



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY  
14<sup>TH</sup> NILA HANSARD – 20 MARCH 2013**

**INAUGURAL MEETING OF THE FOURTEENTH LEGISLATIVE ASSEMBLY**

CLERK Please be seated. Your Honour, the Administrator, Mrs Pope, Honourable Members of the Fourteenth Legislative Assembly, Ladies and Gentlemen, good morning.

This meeting, the first of the Fourteenth Legislative Assembly of Norfolk Island, is convened pursuant to the following notice, which appeared in the Norfolk Island Government Gazette dated 18 March 2013:

“I, Neil Albert Pope, Administrator of Norfolk Island, under section 40 of the *Norfolk Island Act 1979*, do by this notice, convene the first meeting of the Legislative Assembly of Norfolk Island after a general election of that Assembly, to be held at the Legislative Assembly Chambers, Kingston, at 10.00 am on Wednesday 20 March 2013. Neil Pope. Administrator” and that was signed, 18 March 2013

**PRAYER**

I now invite all present to be upstanding, while Reverend Frank Mostyn reads Prayers please.

REV MOSTYN Let Us Pray. We thank you Heavenly Father for the support and goodwill, of the people, who have elected these, their representatives, here gathered, to enter this high office. We humbly thank you for the privilege of serving you in the cause of good government for the sake of your people. May this 14<sup>th</sup> Assembly be granted the special measure of your wisdom, insight and counsel, beyond expectation to unite and lead your people on this journey of change. May they rise above self interest and give themselves wholly to serve all, great and small alike, for the common good welfare and happiness of your people on Norfolk Island. AMEN

**RETURN TO WRIT FOR ELECTION**

CLERK Thank you Reverend Mostyn. Please be seated. I have received a Return to the Writ for the election of the Legislative Assembly held on the 13<sup>th</sup> March 2013. By the endorsement on the Writ it is certified that the following Members have been elected:

- Lisle Denis Snell
- Robin Eleanor Adams
- Ronald John Ward
- Timothy John Sheridan
- Melissa Ward
- David Ernest Buffett
- David Raymond Porter
- Ronald Coane Nobbs
- Hadyn Paul Evans

I lay the Return on the Table of the House.



MS QUINTAL Mr Nobbs, please take the Bible in your right hand and read and subscribe the oaths

MR NOBBS I, Ronald Coane Nobbs, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Ronald Coane Nobbs, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

MS QUINTAL Mrs Ward, please take the Bible in your right hand and read and subscribe the oaths

MRS WARD I, Melissa Ward, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Melissa Ward, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

MS QUINTAL Mr Evans, please take the Bible in your right hand and read and subscribe the oaths

MR NOBBS I, Hadyn Paul Evans, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Hadyn Paul Evans, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

MS QUINTAL Mr Sheridan please take the Bible in your right hand and read and subscribe the oaths

MR SHERIDAN I, Timothy John Sheridan, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Timothy John Sheridan, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

### **ATTESTATION BY ADMINISTRATOR**

CLERK Thank you Ms Quintal. I will now ask His Honour the Administrator to sign the form attesting to the making and subscribing of the required oaths and affirmation by Members of the Fourteenth Legislative Assembly

ADMINISTRATOR Members of the Legislative Assembly I wish to congratulate you all as successful candidates and now Members of the Fourteenth Legislative Assembly of Norfolk Island

### **ELECTION OF SPEAKER**

CLERK Thank you Your Honour. The next business is the election of a Speaker of the Assembly. Are there any nominations please? Mrs Ward

MRS WARD Thank you Clerk. I move that David Ernest Buffett, be elected Speaker of the Norfolk Island Legislative Assembly and do now take the Chair as Speaker

CLERK Thank you Mrs Ward. Mr Buffett, do you accept nomination.

MR BUFFETT I accept nomination Madam Clerk

CLERK Are there any further proposals? There being no further proposals the time for proposals has expired and I declare that David Ernest Buffett, has been elected Speaker and would now ask Mr Buffett to take the Chair

MR BUFFETT Honourable Members I say to you warmly that I thank you for the confidence that you have bestowed upon me in electing me to be Speaker of this 14<sup>th</sup> Legislative Assembly

### **ELECTION OF DEPUTY SPEAKER**

SPEAKER Thank you. The next business is election of a Deputy Speaker of the Legislative Assembly and I ask are there any nominations please

MR EVANS Thank you Mr Speaker I move that Mr Ronald Coane Nobbs be elected as Deputy Speaker

SPEAKER Thank you Mr Evans. Mr Nobbs, do you accept nomination.

MR NOBBS I accept nomination Mr Speaker

SPEAKER Thank you. Are there any further proposals Honourable Members? There are no further proposals. The time for proposals has expired and therefore I declare that Ronald Coane Nobbs has been elected Deputy Speaker of this 14<sup>th</sup> Norfolk Island Legislative Assembly and offer warm congratulations to him on his election

MR NOBBS Thank you Mr Speaker and thank you to the Members

### **ADMINISTRATOR'S ADDRESS**

SPEAKER Honourable Members, I now invite His Honour the Administrator who is present obviously for the range of formalities and pleasurable occasions this morning to address the Legislative Assembly. Your Honour

ADMINISTRATOR Mr Speaker, Honourable Members, Madam Clerk, distinguished guests, ladies and gentlemen. It is a privilege to address this first sitting of the Fourteenth Legislative Assembly and to congratulate each and every member on their election. The Federal Minister, the Honourable Simon Crean has specifically asked me to pass on his congratulations to all the successful candidates. I would also like to thank the three Assembly Members, Mike King, Craig Anderson and Andre Nobbs who did not recontest this recent election and also the six unsuccessful candidates who put themselves up for election and helped ensure that the democratic process is alive on Norfolk Island. As Chief Minister of the Thirteenth Assembly said recently in the Norfolk Islander, "...general elections form an important community component in the democratic process and many countries around the world are still fighting for the right to vote. Along with voting rights come responsibilities such as to make sure that it counts towards good governance of your local community". The people of Norfolk Island have done their part in a process by exercising their democratic vote and have now vested responsibility in each of you as Member of this Chamber. It is incumbent on you to wisely exercise that responsibility. This Parliament convenes at a time when Norfolk Island is having to contend with a range of serious issues and challenges. We have a depressed economy and a community that is doing it tough. Many residents are facing the hardship of having a partner or children or

