want to promise that it's going to be the May sitting, that's only 3 or 4 weeks time but we need to do it reasonably promptly so that we do draw together conclusions about how we stand. I don't have any difficulty in this matter being adjourned if you would like to do that. I've got to say that I rather agree with Mr King that the main thrust will be when we are at a situation and don't look surprised, it happens from time to time where we will reach a stage where we need to draw together the conclusions from these various studies and make definitive statements, but that is the value of the Roadmap. It might mean some adjustments on how we go forward but it will still mean the Roadmap has provided us both a substance and the information to back where we are moving. So I say thank you to all of you. At this stage I'm happy to adjourn it but I do recognise that that may be overtaken by a more substantive Motion as we move forward. I move that this matter be adjourned and made an Order of the Day for a subsequent day of Sitting.

QUESTION PUT
AGREED

SUSPENSION OF SITTING

DEPUTY SPEAKER Members I note the time and seek some indication as to whether you would wish to break for lunch. Yes. Therefore this House stands suspended until 2.30PM.

RESUMPTION OF SITTING

SPEAKER We are resuming with Papers. Are there any further Papers for presentation.

MR SHERIDAN Thank you Madam Speaker. . I would like to take this opportunity to table the white paper on Strata Title and ask that the House take note of the paper, and that the paper be printed. Back in November 2010 I requested of the Planning Officer for a discussion paper to be drawn up on the possibility of introducing Strata Title type legislation into Norfolk Island. This discussion paper was received in January 2011 and after consideration it was decided that in order to achieve the best result for Norfolk Island and to ensure that if Strata Title was to be introduced, then it would be best to obtain professional advice in the form of a white paper prior to committing to this fully. Monies were allocated in the FY11/12 budget to allow for a white paper to be completed and in late 2011 it was accepted that Cathy Sherry from the University of NSW would be engaged to complete this task. Cathy Sherry and her colleague, Professor Peter Butt then proceeded to obtain information from both on and off Island by phone and personal interviews combined with a public meeting held on Norfolk Island. This white paper is a result of these considerations and I now table this into the House so that it can be released to the public for their information and comments. The list of recommendations is quite long but in short the main recommendation is that Strata Title would be appropriate for Norfolk Island and that it should be adopted into our planning

laws. It makes it very clear that it should be done in a way that is sensitive to the Island's unique environmental and cultural heritage, and that should be subject to normal planning controls as Norfolk Island legislation allows for, such as the Planning Act, the NI Plan, the Subdivision Act and so on. If strata title is subject to all of these laws then the comment is made that these controls would preclude any use of strata/community title to effect subdivision by stealth. It also suggests that the legislation should be uncomplicated and tailored to the Islands needs and not simply copied from the mainland. It is of note that in the ACIL Tasman report on Economic Development that comment was passed indicating that NI legislation has not developed at the same pace as legislation on the mainland, this acts as a constraint to development, and a specific example of this problem was the lack of strata title legislation, and the way that this has constrained the development of businesses on Norfolk Island. The report advocates that the introduction of strata title legislation to NI to be a priority action. It is now my intent that this report is available to the public for their input and to this extent it is proposed that a public meeting will be held on Thurs 19th April to ascertain the community's views prior to the commitment of this Government with the drafting of the legislation. I encourage the community to take the time to read this report and if they have any comments both in support or against strata title being introduced into NI, then I ask that they make these views known to this Government prior to the end of the month. It is envisaged that by the May sitting of the House that a motion be debated on the introduction of this legislation or otherwise. Thank you Madam Speaker

MADAM SPEAKER
question.

Any further debate Honourable Members. I put that

QUESTION PUT
AGREED

STATEMENTS OF AN OFFICIAL NATURE

CHIEF MINISTER Thank you Madam Speaker this statement is a welcome to the new Administrator of Norfolk Island. On behalf of the Government and Members Madam Speaker I extend a warm welcome to the new Administrator Mr Neil Pope and Mrs Jennifer Pope who arrived on the 2nd April for Mr Pope to take up his appointment. Mr Pope has had years in public life, his extensive local government and business knowledge and experience will lend itself to a collaborative and a productive relationship with the Government and the people of the island. I'm confident that his experience and expertise can assist us through the challenges that lay ahead as the Roadmap to long term sustainability for Norfolk Island progresses and with my colleagues I look forward to a cooperative working relationship as we tackle tough economic times that our island community faces. On behalf of us all Madam Speaker I wish his Honour and Mrs Pope well as they come to live amongst us for the next 2 years.

CHIEF MINISTER Madam Speaker I advised Members that I have established an inquiry into allegations of conduct breaching applicable codes of conduct by a Norfolk Island Minister and a Member of the Service. Members will recall that anonymous documents were lodged with me and with others in recent times and the documents have been placed in the hands of Mr Ron Carl a former Chief Magistrate of Norfolk Island and formerly Chief Magistrate of the ECA ACT to conduct an inquiry. Mr Carl has been requested to independently inquire whether there has been a breach of the Code of Conduct under the Legislative Assembly Register of Members Interests Act 2004 with respect to Ministers conduct. A breach of public sector principles and applicable Code of Conduct under the Public Sector Management Act 2000 with respect to the Public Sector employees conduct and any breach of law or ethics in accessing emails provided to me and to others. Mr Carl has been provided with all of the documents that have been lodged with me and his attention has been drawn to the Legislative Assembly

discussion on this matter on the 7th March in 2012. I have proposed to Mr Carl delivery of a Report so that it may be tabled at the May Sitting which will be our next Sitting Madam Speaker.

MR SHERIDAN Thank you Madam Speaker. It's just a short Statement in regards to the Counselling services on Norfolk Island. Madam Speaker I am pleased to welcome Mr Anthony Tony Gallagher and his partner Kiki to Norfolk Island as a full time Counsellor. As you are all aware the Counselling service has been provided over the past 5/6 years and this service has proven to be a well needed resource for our residents. Tony has a Bachelor of Social Work degree and a post graduate diploma in ? therapy. He has extensive experience in both Counselling including mental health and social work. His employment experiences have ranged from youth work, community corrections, child protection, mental health, private intervention, mental health status assessment, risk assessment, critical incident stress debriefing and adjustment to disability, personal growth and self awareness, relationship counselling and ? therapy ?. I'm certain that these skills that Tony has will be well received by the community of Norfolk Island and in particular those persons in need in those areas. Madam Speaker Tony commenced work yesterday the 10th April and can be contacted on 23191 or 56400. Madam Speaker I on behalf of the community would like to thank Mrs Nadia Lozzi Cuthbertson for her assistance and her professional knowledge in filling in as a Locum in the Counselling role whilst the position was being filled. Madam Speaker I am positive that the community will make both Tony and his partner feel welcome and I look forward to their participation in community activities over the next couple of years.