grandchildren that they dearly miss, who are out of necessity living, working or studying back on the mainland so this is a time for us all to pitch in and do what is right for this island and its people. The Federal Government has over a period since December 2010, contributed in excess of \$29m to Norfolk Island and we may be successful in the coming months for securing from the Regional Development Australia Fund millions of dollars for infrastructure, namely the high temperature incinerator, fuel works and ancillary services to assist cruise ships and freight. Those projects will be of great assistance if the applications are successful but they would not be the panacea to all our problems. We need long term sustainability that will require courageous decisions by those of you sitting in this chamber. Tough times require tough decisions. As I have stated on other occasions there is unanimity within our community on a number of issues. There is general agreement that we need firstly build tourist numbers to the island,. Secondly to have a more sustainable population. Thirdly that the Norfolk Island Government and the Federal Government to constructively work together. Fourthly to develop our port facilities for cheaper freight and disembark cruise ship passengers and lastly, a strategic direction that will alleviate the current economic hardship. The issue we have and the challenge for this new Legislative Assembly is to reconcile the differences in opinion as to how we get there. I can recall from the former Premier of Victoria, my first boss in Parliament the Hon John Kane, saying to me and my colleagues in 1982 when we were first elected to Government that it's not enough to merely sit in the Parliament, but you have a Responsibility to continually engage with your electorate but to also give them an explanation especially if a decision is not popular. He was saying to us that public office often involves a choice. You can be popular or you can get the hard things done but you can't always have it both ways. Good governance requires courage to make the hard decisions and to stand by them and communicate. I was also privileged to serve in Cabinet with my friend the former Premier the Hon Joan Kirner, and she would say that you can never communicate enough. Keep giving the message until it is told back to you. So, now that you are Member of this 14<sup>th</sup> Legislative Assembly, you have taken on this enormous Responsibility. By democratic process each of you bring to this Chamber the policies upon which you were elected. As a result differences of opinion will arise, however, in order to reach a decision or achieve an outcome, you will now have to engage in debate, listen to and challenge each other's views and then seek to reconcile those differences. That is what Norfolk Island's model of self government demands. There will be times when you will have to make a call based on all the information available that is contrary to some popular view or other held by Norfolk Island residents but as long as you are prepared to explain why this decision or that outcome is necessary, the loss of any popularity will not be at the cost of respect. This Legislative Assembly must be a place for practical and constructive discussion with a shared sense of responsibility. Pie in the sky solutions that are unachievable or worse still, no solutions at all will only condemn this Island to a state of dependency scrambling for the next handout. The people of Norfolk Island don't want or don't deserve that. I look forward to the deliberations later today as discussion with Minister Crean yesterday. A commitment to the principles of the Roadmap is imperative. Last Friday I said on radio "... just because there are some people who designed the Roadmap in March 2011 doesn't mean that they got it all right. Doesn't mean that elements of the Roadmap shouldn't be amended. Key elements of the Roadmap come out and are exhibited in the Funding Agreement. Immigration, GBE's etc, so there are some key elements and those key elements need to be delivered ". End of quote from last week's radio. The Federal Minister and I are committed to those key elements. As representative of the Australian Government on the island I look forward to working with the soon to be sworn in executive and indeed all Member of the Legislative Assembly to tackle the challenges we face. I wish you all well in your deliberations.

### **SPEAKER'S ADDRESS IN REPLY**

SPEAKER

Thank you Your Honour. Thank you indeed. Your Honour and Mrs Pope, Honourable Members around the table and our invited guests who are here this morning. warmly for your address to us this morning. Your Honour and Mrs Pope. Although we are significantly advanced in the proceedings this morning, I however at this stage, warmly greet you on behalf of Members here in this chamber and welcome you

to the Chamber this being your first occasion to come here in a formal arrangement in your term as Administrator. Thank you for the congratulations to us all on being elected to the 14<sup>th</sup> Legislative Assembly, thank you for the statutory formalities of swearing in each Member and I thank you for conveying wishes from Simon Crean, Minister for Regional Australia, Regional Development and Local Government. We, who are members of the Fourteenth Norfolk Island Legislative Assembly, are honoured to have been chosen by community of Norfolk Island to represent them and to make laws for the peace, order and good government of the Territory of Norfolk Island in the context of your earlier words and we are joined in prayer here this morning, we have subscribed to oaths or affirmed our commitment to give service to the Norfolk Island people and we wish to continue in partnership with the Commonwealth Government to secure a sustainable future for Norfolk Island and its community. Thank you Your Honour for your address this morning and we have been privileged that both you and Mrs Pope have come to join us today. I conclude by saying that I would like to present you with a copy of this Reply Your Honour and a small token of appreciation from the House

## **SUSPENSION**

Honourable Members the House will now briefly suspend and then reconvene reasonably promptly. I would ask that members and guests stand while His Honour the Administrator and Mrs Pope and his party depart from the Chamber. Thank you

## **RESUMPTION OF SITTING**

**SPEAKER** Honourable Members, we commence with substantive business this afternoon and we move to the first item of business.

## **NOMINATION OF CHIEF MINISTER**

**SPEAKER** I call for nominations for the position of Chief Minister in terms of the statute, the Norfolk Island Act 1979. Mr Nobbs

**MR NOBBS** Mr Speaker, I move that Lisle Denis Snell be nominated to be the Chief Minister and that the Administrator be advised accordingly

**SPEAKER** Mr Snell, do you accept nomination

**MR SNELL** Mr Speaker I accept nomination as Chief Minister thank you

**MRS WARD** I intend to very briefly debate this motion as it is a normal motion on the table. To support this nomination I would need to feel confident that Mr Snell was the person to lead the community through the reform programme and commitments to the principles of the Roadmap. I would not go into the detail at this stage. I appreciate and respect that it is a ceremonial sitting but I have sat in parliament for the past three years and watched and listened as Mr Snell has voted against major reform and when debating the Appropriation Bill last December he demonstrated that he was not fully aware of our financial position although he may understand that more fully now, therefore I am unable to support the nomination

**MR NOBBS** Mr Speaker, could I just add a little to the debate. If I wasn't confident in Mr Snell being able to carry out the functions which includes not only Chief Minister but to select his own Cabinet, I wouldn't have nominated him. Mr Snell has been a long standing Member of initially the Norfolk Island Council and also the Legislative Assembly for some time and I feel that at the election only a week ago the members of the community spoke very clearly on Mr Snell's standing in this community and therefore I don't feel any way in nominating Mr Snell for the position

SPEAKER Further debate Honourable Members. There being no further debate I put the question that Lisle Denis Snell be nominated to the position of Chief Minister and the Administrator be advised accordingly . Do you wish to have the House called. Would the Clerk please call the House

CLERK

Mr Buffett	Aye
Mr Porter	Aye
Mr Ward	Aye
Ms Adams	Aye
Mr Snell	Aye
Mr Nobbs	Aye
Mrs Ward	No
Mr Evans	Aye
Mr Sheridan	Aye

SPEAKER Thank you Honourable Members the result of voting, the Ayes 8 the Noes 1 the ayes have it and therefore the motion is agreed

### CHIEF MINISTER'S STATEMENT

MR SPEAKER Mr Snell I offer you warm congratulations in terms of the determination of the House that you are to be nominated as Chief Minister. Congratulations. In the context of that resolution Mr Snell I invite you to address the House