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 26

Honourable Members, I have received the following Message from the Office of the Administrator and it is Message No 26 which reads that on the 29 March 2012 acting pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following proposed laws passed by the Legislative Assembly, the Goods and Services Tax (Amendment) Bill 2012, (Act No 1 of 2012) and the Employment (Amendment No. 2) Bill 2011, (Act No 2 of 2012) and that message was dated the 29 March 2012 and signed Owen Walsh, Administrator.

PRESENTATION OF REPORTS FROM STANDING COMMITTEES

Are there any Reports from Standing Committees for presentation this afternoon. No.

MOTION OF APPRECIATION TO THE OUTGOING ADMINISTRATOR

SPEAKER We move to the substantive matters on the notice paper and the first is a motion of appreciation to the outgoing administrator and Chief Minister you have the call

MR BUFFETT Madam Speaker, I move that this House respectively expresses and records its appreciation of the service rendered to Norfolk Island by Owen Edward John Walsh, accompanied by Mrs Walsh, in his role as Official Secretary to the Administrator, Deputy Administrator, Acting Administrator, and over the last three and a half years as Administrator of Norfolk Island. Mr Walsh enhanced the wellbeing of Norfolk Island in the performance of his statutory roles, in his Australian Government representative duties, and accompanied by Mrs Walsh, supporting and encouraging the Island's considerable range of community activities. Mr Walsh concluded his term on the 31st of March 2012. This House wishes them both success and happiness as he continues his career.

SPEAKER The question is that the motion be agreed to. Debate Honourable Members. Chief Minister

Norfolk papers this week I noted it was announced that the "Norfolk Woman's Forum" have invited Mr Walsh to take on the role of Life Patron. This is high recognition with the Woman's Forum members representing the interest of woman and yet asking a man to be their Patron because of his personal interest and dedication to the causes pursued by the Forum on behalf of woman. Mr Walsh, as we have already heard, has given a decade of service to Norfolk Island, initially as the Official Secretary and Deputy Administrator and more recently, for approaching the last four years - as the Administrator. It leaves His Honour Neil Pope with BIG shoes to fill because the roll of the Administrator is a balancing act between the roles and responsibilities of the Australian Government, the Norfolk Island Government and the Norfolk Island community. Mr Walsh is clearly very skilled at achieving the necessary balance. Mr Walsh and his wife, Bianca, gained the trust and respect of the community - demonstrated recently by a community petition and separate written requests to Minister Crean from the Norfolk Island Government and from five of the non executive Members - seeking that his term as Administrator be extended. Having been intimately involved with the turmoil, the changes and the developments that have occurred since this Assembly took office I am sure he wanted to see the process through - but that was not to be. Members of the community know of his personal involvement in the issues of their daily lives but probably no one person understands how much effort went into his achievements for the Norfolk Island community and for the Governments of Australia and Norfolk Island. Mr Walsh built community support and respect for the Administrator as an institution - that is as the Territory Crown - and operated it as an important safeguard for residents, despite the highly politicised environment in which the Administrator has to operate. Throughout Mr Walsh's term he emphasised the promotion of community values, cultures and traditions. He actively promoted and developed community values of adhesion, consensus, service and participation while still maintaining a focus on the disadvantaged and marginalised members of the community. Mr Walsh has seen Norfolk Island through an unprecedented period of economic and political challenge and change. The past ten years were characterised by growing Commonwealth interest and intervention in Norfolk affairs and issues, with both the Commonwealth and Norfolk Island Governments having to make difficult decisions and implement difficult governance, electoral and economic reforms. In that time more than 20 parliamentary committee and government initiated inquiries and reviews occurred on topics from governance to child and welfare services and economic reform. Some contentious - and even contested - including before the High Court of Australia. Mr Walsh had the difficult role of explaining Commonwealth interest and actions to the community, ensuring Canberra heard and understood Norfolk Island Government and community concerns, ensuring community engagement and participation in review processes, helping mediate outcomes between Canberra and Norfolk Island and advising both Governments on options for reform. His efforts helped secure government and community support for change at critical times. Mr Walsh secured significant federal funding for Norfolk Island community to improve services and outcomes for residents. He personally identified and pursued grant funding opportunities for government and residents and then working with both to work up submissions and later to administer the grants when received. He identified funding opportunities for Norfolk including : environmental conservation and waste management; health and hospital infrastructure; community heritage and history grants; telecommunications upgrades; volunteer equipment; commemorative grants; literacy and numeracy programs; funding for autism and children with special needs; national anti binge drinking programs to fund youth programs. Funding secured for the community through his efforts included the \$250,000 grant under the National Heritage Trust to implement an Island wide waste management strategy and the \$5M provided under the Renewable Remote Power Generation Program to install renewable energy systems in Island homes and businesses reducing the burden and cost on residents. There was funding for community and volunteer groups to purchase much needed equipment and funding for Norfolk Island School children to create an online war memorial commemorating Norfolk Island residents killed in conflict. The Administrator conceived the idea and then worked with students, teachers and veterans to bring it about. The list goes on and on. There were many other achievements

that I could mention and that I note have been referred to today and in the press such as the setting up of the food bank and sponsoring the visit of Father Chris O'Reiley in co-operation with the Youth Off the Streets Program. Mr Walsh played a crucial role in helping and supporting the Norfolk Island Government secure community agreement to and support for the successful nomination of the Kingston and Arthur's Vale Historic Area site for world heritage listing. To demonstrate "co-operation in action" he worked with Norfolk Island Ministers and officials behind the scenes to assist them with advice and assistance on administrative, policy and legal issues ranging from immigration, fisheries, taxation, heritage management to juvenile justice. As Administrator he worked with the Government to help address social issues within the community – issues like child neglect and welfare, substance abuse, domestic violence, mental health, discrimination and poverty. He identified the need for action and secured support on these matters in his dealings with government and community and in public speeches. Worked with and supported Ministers officials and community groups to build local support and capacity to address and attempt to resolve these issues. Mr Walsh was personally involved in setting in place the arrangements that now operate with NSW Health for the delivery of health services and treatment that many could not otherwise access or afford. The arrangements mean affordable treatment for residents and significantly improved outcomes for them and their children. Before his departure he was working on similar arrangements with the Queensland Government to develop a relationship with Queensland Health for similar access to services in Brisbane. It is difficult to summarise 10 years of achievements in a short space of time so I will leave it there. I thank both Owen Walsh and Bianca for their involvement and their dedication to their roles. They will be missed - but I am assured by Mr Walsh that as Arnie said "I will be back". Thank you Madam Speaker.

SPEAKER Thank you Chief Minister. Any further debate Honourable Members. No. Honourable Members there being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The motion is so agreed

PUBLIC SECTOR MANAGEMENT ACT 2000 - APPOINTMENT OF CHIEF EXECUTIVE OFFICER

MR BUFFETT Madam Speaker, I move that for the purpose of section 38 of the Public Sector Management Act 2000, this Legislative Assembly recommend that Mr Graeme Faulkner be appointed Chief Executive Officer of the Public Service for a term not exceeding 5 years to be determined under the conditions of appointment specified in a written agreement made in accordance with section 40 of the Public Sector Management Act 2000.