MR SNELL Thank you Mr Speaker. Firstly, may I congratulate you on your election and appointment as Speaker. You bring with you a wealth of knowledge and experience in this role and I am sure all members join me in my congratulations. I also congratulate Mr Nobbs on his appointment to the role of Deputy Speaker. Mr Speaker I take this opportunity to thank those people in the community who voted for me and to the Members of this House for nominating me to the Administrator for appointment as Chief Minister of the 14<sup>th</sup> Legislative Assembly. I look forward to working with you all and to meeting the challenges ahead. I am pleased to advise this House and the community that yesterday Minister Crean responded to my earlier request, made following the election, to speak with him. I was joined in that telephone conference by the other Ministers elect and my political Advisers. We were able to convey to Minister Crean our desire to meet with him at the earliest opportunity and the desire to obtain detail and refinement on the elements of the Roadmap. I will seek leave to move a motion to this effect later in this morning's programme. I read the Motion to Minister Crean and he was comfortable with its contents. Mr Crean also indicated that he would come to Norfolk Island at the earliest opportunity to meet with my Government. I and my colleagues look forward to working with Mr Crean to secure a sustainable future for Norfolk Island. Mr Speaker, I am delighted to advise this House and the community that following my nomination as Chief Minister, I will, at the suspension of this inaugural sitting, recommend to the Administrator that in accordance with subsection 13(2) of the *Norfolk Island Act 1979* that he appoint: Tim Sheridan, MLA as Minister for Finance; Ronald Ward, MLA as Minister for the Environment; and Robin Adams, MLA as Minister for Cultural Heritage and Community Services. I believe that the confidence the community showed in all these Members entitles them to hold Ministerial portfolios and I congratulate you all and look forward to working with you. Mr Speaker, I now table the proposed Administrative Arrangements Order setting out the Ministerial Portfolios and their responsibilities, particulars of which will be published in the Norfolk Island Government Gazette following appointment of the Ministry by the Administrator. In addition, for completeness, I advise that for the purposes of subsection 15A(3) of the *Norfolk Island Act 1979* I will be authorising the following Ministers to act on behalf of another Minister while that Minister is absent or unable to act. Chief Minister may act for all Ministers, Minister for Finance may act for all Ministers, Minister for Cultural Heritage and Community Services may act for the Chief Minister and Minister for the Environment. Thank you, Mr Speaker

SPEAKER Chief Minister thank you for your statement to the House this morning.

### SUSPENSION OF SITTING

SPEAKER Honourable Members, the House will now suspend and resume at 2 o'clock this afternoon. That will allow formalities referred to by the Chief Minister, ie, attendance upon His Honour the Administrator at Government House for the purposes of swearing in the Chief Minister and his Ministers. We will then resume at 2 o'clock. When we suspend Honourable Members may I invite all those who are in the Public Gallery this morning to join with us as Member newly elected, in the Committee room next door to share morning tea. You are warmly invited to join us. Honourable Members we suspend now until 2 o'clock this afternoon

### RESUMPTION OF SITTING

SPEAKER Honourable Members, the House resume this sitting after our suspension from this morning and we continue with our deliberations

### MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

Honourable Members, I report to the House that I have received the following Message from the Office of the Administrator and it is Message No 1 which reads that on the 14 February 2013, under section 22 of the *Norfolk Island Act 1979*, Her Excellency the Governor-General declared her assent to the following Act: Official Survey (Amendment) Act 2011 (Act No 7 of 2013). That message is dated the 15<sup>th</sup> February 2013 and signed Keith Young, Deputy of the Administrator

### PRESENTATION OF PAPERS

SPEAKER Are there any Papers for presentation this morning please Honourable Members

MR SHERIDAN Thank you Mr Speaker I would just like to table the Financial Statements for the financial year 2011-12 and make a statement in regard to that. Thank you Mr Speaker.

#### **Report on Financial Statements**

As my first business as the Minister for Finance and in accordance with Section 48C(4) of the *Norfolk Island Act 1979*, I am required to table the Auditors Report together with the Audited Annual Financial Statements of the Administration of Norfolk Island, the NIHE and the NI Government Tourist Bureau. Mr Speaker I therefore table these Audit reports for these 3 entities for the financial year 11/12. I can also advise that in accordance with the *Commonwealth Finance Minister's (Norfolk Island) Orders 2011*, these Auditors Reports and Audited Statements are required to be placed on the NI Government website as soon as practicable after they are tabled. This will be completed within the next day or so. For the purposes of Hansard I will read the Auditors Report for the Administration of Norfolk Island and the consolidated entity for the year ending 30 June 2012. This report is addressed to the Minister for Finance of the Government of Norfolk Island and the Commonwealth Minister for Regional Australia, Regional Development and Local Government and the Administrator of the Territory of Norfolk Island. It reads thus "Report on the Financial Statements. I am required by section 48C of the *Norfolk Island Act 1979* to audit the accompany financial statements of the Administration of Norfolk Island and the consolidated entity for the year ended 30 June 2012, which comprise: a statement by the Chief Minister (Minister for Finance) and the Chief Executive Officer, Statements of Comprehensive Income; Balance sheets; Statements of changes in Equity' Cash Flow Statements' Schedules of Commitments and Contingencies; and Notes to and Forming Part of the financial Statements, including a Summary of Significant Accounting Policies. The consolidated entity comprises the Administration of Norfolk Island, the Norfolk Island Hospital Enterprise and the Norfolk Island Government tourist Bureau.

### Minister for Finance's Responsibility for the Financial Statement

The Minister for Finance of the Government of Norfolk Island is responsible for the preparation of the financial statements that give a true and fair view on accordance with the Commonwealth Finance Minister's (Norfolk Island) Orders 2011 made under the Norfolk Island Act 1979, including the Australian Accounting Standards, and for such internal control as is necessary to enable the preparation of the financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

#### Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on conducting the audit in accordance with Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. Because of the matters described in the Basis for Disclaimer of Opinion paragraph, however, I was not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion.

#### Independence.

In conducting my work, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

#### Basis for Disclaimer of Opinion

The Administration of Norfolk Island has prepared cash flow forecasts that indicate significant net cash outflows from operations of approximately \$4.4m, \$4.7m and \$5m for the 2013-14, 2014-15 and 2015-16 financial years respectively. These forecasts indicate that the Administration of Norfolk Island may not be able to meet all its financial obligations beyond June 2013.

Note 1.3 discloses that the Administration of Norfolk Island is currently experiencing financial difficulty due to losses incurred in previous years from continuing economic downturn, a decline in tourism and losses incurred from the Airline operation. Financial assistance, subject to conditions, to enable the Administration of Norfolk Island to meet its expenditure commitments has been received from the Commonwealth of Australia in each of the years 2010-11 and 2011-12 and for 2012-13. Note 1.3 also discloses that the Commonwealth of Australia funding commitments end at 30 June 2013. At the date of this report, no further financial assistance has been negotiated. Further, Note 1.3 states that in the event that the Administration of Norfolk Island does not obtain additional funding from the Commonwealth of Australia and/or reduce expenditure in line with available revenue, the Administration of Norfolk Island may not be able to continue its operations as a going concern and therefore may not be able to realise its assets and extinguish its liabilities in the ordinary course of operations and at the amounts stated in the financial statements. These conditions indicate the existence of a material uncertainty that may cast significant doubt on the ability of the Administration of Norfolk Island to continue as a going concern. I therefore have not been provided with sufficient audit evidence upon which to form an opinion on whether the application of the going concern assumption remains appropriate. Because of the significance of the matters described in the Basis of Disclaimer of Opinion paragraph, I have not been able to obtain sufficient appropriate audit evidence to provide the basis for an audit opinion. Accordingly, I do not express an opinion on the financial statements of the Administration of Norfolk Island or the consolidated financial statements. This letter is from the Australian National Audit Office and signed by John McCullough, Executive Director, Delegate of the Auditor-General.