SPEAKER The question is that the motion be agreed to. Debate Honourable Members. Chief Minister

MR BUFFETT Madam Speaker this Motion brings in a formal sense a defining step in the appointment of a new Chief Executive Officer of the Service. This position has been advertised, some 50 applications were received. Those top of the list were valued applications. Mr Graeme Faulkner stood out as the preferred applicant. He and Mrs Faulkner were brought to the island for a period I think of 4 days, he addressed the Members here on the Monday that they were visiting the island and I thank Members for being available to meet and to hear him. Mr Faulkner is currently the General Manager of the Byron Bay Shire Council. Previously he has been the General Manager of the Bega Valley Shire Council, General Manager of the Hawkesbury City Council, General Manager of the city of Wagga, Privatisation Commissioner for Papua New Guinea, Executive Director of the Port Moresby Stock Exchange, CEO of the city of

Nedlands in Western Australia, Executive Director Melbourne and Hobart of the Australian Stock Exchange. He has a proven record in leading organisations through change, I emphasise that. He has a proven record in leading organisations through change and we have talked about significantly at this meeting earlier the changes that Norfolk Island needs to face. He holds a bachelor of economics from the University of Western Australia and an MBA from Charles Sturt University. Mr Faulkner has indicated that he is available to commence his task before the conclusion of this financial year. I have earlier circulated of course a CV and other details relating to this and I commend this Motion to Members.

MRS GRIFFITHS Thank you Madam Speaker, I have no doubt that Mr. Graeme Faulkner can do the job; he certainly has an impressive resume. But – and this is the ‘but’ that the Chief Minister knew was going to come – but I consider the process flawed! I was pleased to receive the bundle of documents regarding Mr. Faulkner’s suitability to the position but it was really the recruitment report that interested me most; in particular I was looking for the gender perspectives – but sadly in this case – it was more the lack of it. Firstly - the selection panel comprised only of men. That’s not to say that any of these men have any gender bias but the differences between men and women means that a woman on the panel would have brought a different perspective to the table. Incorporating a diversity of views is the strength of any decision by committee. Not one woman was interviewed! I find it astounding that of the candidates that met the criteria and were selected for interview, not one was a woman. Perhaps that is the outcome of an all male panel. The truth is – we’ll never know. The report shows also the lack of workplace equity concerns. We don’t know how many men and how many women applied for the position – that is the most basic thing that should be included a recruitment report – if gender perspectives really are of concern. Madam Speaker I don’t lobby for women because I am a woman. I believe in equal opportunity and diversity of views. I find it ironic that when recruiting for the top position of the Administration; an Organization that makes such great claims to being an Equal Opportunity Employer to the point that is it is usually part of any selection criteria of any job – its unfortunate but we, our leaders included, seem incapable of translating that into any meaningful action! Having said that Madame Speaker I support the motion.

MRS WARD Thank you Madam Speaker. I would like to thank the Chief Minister for providing Members of the House with the opportunity to meet with Mr Graeme Faulkner that was indeed helpful. I hope that we had a very open and frank discussions with Mr Faulkner to the point that he understood the challenges and the difficulties that we’re facing. His resume certainly put him out ahead of the other applicants in his experience in dealing with change of management for want of a better word. So I wish him well. Just a comment on Mrs Griffiths’ contribution to the debate. I would always hope that the selection of a Chief Executive Officer or any senior position is based on merit not on gender. Like Mrs Griffiths I have no idea how many female applicants came for this role but we have had female CEO’s before and I guess just in defence of the process is the Chief of Staff would have been of assistance to the Chief Minister in sorting the applications and that of course is a woman. I will leave it at that thank you Madam Speaker.

CHIEF MINISTER It will not be a surprise to Mrs Griffiths that I did take into account the processes that she has been referring to. There were 6 female applicants out of the 50. I confirm that this was a merit selection proves but I equally advise that in discussion with the panel I pointed out to them that we needed to examine particularly gender issues. That was particularly identified to the members of the panel. The result is that you see on the table today.

SPEAKER Thank you. Any further debate Honourable Members. No. Honourable Members there being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The motion is so agreed

EMPLOYMENT ACT 1988 - APPOINTMENT OF MEMBER TO THE EMPLOYMENT CONCILIATION BOARD

MR SHERIDAN Madam Speaker, I move that for the purposes of subsection 65(2) of the Employment Act 1988, this House resolve to appoint Carolyn Mignone O'Doherty being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 12 April 2012 to 11 April 2015.

SPEAKER The question is that the motion be agreed to. Debate Honourable Members. Mr Sheridan

MR SHERIDAN Thank you Madam Speaker. Just a few quick words there Madam Speaker. A vacancy came up on the Employment Conciliation Board late last year after the resignation from one of the members and advertisements were placed in the local Norfolk Islander to ascertain whether or not there was any person available with the relevant experience in Norfolk Island to take that position. Upon the appointment of Caroline O'Doherty which happens to be the HR Manager for the Administration and having no response to my advertisements in the paper the question was asked of her whether or not she would take the position on the vacant position on the Board and she agreed to. Madam Speaker I believe with her experience in her role with HR with her ongoing you might say roles and tasks in the employment area, she is a quite a capable person to fill the role. So I recommend her appointment to the House.

MR KING I think I've expressed some disquiet in the past, I don't whether in this forum or not about the appointment of Public Service Personnel to this position on the Conciliation Board. I make no personal reflection on Ms O'Doherty and I'm sure she has perfectly eminent qualifications for the job but there are 2 issues here. One is the fact that there is a potential conflict of interest in that certain parts of the Employment Act extend to the Administration and its personnel of which she is a senior member in the Human Resources section, that is a potential conflict of interest. Secondly I'm extremely concerned that, and I'm not suggesting in any way shape or form that she was forced or compelled to take on this role but it is the second succeeding Human Resources Office who has taken on this role on presumably a request, but my concern is Madam Speaker is that it will simply be over time absorbed into the normal list of duties of that Officer and not so much compelled but feel that they have to take on that position on a successive basis. Those things concern me. I won't raise any opposition to the Motion but I needed to express those concerns.

MR SHERIDAN Thank you Madam Speaker. Just in response to Mr Kings comments and I take on board what Mr King says and he has raised these issues prior and he did raise them prior to the last appointment of the HR Manager at the time and this is the position that is being filled now because of the old HR Manager resigning and therefore departing Norfolk Island. Yes Mr King is quite correct that parts of the Employment Act do apply to the Public Service of the Administration but I'm very mindful that there are 3 members on the Board, one person can constitute a Board if they were debating a position and I'm hopeful that if an employee of the Administration was to present to the Employment Conciliation Board with a problem that she would step aside as in having a conflict in that area. I have no doubt that she would and I have no doubt that the Board can operate professional and resolve any issues or hopefully resolve any issues that come before them.