Mr Speaker, as stated the ANAO has doubts on the ability of the Administration of Norfolk Island to continue as a going concern in view that no agreement has been reached for ongoing funding commitment by the Commonwealth of Australia. A joint statement by the then Minister for Finance and the Chief Executive Officer of the Norfolk Island Administration has been provided to accompany the financial year 2011-12 accounts which clearly indicates that there is confidence to not liquidate the Government or to cease operations given the following financial assistance for the past three years, this being, financial year 2010-11 \$5.6m, the financial year 2011-12 \$2.9m plus \$10.4m for the termination of an airline services contract and for the financial year 2012-13 up to \$4.5m. each of these annual funding provisions has been subject to conditions. These conditions have been met and the funds provided in full (except for the current financial year) which is yet to conclude. The Administration of Norfolk Island has identified that there will be a funding shortfall over the

next few years and a request has already been forwarded to the Commonwealth for assistance with next financial year's shortfall. I have confidence that this Government can work collaboratively with the Commonwealth to continue the reforms under the Roadmap process, of which is designed to clearly enable Norfolk Island to settle its fiscal relationship with the Commonwealth in conjunction with the delivery of services and therefore being able to fully fund its own budget requirements in the future. I would like to thank Minister Crean's Department of Regional Australia, Regional Development and Local Government for their assistance in providing funding to facilitate this audit and for the next two years. The cost of this years audit has been costed at \$239,700. Thank you Mr Speaker

MR NOBBS Mr Speaker I move that the paper be noted. Just a question of the Finance Minister. That's for the 30<sup>th</sup> June last year isn't it. Yes. So those suppositions that he was stating was at that time or is it now?

MR SHERIDAN Thank you Mr Speaker. The assumptions that they are making are at this point in time. They've only just concluded their audit. As they indicated we have received that \$4.5m from the Commonwealth in December of this year which is after the audit period and they've indicated that without the funding from the Commonwealth ongoing that they cannot make an audit opinion

MR NOBBS Mr Speaker just to continue, we received these documents last night and I don't know whether I got double what everybody else got, but I seem to have a ream of stuff on my computer which I just had no chance at all today to even look at correctly so I would move that debate be adjourned and made an Order of the Day for a subsequent sitting as I feel that it's essential that we get our heads around the financial statements, and these are the latest. They are late. But that's the way things are going at the present time apparently. I mean I thought there was a requirement in place a few years ago that we would have all these financial reports and the annual report, which is an essential part, finished, completed by the 1<sup>st</sup> October or 1<sup>st</sup> November I forget what it is now, but be that as it may, I would think that we should be given extra time and to ensure that it time will be available for all members to have a look at it and discuss it, if I could so move

SPEAKER Before you move that Mr Sheridan obviously wishes to speak and I would give him that opportunity

MR SHERIDAN Thank you Mr Speaker if I could just, and it may help Mr Nobbs there in some of the statements that he has made, under the Chief Financial Orders for Norfolk Island now there is an obligation for the Administration of Norfolk Island to prepare the audited accounts within four months of the end of the financial year. That is not that the audit has to be completed, that's the Administration has to complete their statements. It is then up to the Australian National Audit Office to complete their audit. When they took this task on they did indicate at the time that their report would not be available until March of this year and they have stuck to that timeline so I am pleased to be able to table these reports today. We have only just received them and I think the auditors were on island last week to finalise these and the reason why I understand that I forwarded the copies of these by email only yesterday, and there was a double up because I had a return of an undelivered email and it didn't say which addressee so I sent them out to everybody again, but the reason why I have tabled these today, is that under the Norfolk Island Act, under the Commonwealth Financial Orders there's also an obligation of the Commonwealth Finance Minister to table them in both Houses of Parliament on the first opportunity after receiving them and it has been indicated that Minister Crean will be tabling these in both Houses today so that's one of the reasons why I brought this on at this Sitting was that people of Norfolk Island have the opportunity to see these reports at the same time that they will be tabled in the Commonwealth Parliament. Just a further bit of information there Mr Speaker

MRS WARD Thank you Mr Speaker I thank Minister Sheridan and I will support to adjourn this debate to a later sitting but I would just like to seek some clarification on which financial year we are talking about here from the Audit Office. Our current financial

year is 2012-13, the disclosures are always very helpful. We can see clearly that without Commonwealth assistance the Administration is not a going concern. The question is when Minister Sheridan referred to a request has already been forwarded for funding for the next financial year is the Minister saying that a request for funding has been sent to Canberra for the 2013-14 financial year. Is that what the Minister is saying?

MR SHERIDAN Thank you Mr Speaker and thank you Mrs Ward. I will just check my notes. Yes. That's what I mean when I say that the Administration of Norfolk Island has identified that there will be a funding shortfall over the next few years and a request has already been forwarded to the Commonwealth for assistance with the next financial year's shortfall so the financial year 2013-14

MRS WARD Thank you Mr Speaker and is the Minister able to tell the House what that figure is please

MR SHERIDAN Thank you Mr Speaker yes, the figure that has been requested from the Commonwealth for the next financial year is \$6.7m

MRS WARD Thank you

SPEAKER Any further debate Honourable Members? No further debate. Mr Nobbs then I'll take your motion now if that is convenient

MR NOBBS Could I just ask one question? Could the details of that \$6.7m be available? Could that be possible?

MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs for the question. Yes the details of that \$6.7m will be made available. I have requested the Service through the CEO to provide that detail to me. I indicated to him that I'll be going on a week's holiday next Monday and won't be back until the 1<sup>st</sup> April, April Fools Day, and he has indicated in an email response that he will have that information to me on my return

MR SNELL Thank you Mr Speaker just to clarify some of the questions that have been raised here this afternoon I will be hopefully in my next motion touching upon that subject as well

SPEAKER Honourable Members Mr Nobbs made a proposal that the debate be adjourned and the matter made an Order of the Day for a subsequent day of sitting.

QUESTION PUT  
AGREED

That matter has been adjourned and will come forward again at a subsequent day of sitting. Are there any further papers for presentation this afternoon.

#### **MOTION BY LEAVE – INTERGOVERNMENT RELATIONS**

MR SNELL Mr Speaker I seek leave to move a motion

SPEAKER Thank you. Is leave granted Honourable Members. Leave is granted. Chief Minister

MR SNELL Mr Speaker I move that this House -

1. acknowledges that the Norfolk Island Road Map was developed in partnership between the Commonwealth and Norfolk Island Governments subject to budget outcomes from both Governments and was signed on 2 March 2011 between the Hon Simon Crean,



MEMBERS

Hear, hear

MR NOBBS Thank you Mr Speaker. I firmly believe in renegotiation of the Roadmap and I've said it all along. This motion prepared by the Chief Minister with assistance I understand from his ministry - which has seemed an excellent idea - I support. And I support it because it does nothing to allay the fears that I had that we would not be renegotiating or reaffirming with the current Roadmap. I think everybody recognises that there are issues in there. If they don't they should come for a walk with me around and you'll find it and I suggest that this motion does nothing to allay the problems that I have with the Roadmap. The position that we have, and we discussed it and I've talked to you about it Mr Speaker, the other day, is the time factor and I think that the community should be made aware of the actual time factor that this Government and the whole Legislative Assembly because we're all together at the moment I think, is facing. It will effect the operational efficiency to a degree however, the situation is simply this. I'll spell it out. We had a Funding Agreement signed in December or around that time, at the end of last year, and in my opinion at the time and I brought it up with a couple of Members of the Legislative Assembly but it didn't get the wheels pumped up by me efficiently obviously and it didn't get the group on the road that I expected it to do. The situation now is that we're in March, that we have a Funding Agreement that's been operational for two months and it's got another couple or three months to go. We have got then to prepare a budget for the next financial year where there has to be negotiations obviously with the Australian Government prior to the 1<sup>st</sup> July or we'll just go into a holding pattern where we are only allowed funding for three or four months and it's been done before on many occasions, but it's not the ideal arrangement. We need a twelve month budget but if we have to go for a three or four or six month budget then so be it. The other constraints are, and I understand that Minister Crean has to go to the ERC which is a review committee which is on tomorrow. There'll be a Cabinet meeting next Monday and nobody can tell me what's to be dealt with except that Norfolk Island is on the agenda, as I understand it, that's on the 25<sup>th</sup> and then there'll be a budget meeting on the 28<sup>th</sup> March and then the Federal Budget arrangement sessions commence on the 1<sup>st</sup> May. So the Chief Minister and his team are really constrained by this time factor. That's what I want to get across to the community. The Chief Minister has tried to contact Mr Crean from last Thursday onwards and fortunately he got in touch with him yesterday afternoon and we've got contact between the two which to me is a great thing. All I can say is that this motion allows us to move along whatever road or track we like. That's my belief within reason and we know that the island as the Finance Minister has said, the financial position is fairly difficult at the moment to put it mildly, but I'm really concerned that we've been under external pressure, and I'll say it clearly, I think that we have been under external pressure or this incoming Government has been under unfair external pressure and I would like to see that cease immediately and that the external side works collaboratively with the internal side which is us, otherwise nobody is going to win! So the thing is, I applaud what the incoming Government has done just in the few days that I've been down here, I think it's great, and I will support the motion. Thank you

MS ADAMS Thank you Mr Speaker. In offering myself for re-election as a voice for the people I stated I would work towards ensuring that the Roadmap will result in a net benefit to all of us who collectively make up the Norfolk Island community and who regard Norfolk Island as home. I believe that more flexibility and cooperation in implementing the latest Funding Agreement would work to the benefit of all parties; however, having said that I also acknowledge the need to honour the legal obligations in the December 2012 Funding Agreement signed by David Buffett as Chief Minister which commits us up to 30 June 2013. I made it quite clear in election statements that I strongly supported a return of the Commonwealth and Norfolk Island to the negotiation table, preferably "minister to minister, politician with politician", and I remain of that view. I have confirmed my belief in the need for us to enter into dialogue on how we can promote genuine economic and social recovery in Norfolk Island which will result in greater investment and opportunity for people across the community; and whilst acknowledging that our principal economic path into the future is of course the re-invigoration of the tourist industry and we are working towards that end, I certainly endorse the need to broaden our

economic base in a sustainable way. I am of the view that the motion as currently worded reaffirms our "appetite for reform", and it aligns with the platform on which I stood for the 14<sup>th</sup> Legislative Assembly of Norfolk Island. I think it is also important that there be a balanced overview of our history since starting back on the road to self-government in 1979 - over 33 years ago. We have been criticised from time to time for allowing the Island's infrastructure to fall below an acceptable standard. However it also needs to be remembered that the Island's infrastructure was not necessarily in the best of shape when we commenced working towards self government. Roads basically only had tar over clay; the Hospital was tired, Cascade Cliff had been an issue in a Royal Commission in the 1920's and in 1979 remained unfixed; by the 1950's the underground aquifers were beginning to show signs of contamination; the Kingston and Cascade jetties were sadly in need of a re-build; health and welfare were in need of systems; the public service was not re-shaped or restructured to suit the changed set of powers and responsibilities after 1979. These are just some of the problems that this community inherited under its new governance arrangements in 1979 and had to deal with over the last 33 years, and may I for the record applaud this tiny community for doing the great job that it has done, as best as it could of managing three tiers of government in that time, federal, state and local. It is a fact that Norfolk needs assistance, financial and otherwise, to upgrade its infrastructure and to rebuild our economic base; however the current burden may not have been as great as it is today if the Island's existing infrastructure had been in better repair and working order in 1979. This is not a criticism. It's a statement of fact that needs to be recorded. In conclusion Mr Speaker, since 1979 there have been many positive initiatives proposed by Norfolk Island to the Commonwealth government which if agreed to, had the potential to significantly diversify the Norfolk economy much earlier than now. Equally over the years there have been decisions taken by successive governments in Australia which, by default, have impacted negatively on our economy. The introduction of GST in Australia I think in 2000 and the abolition of luxury goods sales tax which severely impacted on duty free shopping on Norfolk Island is just one example of this. However, after the Chief Minister's positive discussion yesterday with Minister Crean at which I was present along with my other ministerial colleagues, I am heartened and confident that we can broaden the scope of our discussions with the Commonwealth Government at the negotiation table as we work cooperatively towards a sustainable future for Norfolk Island, and in particular a sustainable future for the Norfolk Islanders who regard this Island as their homeland and in the context of what I have said in this debate, I support the motion before the House wholeheartedly. Thank you Mr Speaker

MRS WARD Thank you Mr Speaker, what I would like to point out very clearly is that in this motion we do not see the word renegotiate. I'm very disappointed to hear the Chief Minister already in Hansard, in his debate, use the word that we so carefully discussed and agreed that we would not use because of the message that it would send. Not only to Canberra but also to this community. We agreed that the word amendment could be used, or negotiate or refine or further discussion. At no time did we agree to use the word renegotiate and it is not in this motion and if it was I wouldn't support it. But because it's not in there I will carry on and I will support the motion. We were assured, when I raised the question why are we not moving to reaffirm the 11<sup>th</sup> July 2012 motion, I was assured by the Secretary that Mr Snell and I quote here "that Mr Snell as the Chief Minister has asked me to pass on that the motion was read out to Mr Crean on his teleconference this afternoon and Minister Crean asked for clarification on the word refinement which Mr Snell addressed" and I have been told that, that meant that he had sought clarification and where we are to seek clarification of the taxation system for example and how it will work for us. That is fair comment. We all want that. But it did not mean renegotiation. And it went on to say that Minister Crean was comfortable with the motion and he was looking forward to working with the 14<sup>th</sup> Assembly. So if I just put Minister Crean's reaction to the motion aside for the moment Mr Speaker, and address what this message is sending to the Norfolk Island community because I'm comforted by the report that Minister Sheridan as Minister for Finance has already given to us today and I would expect the Chief Minister to expand on that which he hasn't yet, and that his request for further funding from the Commonwealth that his letter to Minister Crean which was on Monday as I understand it, be printed and made available through the Clerk to the public. I prefer it be printed and put in the Norfolk