SPEAKER Thank you Minister. Any further debate Honourable Members. No. Honourable Members there being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The motion is so agreed

MUSEUM TRUST ACT 1987 - APPOINTMENT OF TRUSTEE

MR BUFFETT Madam Speaker, I move that, for the purposes of subsection 5(1) of the Museum Trust Act 1987, this House resolve that Brian Thomas McGrath be appointed as a trustee under the Act for the period 20 April 2012 to 19 April 2014.

SPEAKER The question is that the motion be agreed to. Debate Honourable Members. Chief Minister

MR BUFFETT Madam Speaker the Museum Trust has this vacancy particularly I acknowledge the outgoing Administrator Mr Owen Walsh who was a member and Chairman of the Trust and therefore that has created a vacancy. I pay tribute to his work and Chairmanship whilst in that task and Mr McGrath has been recommended by the Trustees to take up the vacancy and I commend this Motion.

SPEAKER Thank you Chief Minister. Any further debate Honourable Members. No. Honourable Members there being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The motion is so agreed

IMMIGRATION ACT 1980 - RE-APPOINTMENT OF MEMBER OF THE LEGISLATIVE ASSEMBLY TO THE IMMIGRATION COMMITTEE

MR BUFFETT Madam Speaker, I move that, for the purposes of subsections 6(2), (4) and (5) of the Immigration Act 1980, this House recommends to the Minister responsible for Immigration, that Melissa Ward being a member of the Legislative Assembly and a resident, be re-appointed as a member of the Immigration Committee for the period commencing 14 April 2012.

SPEAKER The question is that the motion be agreed to. Debate Honourable Members. Chief Minister

MR BUFFETT Madam Speaker this is a reappointment as the Motion reads. I commend the work that Mrs Ward has made in her role previously and I would very much value her continued participation as a member of the Immigration Committee and on that basis I commend this Motion to Members.

SPEAKER Thank you Chief Minister. Any further debate Honourable Members. No. Honourable Members there being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The motion is so agreed

NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 - APPOINTMENT OF MEMBER OF THE NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ADVISORY BOARD

MR NOBBS Madam Speaker, I move that this House in accordance with sections 4 and 6 of the Norfolk Island Government Tourist Bureau Act 1980 resolve that, as a result of the resignation of Duncan Harvey Evans as a member of the Norfolk Island Government Tourist Bureau Advisory Board, the Minister with responsibility for the Norfolk Island Government Tourist Bureau Advisory Board appoint Alistair John Unicomb to be a member of the Norfolk Island Government Tourist Bureau Advisory Board for the remainder of the term of the member replaced.

SPEAKER The question is that the motion be agreed to. Debate Honourable Members. Minister

MR NOBBS Madam Speaker firstly let me take a moment to thank Duncan Evans for his input into the Board both in his commitment and his ideas and interaction and I certainly welcome Alistair John Unicomb to the proposed role. He comes with the endorsement of the ATA and welcome anybody's input.

SPEAKER Thank you Minister. Any further debate Honourable Members. No. Honourable Members there being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The motion is so agreed

PROVIDENT ACCOUNT ACT 1958 – APPOINTMENT OF TRUSTEES

MR BUFFETT Madam Speaker, I move that, for the purposes of that, following on the resignation of Kim Narelle Edward as the Official Trustee, for the purposes of section 4A(1) of the Provident Account Act 1958, the Legislative Assembly recommend that the Minister with responsibility for the Provident Account Act 1958, revoke the appointment of Gary Dowling as the Deputy Official Trustee, and appoint Gary Dowling being a public service employee, to be the Official Trustee of the Provident Account and appoint Janis Keeping being a public service employee, to be the Deputy Official Trustee of the Provident Account.

SPEAKER The question is that the motion be agreed to. Debate Honourable Members. Chief Minister

MR BUFFETT Madam Speaker I think this Motion is self explanatory. You will see that Kim Edward has resigned, there are health reasons for that and I want to acknowledge the work that she has done although her period of time in that role has been reasonably brief but to offer her good wishes in recovering in her health situation and thank her for the work that she has done. Gary Dowling who has been the Deputy obviously is asked to take on the principle task here and Mrs Jan Keeping has been asked to take on the Deputy role and that's set out in the Motion. I thank those people who have offered themselves for this particular task and I comment this Motion to Members.

SPEAKER Thank you Chief Minister. Any further debate Honourable Members. No. Honourable Members there being no further debate I put the question that the motion be agreed to.

QUESTION PUT

AGREED

The motion is so agreed

SENTENCING (AMENDMENT) BILL 2012

MR BUFFETT Madam Speaker I present the Sentencing (Amendment) Bill 2012 and move that the Bill be agreed to in principle and I table the Explanatory Memorandum to the Bill

MADAM SPEAKER The question before the House is the Bill be agreed to in principle. Debate.

MR BUFFETT Madam Speaker this is an introduction only today, it's not intended that the Bill be finalised. The Bill is broad because there is a need to give greater flexibility in the Courts for processing and assessing junior offenders. This has been brought to notice by people in the legal fraternity including from the Chief Magistrate and these provisions here have been discussed with the Chief Magistrate so that there might be some reasonable assurance that what we are proposing here are those things that would be useful for the Court in how it needs to deal with people in that category. The Chief Magistrate advises me that they are provisions that would be useful and helpful and solve some of the difficulties the Court has had to face without some provisions that we are now proposing to have there. I have tabled the explanatory memorandum. I commend this Bill but it will sit on the table until our next sitting when then I will be in a position to endeavour to give it finality. I commend the Bill to Members.

MR NOBBS Thank you Madam Speaker. Thank you Chief Minister for placing the document before us. We've had a number of discussions on the Sentencing Amendment Bill and I just cover one element that I queried on before and the Chief Minister had provided a response to and that is that when you look within the Schedule at Item 2A where it deals with what the Court shall have a regard to and that is a) the young offenders culpability for the offence having regard to his or her maturity, the young offenders state of development, the past and present family circumstances of the young offender. I've previously queried how they align themselves to other jurisdictions and other Acts that handle this type of arrangement and I'm quite satisfied with the Motion that has been passed back to us that they are right in line and appropriate so I thank the Chief Minister for bringing it forward.

MR ANDERSON Thank you Madam Speaker. I'll be very brief too. I'm pleased to see these proposed changes which we have been anticipating for some time and finally been made available. My concern is that they may not go far enough but given that we've been waiting a while for what we have and they are very necessary I'm happy that we are progressing those. I too have had discussions with the Chief Magistrate who is interested in the juvenile justice package. I'm only concerned that it's unlikely to reach fruition during the life of this Assembly and it may be that during the period between now and the next sitting that we can discuss whether there is anything else that needs to potentially could be added, or whether this is satisfactory for the time being. That's all thanks Madam Speaker.

MR BUFFETT I'll just respond if I may Madam Speaker to Mr Anderson. If there are some suggestions that may be able to be promoted as an amendment in other words to widen the spectrum that is already foreshadowed here I would be pleased to have that conversation.