Islander and Norfolk Online. I will address the motion. It talks about acknowledging the Roadmap and its existence. We all understand that. It reaffirms the purpose and to describe the reforms. It think the one that is top of mind for everybody today, particularly in the business community, is how we are going to work towards a sustainable and growing economy. It goes on to resolve that as a priority, the Norfolk Island Legislative Assembly commits to ongoing and urgent discussions with the Commonwealth on detail and refinement and I've already touched on that, that that's seeking clarification which is understandable. It then goes on to say that there will be discussion. To discuss Norfolk Island's current financial circumstances and I think again as Mr Sheridan has already pointed out, we're not a going concern. We've not been a going concern for the past years. How on earth do we think we've kept our heads above water. How on earth do we think we've kept people employed? How on earth do we think we've provided education and services through the Hospital. It's been with the assistance of the Commonwealth and only somebody who's still living in La La Land would think that, that will not be needed into the future. Mr Sheridan has stated that very clearly as described by the Australian National Audit Office. So I hear what Mr Ward has said in terms of getting information out to the community but I believe that the previous Government did everything in its power to communicate a direction to the community and there were many, many media releases and there were public meetings, but without a firm or a Federal Government commitment to our future its very difficult to move forward and give the community the assurances that they want to hear, and I understand that. The new Chief Minister is going to have exactly the same problem, or he's not going to find it any easier unless we have or until we have a clear commitment from the Federal Government which will hopefully come in May. But today I'm prepared as I said, to give whatever the Chief Minister and the Norfolk Island Government need and Minister Crean, whatever they need, to get a positive result for Norfolk Island before the next Federal election because that is looming in September. I know that we've all sat at this table and we all want what is best for Norfolk Island and that this motion has been put up in good faith, and I am assured by the email that Minister Crean is comfortable with the motion. Like I said, I could have gone on and without hesitation reaffirmed by support for the 11<sup>th</sup> July 2012 motion. That is in Hansard. I don't feel that I need to go through and redescribe my position. Thank you Mr Speaker

MR EVANS Thank you Mr Speaker. I just want to talk about what we've done and why this motion has come about over the last few days, once we've met and been elected and I suppose we came into this scenario with quite a few different members in a brand new team. We've very much the same sort of game that we're needed to play and the same match that we are going into and that's the long term sustainability of Norfolk Island. There were some different views around the table as we all know. Over the last few days we've nussed those out and this motion, what I believe we've come up with, may just be common sense for some people but it gives a game plan to this team that we've got now, and I think a very good capable team with a lot of experience, but I think this motion gives us a game plan where we can forget our differences, forget what's gone on in the past and go forward for the betterment of Norfolk Island. I do support this motion. I'm sure the Norfolk Island community knows that with the Roadmap there's much to be discussed and much more to be negotiated, so I think this motion gives us a game plan to go forward with and I certainly hope that everyone takes it up and goes forward with it. Thank you for the opportunity Mr Speaker

SPEAKER Thank you Mr Evans. May I also acknowledge in terms of a maiden speech Mr Evans' contribution that he has just made. May I acknowledge that on your behalf Honourable Members

MEMBERS Hear, hear

MR EVANS Thank you Mr Speaker, may I just acknowledge the disappointment of many members that I didn't put elaborate language in there

MR PORTER Thank you Mr Speaker. Given the dire state of our affairs as alluded to by our Finance Minister and probably supporting mostly what has already been spoken, I'm supporting this motion although I would have liked to have seen it prefaced with the reaffirmation of that previous motion. I think that continuity is a thing we need here. We're expecting continuity in already making Minister Crean aware of our requirement for ongoing funds, so to keep faith with the system both from Australia and with some of our own people who are in a predicament that they obviously don't want to be in, to give them confidence in this Legislative Assembly we'll do all that we can to proceed in giving Norfolk a much better chance to become sustainable and I think in taking every opportunity to ensure that continuity is there. In most of what we're speaking about, in this new motion, it's not at odds with the previous July last year resolution of the House so I would have been much more comfortable to preface this motion with a reaffirmation of the last one, but in saying that it's only a suggestion and I certainly support the action that's being taken now which I believe we just do, as I said, given the gravity of our situation and certainly in view of my limited reading of the audited financial statements delivered last evening. Thank you Mr Speaker

SPEAKER Thank you Mr Porter. May I acknowledge your contribution as being your maiden speech in this the 14<sup>th</sup> Legislative Assembly Mr Porter. Thank you

MEMBERS Hear, hear

MR SHERIDAN Thank you Mr Speaker if I could just say a few words. I won't keep everybody too long as it's been a long enough day already. Mr Speaker I'm heartened to hear the speaker's around this table are in support ~ and I think everybody is ~ of this motion and where the motion refers to the Roadmap and it refers to the 14<sup>th</sup> Legislative Assembly committing to the ongoing and urgent discussions with the Commonwealth. I think that we can tie this in with the motion and a couple of speakers have talked about the motion of 11 July 2012. that motion was in support of the Roadmap to ensure that we would keep going down that road. This motion dovetails into that so it virtually supports that motion of some 17/18 months ago, but it also supports the general direction or the direction that the Roadmap is leading us. I'm fully aware that under the Roadmap it's a very broad based document and that of course there will be some changes to it, some amendments to it, of the way or how some of those areas that are governed under that Roadmap are delivered. But, it's something that we can't let go off. It's something that we have to pursue and as I indicated before, we've already requested from the Commonwealth for the next financial year some \$6.7m and the current forecast for the next three years after that, is just as bad if not worse. It's something like \$9m and \$8.5m. That is, if the status quo remains, so it's vital that we do get some movement on the Roadmap and when I say that, and we've alluded to today that Mr Crean is going to his Parliament this week or next week, he's going to the ERC, the Expenditure Review Committee, going to his Cabinet with hopefully a model of Government that has been concluded in cahoots with his other 15 Ministers that had some responsibility or will have responsibility for delivery of services to Norfolk Island. They've come up with a plan. We put up our preferred model of Government. It's hopeful that's the model that will get the nod. If it does, there are some indications and some internal modelling that if those extension of services are delivered to Norfolk Island within the next 18 months, that by the financial year 2014-15 we could have a surplus of \$3.5m. This is where it's leading us, instead of this continual ask of the Commonwealth and I think Minister Crean alluded to that in his telephone call with our Chief Minister yesterday afternoon. He said you don't want to be continuing to ask for top ups for your budget year after year. We need to get out of that, so this is the way that's been identified. We're a long way along the course. I will agree the Commonwealth may be would have liked to see some movement on our model of Government a long time before now, but I think as the Administrator said, we are at the 11<sup>th</sup> hour and we need to pursue the course that we are going down. If we do, I believe that within 18 months when the delivery of services start, it will be way before then, that we will know some of the detail of how it will effect Norfolk Island and its residents, it's community . it will be that detail that will then decide which way the details are massaged and managed for Norfolk Island's environment because, it is completely different to

anywhere else in the world. You can't put us in Christmas Island or the Northern Territory or the Solomon Islands or Port Headland or in Sydney or Alice Springs. We're completely different to all of those so all the extensions of those services that are identified that we would like here, they will have to be in some way, modelled to suit our circumstances, so I'm heartened to see that I think everybody around this table, is committed to this motion, is committed to the Roadmap. I'm not going to say that it's a fait accompli, there is still a lot of work to do, and this Legislative Assembly has a hard task ahead of them for the next three to four years, but I'm positive that at the end of our term we will see the results proving positive beneficial results for our community. Thank you Mr Deputy Speaker

MR BUFFETT Thank you Mr Deputy Speaker. It is most appropriate that this motion on this subject matter be brought before the Legislative Assembly and it is indeed appropriate that it be promoted at the first sitting of the Legislative Assembly. I applaud this act, notwithstanding that it took a little bit of persuasion to actually achieve it to be brought forward. Having said that the regret of it is that it advances us little. There are three parts to this motion. The first part talks about acknowledging the Roadmap, when it was signed and the like, is a recitation of what is a fact. There is no problem whatsoever with that but I've got to say that it doesn't advance us beyond that statement. The second part equally is sound. It talks about reaffirming the purpose, that is, the Island's economic diversity needs to be strengthened so needs to be the social cohesion and resilience of the Island and recognising the unique heritage and environment. They are very very worthy statements to be made. But the reality is that they are motherhood statements and we have moved significantly beyond just making those statements. That's the second part of the motion. The third part of the motion says that we should continue to talk and to talk urgently about the Roadmap and about future funding. Those too are laudable things to be saying. But again I mention that there is no mention in this motion before us on the issues of real substance. The issues of real substance are for example, and this is not a complete list but a list of some of the important items, the model of governance. This is not mentioned here. Taxation, GST, social welfare, Medicare, PSB for example and when you consider these omissions from the motion and Mr Deputy speaker they are deliberate omissions because I've raised them with the Chief Minister, I've raised them with various other Member of the Legislative Assembly, all to no avail, they're entitled to their view but I just want to say that they consider that those omissions are the way that they want to travel. They wouldn't consider them as being essential components to include in this motion. And if that is the case it's a big ask to believe that they want to continue to affirm the Roadmap as we move forward. What is really required is yes, we do need to say those things that are there, I enforce that, but we do need to also affirm the Legislative Assembly resolution of the 11<sup>th</sup> July 2012, and I'm not going to read it all out again, but I just want to pick up some important components so you will see what I'm talking about. This particular motion talked about the preferred model of governance in the island. It talked about entering the Australian Taxation and Social Security Systems to deliver a net benefit to the Norfolk Island community, it talked about inclusion with the Australian GST and transfer payment system but it appears to the majority of the Member around the table at this moment that they don't have an appetite to reaffirm those things or to talk about those issues. I consider that they are essential issues to bring forward. In this overall situation we need to give assurances in two areas if we are to move to long term sustainability. One is the Commonwealth sphere and the other is in the Norfolk Island community. I've got to say that I do compliment the Chief Minister if he has convinced Minister Crean of his commitment, that is the Chief Minister's commitment to the Roadmap because we understand that in the next week or so there is every prospect that in the Commonwealth sphere, that is in the ERC, the Expenditure Review Committee, the Australian Cabinet then they may well consider Norfolk Island's position and consider Australia's support for us in the difficulty that we now face and we must have Minister Crean backing for us, putting our case. And obviously he will do so only with support of the Roadmap so we need to give substance to that and if the Chief Minister has convinced him of that, about applaud him about that. I'm not too sure that he has convinced me at this moment but nevertheless, if he has convinced Minister Crean I applaud that. But this motion is not really convincing those in Norfolk Island who are presently seeing and experiencing the great need to move beyond the annual mendicant

approach to the Commonwealth. That is, moving to long term sustainability. But having said all of that would I vote for this motion. Well I've already said that the problem isn't with what's there because what is there I support. The problem is with what's not there. We're losing time. I'd move an amendment if I thought there was sufficient support for it which means affirming the 11<sup>th</sup> July resolution but I don't see the appetite around the table for that and this is tragic because unless there is a better appetite for change and reform, we will in fact be led backwards and that backwards means into an abyss larger than we experience at present. Now I want to try and get that message across, both here and elsewhere but that doesn't mean that I won't support what's here. We're partway there but it is insufficient in terms of moving forward at this moment. Thank you Mr Deputy Speaker

MR SNELL

Thank you Mr Deputy Speaker, I'm indebted to the comments raised this afternoon and of course thank you Members for the support of this motion in whatever form you may interpret it to be. I firstly would like to clarify the word renegotiate which was in the radio interview which was on Friday 15<sup>th</sup> March in the interview between His Honour and Mr George Smith and parts of that were "...in a subject of the candidates, we'd actually like to renegotiate parts of the Roadmap and he said I don't think there is a problem in having discussions about that 2011 document still totally, is it 100% relevant. I just repeat I think the funding agreements and certainly the last one which certainly has probably got more meat in it than the others and I've no doubt the next one will too. I am sure that most of the time I speak to you George you never know this happens but the Federal Department always seems to know what I've said so I think they are listening and I'm sure we're going to have another funding agreement". That's where I took the words from and he didn't seem to have any objection at that time to the further discussions on the aspects of the Roadmap. I would like to now reiterate a little of the notes of the teleconference meeting with the Hon Simon Crean, Minister for Regional Development with myself and present in Canberra were also Miss Robyn Fleming and Mr Adam Mara. Miss Fleming is from the Department of Regional Australia Local Government and Sport and Mr Mara is the Ministerial Advisor. In Norfolk Island I had Tim Sheridan Minister for Finance, Robin Adams Minister for Cultural Heritage and Community Services and Ron Ward, Minister for the Environment, George Plant and Cheryl Davenport and I am indebted to Cheryl Davenport for the note that she's provided to me. In amongst other things Minister Crean thanked me for the heads up and asked me details on the word refinement. I said that I had particular concerns about sections of the Roadmap. a. participation in Taxation and Social Security Systems, d. divestment of GBE's and e. removal of barriers to competition. Minister Crean advised that he was mostly comfortable and he would live with this if refinement meant clarification and/or discussions. I confirmed this. He was very pleased that I would be passing a motion to reaffirm the purpose of the Roadmap and hoped that there would be a unanimous outcome and I hear that this afternoon. I can't stress enough that this Norfolk Island Government and the community engagement is yet to occur. A concern expressed by Commonwealth Officers in Senate Estimates. This included statements at Estimates that consultations and discussions of opinions and their impact on Norfolk Island would occur before the Norfolk Island Government could be expected to commit 100% to the Roadmap. The Norfolk Island Government might be happy to commit in principle but needs to see full detail and understand the impacts in order to develop a detailed response as would any responsible Government. The Commonwealth would expect nothing less of the roles were reversed I'm sure. The Norfolk Island Government cannot and should not be asked to commit to a package of which we have not yet received adequate detail to allow any reasonable assessment. The Commonwealth has itself not committed to the detail of implementation of the Roadmap so how can we give a blanket undertaking of details which have not been made clear and I quote "for example the nature scope and implementation of federal taxes, the detail and timing of implementation of Medicare, the pharmaceutical benefits scheme, pensions etc. another key example is the immigration reform imposed under the Funding Agreement said to be intended to provide stimulus by attracting new people and business yet at the same time the Administrator is saying in public that there will be no pressure on services, the environment or resources because nobody's wanting to come here. The Commonwealth is not actually offering any incentive that will attract new immigrants. In fact investors, will be deterred by the prospect of new

taxes as there is absolutely nothing in the Roadmap to stimulate private sector investment, one of my high priorities to do so. This could be a key topic for future discussions between our two Governments. Honourable Members I thank you for your support and I put the motion

DEPUTY SPEAKER Thank you Chief Minister. I have a response is that okay Chief Minister

MR BUFFETT I'm unsure Mr Deputy Speaker whether you are giving me the call by first of all seeking the Chief Minister's approval to do so

DEPUTY SPEAKER Mr Buffett the Chief Minister put the motion. He put the question as far as I was aware, and I asked him if he agreed to your speaking before I put the question as you I think have done in the past

MR SNELL Mr Deputy Speaker I have no objection to Mr Buffett having the final say in this matter if he so wishes