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

SPEAKER Honourable Members 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 I put that question

QUESTION PUT
AGREED

That motion is so agreed

ORDERS OF THE DAY

IMMIGRATION (AMENDMENT) BILL 2011

SPEAKER We move to Orders of the Day Honourable Members and we resume debate on the Immigration (Amendment) Bill 2011 on the question that the Bill be agreed to in principle and Mr Buffett has the call to resume. Chief Minister

MR BUFFETT Madam Speaker this Bill has been on the table now for a little time. The principle purpose not the only purpose of course is to particularly respond to requirements under the Funding Agreement and that has been done. We brought that forward at an earlier time, we particularly thought it may be appropriate and so did the Commonwealth signal at that time to have an arrangement with a freer movement of people without necessarily the presentation of passports and so we had that in the original piece of proposed legislation. However the Commonwealth have now signalled to us that that is now something that would not be contemplated by the Commonwealth and therefore there is still a requirement for Australian passports and obviously New Zealand passports as well, and so I will move, maybe I've just foreshadowed them Madam Speaker but no necessarily moved them the amendments which I will which will leave in place the requirement for Australian passports and New Zealand passports beyond that of course there will continue to be the normal...

MADAM SPEAKER Thank you Chief Minister. We will invite debate on the question that the Bill be agreed to in principle which I still have to put to the House. Any debate Honourable Members.

MR SNELL Thank you Madam Speaker. I have reservations about this and at this time will not be supporting the Amendments as suggested. I am loathed to support changes to legislation Madam Speaker unless it can be clearly shown that it is to better the community as a whole not just to abide by the wishes of the Funding Agreement at this time. I don't think this proposed amendment to the Immigration Act does this and I don't think it's in our best interest at this time and I won't be supporting it. There are other factors that are relevant Madam Speaker, there are implications from a budget point of view for example for stays longer than 120 days an applicant must make representations and application for a TEP Permit which has some financial gain to the budget to the island and also there are health requirements after 120 days must get health clearance, and there is also of course the question of voting. If they have a stay of more than 120 days to 365 days and in the present time our Immigration system works well and I don't see any justification for a change as detailed and Madam Speaker I don't intend to support the Motion for those reasons budget, health, voting and of course just a changes virtually for changes sake. Thank you.

MR BUFFETT I just want to put into perspective the matter of the reasons here. It's not a matter of change for change sake, it's not a matter of just complying with the Funding Agreement. One needs to see the context. The Roadmap is endeavouring to recognise that we need to be more open and allow our spectrum especially commercial or otherwise to be more amenable to people travelling to and fro this place, and therefore this arrangement, that arrangement has been recognised in the Funding Agreement. The Funding Agreement in turn has asked us to look at this

particular piece of legislation to give that wider spectrum, hence the bringing forward. So there are a number of things that are in play, it's not just a matter of change for change sake. I can accept that people may have differing views about whether that will achieve that end but this is endeavouring to say that people in a visitor sense have a greater freedom to be in this place over a longer period of time, that's particularly the 265 day arrangement and people will know that at present that is a limiting factor at 120 days so this is endeavouring to give a broader spectrum to that. Whether that's hugely great shakes, I'm not trying to make that argument, I'm not trying to make that argument. I can see that there are other things that we too can work further upon but I am trying to recognise what Norfolk Island is saying in the Roadmap, what is endeavouring to being delivered in terms of the Funding Agreement and endeavouring to make this effort to so comply so that our bona fides are genuine and seen to be so.

MR KING Thank you Madam Speaker. I hadn't contributed to the earlier debates in respect of this matter but I think that I have indicated and most certainly recently have indicated to the Chief Minister that he won't get much joy from me in respect of this piece of legislation. He is stuck between a rock and a hard place. The Chief Minister, the Government has to be seen to be responding to the terms of the Roadmap on the one hand, and to do that it appears to need to persist with a piece of legislation which doesn't address the real issues in respect of the objectives. The objectives as I recall them in the Roadmap were to not necessarily change the legislation from memory but to remove any obstacles generally in respect to the flow and the inflow of tourists to the island. Personally I think that that was a unconsidered term in the Funding Agreement, it may have been in those days a desire, an effort to express an objective of placing Norfolk Island inside the Australian migration zone and therefore as a result of that in itself would remove the requirement for a passport on return to the Mainland. I see what is set out in the explanatory memorandum for this Bill. There is in my view no need, no need to increase the term of a deemed visitors permit from 30 to 45 days. In my experience and understanding over a long period of time, it never ever presented a problem of any great proportions nor did it present a problem to approve a Temporary Entry Permit for visitor or tourism type stay beyond the period of 120 days which is what is specified in the legislation at the current time. Those requirements were catered to quite adequately by a simply granting of a Temporary Entry Permit. So you can see that there were no obstacles in that regard and therefore in my view no need to bring about because of changes that are contemplated in this Bill. It is in my view somewhat inadequate and costly response to an obscure term of the Funding Agreement. Mr Snell says the Immigration system works quite well, I could take issue with that but I won't, perhaps at a different time but I can't find any need to support this Bill at this particular stage. It doesn't satisfy any apparent need in my view other than to pay apparent lip service to an obscure term of the Funding Agreement.

MRS WARD Thank you Madam Speaker. Anybody who ends up reading Hansard in the Regional Department or the Canberra area will understand how very difficult it is for the Chief Minister because we sit here as 9 independent members, we don't have a party view that we are forced to follow. I'm going to take us back to the Funding Agreement which points out where this Bill has come from, it just reminds us, and the Funding Agreement is of course what we will agree to do in terms of conditions to receive emergency funding which we can continue to do. So I fully appreciate the position that the Chief Minister is in right now and that he feels he is bound to act in accordance with respecting the Funding Agreement but, in the Funding Agreement Point 11 A 2 it says "Norfolk Island will by the 1st of January 2012 remove immigration restrictions on Australian citizens by or permanent residents arriving as tourists on Norfolk Island", and the original Bill which included the clause about the removal of passports was included. I think its important to go back to that, I understand at the detail stage amendment, to remove that. However, the Commonwealth responded to that so its put in the Funding Agreement but the Commonwealth responded by saying – well that will not be contemplated, we won't be doing that. So basically they have not been able to, I think

through lack of thought, not enough thought, I think is the polite way of putting it. They have again reneged maybe too strong a word, but they have not help up their end of the bargain in trying to remove immigration restrictions because that's what this is all about, it's trying to have freer flow of people, it's about opening or making immigration less restrictive in an attempt to grow the economy. We all understand what the objectives are, but I don't appreciate the quantum leap that's been taken from the Roadmap which said when the Chief Minister signed it in March last year that we would review application for the Immigration Act. Fast forward to the Funding Agreement and it says – "you will facilitate extension of". Now not only has the Commonwealth not been able to or not willing to or not able to put in place border security changes that would mean visitors don't need passports but they are also nowhere near as far as I understand having an implementation plan in place for our access to Commonwealth benefit schemes including Social Security and Medicare. So I think we need to slow down a bit here. I think we need to take a deep breath. I do appreciate, I think the way I should put this is that Members around this table, particularly the Chief Minister understand how pro reform I am on this issue. The Federal Minister is aware of how pro reform I am but we need to get this right. It's as though with all due respect the Department has said – well lets just pop this one in here, we know what the objective is, but in fact the Commonwealth has not been able to uphold their end of the bargain in terms of border control and I'm suggesting that the original Bill as the Chief Minister has put it is actually having the effect that it will make a visitors stay here albeit 365 days more difficult, because what's being put in here is that the Executive Member must be satisfied that a person making an application to extend their visitor visa has adequate means of support and holds valid travel insurance. Now we understand why we put those restrictions in place. We sitting around this table understand why we have those measures in place. Minister Sheridan will share with us the burdens that it potentially puts on his Healthcare system and we just don't have those safety nets or mechanisms in place to protect people so that's why we would have to insist that valid travel insurance is in place, but it actually puts a stop gap almost in place after 45 days to say to somebody well you need to go to the Immigration Officer and you need to provide adequate means of support. I think that's actually contradicting the intention or the objective of removing restrictions to people arriving as tourists on Norfolk Island or visitors who would like to stay up until. Well I agree with Mr King I don't see why 120 days wasn't adequate. So I'm willing to listen to other people's debate around the table but the Chief Minister knows that I have had difficulties with this for the reasons I hope I have explained clearly enough for people to understand, and I don't think that, and I look at the signature on the Funding Agreement and it's Dan O'Brien and I believe he is still in the Department. I don't think that the tap is going to be turned off and that funding will stop flowing. I think that what we basically, if we can't agree to this Bill today, is seek a variation to the Funding Agreement. Now that's been done before, a flexibility has been provided both ways before. I mean the Commonwealth has had timelines for their objectives extended as we have ours. I certainly don't sit here and feel as though I have a gun at my head, being held at my head by the Department that I have to support the Chief Minister in passing this Bill today. It's far more important that we get this right and I'm absolutely confident that we have a good enough working relationship with the Commonwealth and that Department to Department have a good enough working relationship, they would understand the concerns or the reasons of those members who are unable to support this Bill today. Thank you.

MR SHERIDAN

Thank you Madam Speaker. Immigration is always going to be a touchy subject in this place and we always knew it was going to be one of our toughest obstacles when we went down the road of the Roadmap. I see immigration as 2 steps you might say, we have the visitors and then we have the people who come here and live permanently. We are not talking about those people coming to live here permanently. What we are talking about is our life flow visitors to Norfolk Island. At the moment our visitation numbers have dropped from 35,000 some years ago down to around 24,000 mark. That's a huge drop over 30% and as I said that's our life blood, and it's acknowledged in all these reports that have been written and I think we have

acknowledged around this table that to make Norfolk Island prosper we need more money into the community, we need some development. Now we will only be able to develop our principle income and that's tourism through our hotels and motels if these people start getting some bums in beds. Now I feel that if this Bill doesn't say pass the House it will demonstrate to the wider world that we don't encourage visitation to Norfolk Island, we are still trying to restrict it, and that's what the message would appear to be to those people outside who want to come here to visit – oh no they only want you to come here for short stays – you can't go there for a long stay. I think that we should be encouraging people to come here for long stays. Currently at the moment we're trying to remove those areas that hinder a visitor to come to Norfolk Island, at the moment you come on a 30 day visitor permit, then you have to reapply if you want to extend for 30 days and so on until 120 days. I don't necessarily agree with Mr King that after 120 days we facilitate longer stays just by granting a TEP. That may have been a way of circumventing the system but I don't think it was necessarily right. The Temporary Entry Permit was there for another purpose, not for a visitors purpose, it was there for a temporary worker purpose. So this Amendment to the Immigration Act will now allow people to come and stay up to a year with one application to the Immigration Officer after 45 days. Now I don't know what the magic number is to that 45 but I don't really care, 30 days, 45 days, 90 days. It means that the visitor if they want to stay here, one application to the Immigration Officer and then they can remain up to 12 months, remembering of course that if they are on a visitors permit they still have to stay in official licenced accommodation unless they are staying with friends or relatives at no charge, that's how it is supposed to work. So this only betters our economy, it betters the people, the main economy which is tourism, it gets people to stay in those rooms longer, more money and of course whilst they are here of course they are going to spend more money. It also facilitates people who want to buy a holiday home here on Norfolk Island and I know of a few. They come over here for 2 or 3 months of the year, they own a home here but after 120 days they feel obliged to leave. Well they won't have to, they can come here for 6 months of the year, they can come here for 12 months and stay, live in their own home, getting Tradesmen to do jobs around the place, upgrading their homes, spending money in the community. I don't have a problem with the extension of a visitation of visitors, the longer stay. As this Bill states there are 2 requirements and whilst one of them is to hold valid travel insurance and I fully support that because it would put a strain on our health service if they did not have some sort of travel insurance. Now if they had private health insurance that covers them on Norfolk Island, well and good, but currently it is very difficult to get private health insurance on Norfolk Island, it's very difficult. So in that sense we are covering our backs by having insurance that they do have private health. Adequate means of support I'm neither here nor there. I don't fully support having that inclusion in the Bill because I don't really see it's relevant. If they are coming over here on holidays, if they didn't have adequate means of support there is no backstop you might say in Social Services over here that they could fall back on to, so they would virtually have to leave the island if they ran out of money you might say because we don't have those facilities here and the Commonwealth don't extend those facilities here as yet. So whilst I don't fully support that clause in the Bill I don't think it's a reason to not support it. Madam Speaker I see this as vital ok as mentioned in the Roadmap, of course it's mentioned in the Roadmap and it's mentioned in the Funding Agreement that we will do this by a certain date. I think the Commonwealth is trying to help us help ourselves by ensuring that we remove some of these restrictions for visitors to come to Norfolk Island and stay here for 2 months or 3 months, it would be great to see people here for that long spending money in the community and then maybe we wouldn't need 35,000 visitors a year for a 1 week stay. We could get 24,000 visitors who stay for 3 months each, the end result is the same. So Madam Speaker I will support this Bill as it is even though I do have some concerns about one issue in there but it's of course how that issue is administered. If they are going to require full financial statements from a as they say with a GEP from an Accountant etc I think it's going over the top. If it's a simple statement that they tick that they have adequate means of support I think that's fair enough on their application to extend and I hope to see that's how it is administered if this gets up. Thank you.

MR SNELL Thank you Madam Speaker. I'm surprised to hear the comments from Mr Sheridan. You know it's difficult to understand how Mr Sheridan can possibly think that this proposed amendment would discourage visitors to Norfolk Island. They come here on a general stay of around 7-10 days. Anyone staying up to 30 days is generally not a normal visitor to the island and stays of over 30 days has some different connotation to being that of a general visitor. So I can't understand that, and our Immigration needs to have checks and balances, and checks and balances over a 30 day period up to another 30 day up to 90 days up to 120 days are all part of the immigration system, and to change that really would not effect anyone coming here for a longer period. I don't see any reason to think that this would prevent anyone from staying here for a longer period. Madam Speaker it has been clearly indicated that I am anti reform, some are pro reform, I'm anti reform to the extent as outlined in the Roadmap. I've had to sign the agreement of the Roadmap obviously under some duress and in consideration of the extenuating circumstances at the time and it's quite well known that this is one of the levers I think that is totally unfair, unreasonable that has been imposed upon us. Immigration is the only thing that separates us from the total integration within Australia and we must protect it at all costs, and to be said that this is part of the Roadmap and we should abide by it because it is part of the Roadmaps, it's what Australia has asked for is certainly in my way of thinking and I certainly won't be supporting it. Thank you.

MR NOBBS Thank you Madam Speaker. Let me just start by working from intentions versus outcomes. Now the intentions that are laid out in the Roadmap are similar to what are laid out in the Economic Development Report, the Wellbeing Report, in the various studies that have been done, the intention is to resecure our sustainability, is to bring stability back to the island and in some areas it's about bringing us up to date with some of the things that are going on in other jurisdictions and other island areas as well as in the general population in areas even in Australia. That's not to say that all of the intentions are going to match the outcomes but this is the starting point. There have been a couple of things around the table this afternoon and Mr King mentioned one about how he's never seen the interest or need for a longer term visitor permit. As a former Immigration Minister in myself I have seen many applications for them beyond 6 months and some of them have been to facilitate the writing of books to carry out artistic sojourns or any of the other things that relate to that or rehabilitation programmes for family members. So I would have to say that not so many for tourism. So in that regard it doesn't necessarily apply across the tourism bracket but it does lend itself to the industry that we have in place to gain revenue from the visitor and these people are in effect a long staying visitor. So I just really put that on the table. We've talked about the insurance and do have some concerns with the insurance in that I'm not sure how that's to be quantified because if it's to be a travel insurance I cannot see any travel company giving you from fly in to fly out insurance that's got 365 days in the middle of it. However I could well stand to be corrected on that and I'm not saying there aren't other methodologies to get insurance but that certainly needs to be looked at and clarified. One of the key things about Norfolk Island's immigration pact and policies has been to ensure responsible immigration hence the reason for the permit systems and things like that and the same responsibility is not just about protecting Norfolk Island and the community of Norfolk Island it's also about protecting the potential visitor or immigrant into Norfolk Island and so I actually support the idea of a tick box that says the person coming in has carried out an assessment and they are prepared to endorse that they have the capacity to support themselves. I actually think that's quite important because it will show that they've done a bit of due diligence, they know what cost of living applies over here, they will understand what their accommodation costs are and things like that and then they tick the box. It's not a case of a visitor permit given in complete ignorance of what the cost of living or day to day operational costs are. For some of the accommodation properties on the island in hospitality and tourist accommodation I should say, I've actually been speaking to some of them for some time about longer stay

accommodation opportunities for them. For some of them it's probably the ideal option if not potential one of the only options as they move forward to get the optimum out of their properties. I've put a significant amount of work into a particular area to help one of the proprietors look at ways that they may transition into longer stay accommodation. In fact I've even taken Minister Sheridan along to further discuss some of the opportunities that come out of it. The areas that have dealt with the passport that we've covered before. When we've discussed that I certainly didn't think that we would go anywhere by going to a photographic document given Department of Immigration and Citizenship requirements and the like. However as the work continues with the Trans Tasman gateway who knows what may eventuate out of that in terms of what is the new travel documentation which may be a different type of electronic travel authority. So I think at some point we may well be revisiting this with a different type of travel documentation that may not need a passport, but we have the flexibility to do that and that's where it really comes down to making specific changes that enhance our ability to attract the tourists and also to process the tourists. I would have to say that I share the same concern that Mr Snell has raised with regard to the voting. I think that is something that we need to acknowledge around the table and that is that with the change to eligibility to vote for Australian citizens who are on Norfolk Island for 6 months or more they have the capacity to vote. I'm not saying there would be a huge number of them and that they may have such a potential to change the outcomes for elections on the island but they may have the opportunity to have an input without necessarily the ongoing concern or plan to see the outcome. So I think there is some room for consideration in how that may apply itself. Other than that Madam Speaker I intend to support it. I think there are some areas of benefit and freedom of travel that we are trying to address here. I think at the end of the day in as much as it has come to the House and then been readjusted with regard to the passports we need to keep a constant surveillance of it and make sure that if it is not running to what we see as optimum for Norfolk Island and for the various other elements for us then we need to make some changes to it. Thank you.

MR KING Can I just pose a question which the Chief Minister may care to address. Is it not a fact that the greatest obstacle to tourism visitation by Australian citizens is the requirement for that person to have a passport to re-enter the Australian Mainland, not to enter here but to re-enter the Australian Mainland. Is it therefore not a fact that the real issue in this whole question to address is whether we should remain in or out of the Australian migration zone. Is that not the real issue?

MR ANDERSON I'll keep it brief I think everyone has covered most of it. Everybody knows I'm pro reform and I'm only too happy to present a new economic opportunity by opening the island up for longer stays by Australian and New Zealand residents and permanent residents of Australia. It's quite restricted in that regard. I have a concern that this does not remove barriers it imposes additional ones. If I go to Singapore I'm allowed to stay there for 90 days, then I make an application to stay, but if I go to the Gold Coast from Sydney I don't have a restriction as an Australian citizen on whether I can stay in Queensland from beyond any period. Another restriction that was just touched upon by 2 of the Ministers. If you go to the gold Coast from Sydney I'm not obliged to stay in rented accommodation, I can go and rent a house, I can go and rent a unit. Is that not another barrier? Yes we want to encourage people to use the paid accommodation but there is also the property owners that might like to use their properties. It's a barrier and it needs to be addressed. Insurance I mentioned before. Travel insurance and I haven't done the research but I'm happy to is intended for travel. Probably if you say your going to a pacific island and you need 365 days that cover you but if your intending to take up temporary residence that might take you outside the definition of being a traveller or a visitor. If your going to be here for 365 days your likely to want to return to the Mainland. That will terminate your travel insurance because you return from the place of whence you came, so your going to have to take out new travel insurance. That brings me onto the points that raised before, under what circumstances can these extensions of permits be cancelled. Someone commits an offence and the

Court wants to deal with them do we want them to then stay as a visitor, I mean these are circumstances that need to be thought about. They will be dealt with the same as any other person on the island but they will have permits that won't have any other conditions on them. I mentioned before about the possibility of a pregnant woman coming to the island and after 45 days deciding I might stay for the 365 which is also a possibility. I understand that we have to be seen to be doing something. I appreciate that the Commonwealth would like us to move this forward and I'm assuming that given that they looked at the passport issue and decided that they couldn't keep their end of the deal and therefore said we shouldn't proceed with that that they also looked at the 45 day issue and said that they presumably had no problem with it. So if we pass it the Commonwealth are going to be happy but I'm not sure that we should pass it just to satisfy a condition in the Funding Agreement. I think it needs to be given more thought and I'm concerned that what this Bill does is impose more barriers but at this point because I would support the thrust of it but not the content of it I expect that I will abstain. Thank you.

MRS WARD Madam Speaker for a start I'm offended at any suggestion by anybody anywhere that I would do anything to restrict the visitation of the visitors to Norfolk Island. I'm still having a problem with this Bill, I'm stuck on the original intent which was to remove immigration restrictions to Australian citizens arriving as tourists to Norfolk Island and I have to ask myself what restrictions are there? What is our Act doing to stop or restrict or put barriers up to people arriving as tourists on Norfolk Island – nothing, cost of the airfare maybe, need of a passport to get back into Australia maybe but I don't see what we are doing. When you cross over to longer stay, so your sort of crossing from lets stay at tourists because that's the word used in the Funding Agreement to longer stay I have no problem with an amendment which actually removes that having to go back into the office every 30 days and pay another \$24 to 120 days. Now I said 90 days in original discussion when we discussed this, that wasn't listened to. What this Bill is doing is putting up a barrier after 45 days. Minister Sheridan and I obviously see this from totally different sides and I respect that but I'm going to stick to that one. I don't see the barrier. I see that we could remove that 30 day limit, that would be a better way of removing it if we are serious about trying to make it easier for longer stay people, remove that entire. I did ask this question as a Question on Notice months and months ago, how many visitors leave debt at the Hospital and I think there was 1 over a period of 3 years. So it's not a high risk area. So if you want to go for long stay remove that 30 day business, go to 120 days because bringing it back to 45 and putting in a barrier which says prove your adequate means of support and hold valid insurance is actually placing a barrier in the way of visitors staying longer on Norfolk Island. Thank you.

MR SHERIDAN Thank you Madam Speaker. Could I ask Mrs Ward what would you do after 120 days if you wanted to stay here for 3654 days?

MRS WARD I'm happy to answer that as part of debate of course. Maybe that's a time when somebody goes, we've had this discussion lets be frank and honest around this table, what did Minister Sheridan campaign on, he actually campaigned on abolishing the permit system. So if we want to get really serious about dealing with immigration let's have that debate. Let's not chip away at our Immigration Act, let's be serious. Our Immigration Act is not working, look at the criteria when you want to come for a GEP. What is the thing that turns everybody away - the financial asset and liability statement because they say, we're Australian citizens, why are we being treated like foreign nationals, I don't want to put my colour of my underpants on the table for everybody to see. That is the barrier to investment in Norfolk Island. Minister Sheridan got any other questions?

MR SHERIDAN Thank you Madam Speaker I did ask a serious question and as Mrs Ward was trying to say that we extend from 45, remove the barrier

from the 30 day limit instead of having to reapply every 30 days take it up to 120. I asked what would you do at 120 days, I would assume you would then ask for a permit to stay longer which is exactly what this Bill is trying to do. After 45 days you ask for a permit to stay longer up to 12 months. I said 45 days, I don't know what the magic is about that number, 120, I don't know what, I said it initially 45,90,30 but it's once off. It's a once off application. I don't care when you apply, apply as soon as you come here day zero, apply then. I don't really care but I can't see that it's any impediment having 45 days in there if it's the intent that you have to apply to extend up to that 12 month period. If that's what I think Mr Snell was saying, you have to have some sort of control over your immigration. If that's the intent well then you do have it, you then reapply after a period of time. However long that time is I don't really care, 45, 120, but it's 45 in the Bill and as I say I'll support that because it's a one off application. Your saving yourself money, the visitors are being saved the hassle of attending to the Immigration Officer every 30 days if they want to stay here for 6 months or so, that's the intent, is to allow people to remain on the island for a longer period and I can't see any reason wrong with that. As for them being eligible to vote I don't think they would be because they are on a visitors permit. I'm sure our electoral qualifications state that you have to have some sort of permanent residence or whatever but it would negate a visitor, I'm very positive.

MR SNELL Thank you Madam Speaker I'll just finish up. After 120 days of residing on the island one would apply for a Temporary Entry Permit which is not a major problem providing they meet the criteria. There are certain, again I mentioned checks and balances that are required, it is a budget requirement that pay X amount of dollars that has to be taken into account. I'm sure that if you want to stay here for more than 120 days you don't mind paying for it and anyone Australian citizen normally domiciled on Norfolk Island for a period of in excess of 6 months and being and Australian citizen would be entitled to vote here. If they are staying here for 365 days I agree with Minister Nobbs that's not going to make a great difference to any results of any Assembly on Norfolk Island but is just the principle of it and we won't go back to that 2005 when that debacle was tossed upon us but Madam Speaker lets put the Motion.

MR BUFFETT Madam Speaker this debate is interesting. I know that some of the factors have been mentioned before obviously. There are some therefore that are not new but what debate has brought together a number of factors that were not necessarily all seen in the one spot. There have been isolated arrangements. For my part I think we need to get on with making some adjustments in our immigration area. I think that view is shared by a great many people around this table, not all, but a great many people and I think I can see that there may be some adjustments in this piece of legislation that might give greater assurance to people in some areas as to how we might travel forward. For my part therefore I would be willing to try and have some further discussions with people who would want to make some adjustments and try and therefore bring that forward to our May Sitting to see how we would travel at that time. I think that's probably a more practical way to assess this and I'm willing to do that, and on that basis I obviously will not progress to the stage of making any adjustments in terms of amendments here. There might be additional amendments to be made to that but I would be prepared to make a Motion at this time to not conclude today but to bring it forward for example at the May Sitting and move that this matter therefore be adjourned and made an Order of the Day for a subsequent day of sitting. I will project that to be May but that's the context at this moment.

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

QUESTION PUT

MR SNELL

NO

MADAM SPEAKER
dissent recorded.

Would you like the House called Mr Snell or just your

MR SNELL

Yes dissent recorded please

The Ayes have it. Debate is so adjourned Honourable Members

FIXING OF THE NEXT SITTING DATE

MRS WARD

Madam Speaker I move that this House at its rising adjourn until Wednesday the 9TH May 2012 at 10.00am

MADAM SPEAKER

If I may just record at this point in time Honourable Members when we discussed at our meeting of Members I advised that I was unable to be here on that date. I so seek your leave to be absent.

QUESTION PUT
AGREED

Thank you, the motion is agreed to

ADJOURNMENT

MRS GRIFFITHS

I move that this House do now adjourn.

SPEAKER

until Wednesday 9TH May 2012 .

The question is that the House stands adjourned

QUESTION PUT
AGREED

Thank you this House stands adjourned until Wednesday the 9th May 2012 at 10.00am