MR BUFFETT Thank you Mr Deputy Speaker my comments are very brief. The Chief Minister has quite rightly set out a range of factors. He has acknowledged that there is room for discussion in respect of them. My point is that if those topics are worthy of discussion then they are worthy of listing in the processes for the motion that we have in front of us. I know that has been declined and I'm not trying to pursue it any further at this moment but I just want to make the point, if they have the substance that the Chief Minister is talking about then they are worthy of substance in terms of being so recognised with in the motion. I'm happy now Mr Deputy Speaker that we proceed to vote on the motion itself, just in case you might seek my view about that

DEPUTY SPEAKER I think you've made your point Mr Buffett

MRS WARD Thank you Mr Deputy Speaker, I just want to seek clarification. The Chief Minister has not agreed to make public the letter that he has sent to Canberra to request funding assistance for the next financial year. Perhaps I'm asking the wrong person the question and I would ask again that the Chief Minister do that or the Minister for Finance make that letter public

MR SNELL Mr Deputy Speaker at an earlier time in the session this afternoon I tabled the letter that I sent to the Hon Simon Crean for the benefit of Members.

MRS WARD I would prefer that it be read into Hansard, yes, and my apologies to the Chief Minister. He has obviously tabled the letter. I think it would be in the best interest for open transparent Government here today for the Chief Minister to read that letter out now thank you

DEPUTY SPEAKER I need some clarification on this and I've had difficulty in the past, if something is tabled here, I was always under the understanding that it was open to the public but on occasion it's not been open to the public and you have to go through the Minister's to do it so I suggest that we clarify the situation right now. Do we wish to have tabled papers available to the public straight away or is there a need for it to have the agreement of whoever tables it

MR SNELL Mr Deputy Speaker if I may . this is not a Cabinet document so I'm quite happy to read the document into Hansard if that satisfies the request from Mrs Ward. The letter is dated the 18<sup>th</sup> March 2013.

The Hon Simon Crean MP  
Minister for Regional Australia, Regional Development & Local Government  
Parliament House  
CANBERRA  
Dear Minister

Norfolk Island Funding requirement for 2013/14

I have been advised that the projected funding requirement for the Administration of Norfolk Island for the 2013/14 is \$6.7m. The Norfolk Island Government seeks this financial assistance from the Australian Government to enable the provision of services to the Norfolk Island community for the 2013/14 financial year.

I have discussed this response with the former Chief Minister, Hon David Buffett and am aware of the letter which he forwarded to you dated 10 January 2012 which set out the forward estimates deficits for the financial year 2013/14; 2014/15; and 2015/16. The magnitude of the deficit is consistent with the forward estimates that have been provided to and reviewed by Commonwealth officials.

As Chief Minister elect, I have also recently been apprised of the outcome of the audit of the 2011/12 financial accounts for the Administration of Norfolk Island conducted by the Australian National Audit Office (ANAO). The recent Audit opinion of the ANAO has been determined based on the submission and analysis of financial projects provided by the Administration of Norfolk Island for the next three years as part of the Audit process and confirms significant deficits in each of those three years.

I note that the ANAO have determined in relation to the recent audit that they have "...disclaimed an audit opinion due to the existence of a material uncertainty that may cast significant doubt on the ability of the Administration of Norfolk Island to continue as a going concern."

I understand that the Audit results are to be tabled in Federal Parliament this coming Wednesday the 20<sup>th</sup> march 2013, the day of the inaugural sitting of the 14<sup>th</sup> Norfolk Island Legislative Assembly. The ANAO disclaimer will continue the uncertainty regarding the ability of the Government to continue to provide services to the community.

I would, on behalf of the Norfolk Island Government and community be grateful for your consideration of financial assistance request as outlined above and I look forward to our teleconference scheduled for 3:45 AEST tomorrow, Tuesday, 19 March 2013.

Signed Lisle Snell, Chief Minister elect

May I add that this has been compiled in conjunction with the CEO of the Norfolk Island Administration and a copy has been sent to the Administrator. Thank you Mr Deputy speaker

DEPUTY SPEAKER Can I just clarify a point in relation to the availability of documents that are tabled and 197 of Standing Orders states that "...unless otherwise ordered all papers and documents presented to the House may be inspected at the office of the House by Member and with permission of the speaker by other persons" so that says that all Member can get a go but people outside the membership need to go through the Speaker and that's current standing order 197

MRS WARD Thank you Mr Deputy Speaker only on that point and I apologise again to the Chief Minister and the listening public if I've confused the issue here. My point was for us to start off in our first meeting being as open and transparent as we could be and feeding information directly back to the community is the question and the criticism that's been raised again and again and I hope we've set off in putting the right foot forward on that. I had thought in the past we had the ability to move... but it's too late now, perhaps I will accept guidance as to whether it is possible to move that the paper be printed. Now I had thought that that then allowed it to go out into the public domain

DPEUTY SPEAKER It says "...unless others ordered"

MRS WARD By whom. The Chief Minister perhaps...

DEPUTY SPEAKER The person who tables the documents, that's what it used to be so I presume ...

MRS WARD Or if its by a motion of the House I'm quite happy to move that motion

DEPUTY SPEAKER This particular document, although if you wish to clear it up today, has already been read into Hansard so it's already a public document but I'd call on the former Clerk to give us some advise if you may

MS ADAMS I'm happy to be helpful. Ordered means ordered by the House, a motion to print puts privilege to the document when it goes out, is the premise behind it

DEPUTY SPEAKER But you would say that that document is now public property anyhow

MS ADAMS Certainly. It's been read into Hansard and by its inclusion into Hansard its now covered by privilege. Is that helpful

MRS WARD I would move that the paper be printed. It is in Hansard. I'm seeking advise here from the Deputy Speaker. I understand that the letter has been read into Hansard. I would like to move that the letter or the paper be printed

DEPUTY SPEAKER I put that question

QUESTION PUT  
AGREED

The motion is carried, thank you. Returning to the original debate, is there any further debate on the motion by the Chief Minister

SPEAKER Honourable Members we have the motion that is before the House proposed by the Chief Minister. There has been debate. May I ask if there are any concluding debates in respect of this matter before we put the matter to the vote. The question is Honourable Members that the motion be agreed to

QUESTION PUT  
AGREED

The ayes have it. The motion is agreed

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

Honourable Members, that was the substantive motion that was before us. We are now moving to concluding arrangements, and Mr Porter I look to you please to move a motion about fixing the next sitting day

MR PORTER Thank you Mr Speaker I move that the House at its rising adjourn until Wednesday 10<sup>th</sup> April 2013 at 10.00 am

SPEAKER Thank you Mr Porter. Is there any debate Honourable Members? There being no further debate I put that question

QUESTION PUT  
AGREED

The ayes have it. The motion is agreed to

#### **ADJOURNMENT**

Finally Honourable Members we come to the adjournment. Mr Evans

MR EVANS Mr Speaker, I move that the House do now adjourn.

SPEAKER Thank you Mr Evans. Is there any further debate Honourable Members?

MS ADAMS I'll be brief, thank you Mr Speaker. I would like to record the thanks of myself and my colleagues around the table who I'm sure will agree with me in thanking the parliamentary officers who've been ably assisted by our Senior Policy Advisor in what is a very short time frame in which they have to put together a ceremonial sitting, all the background documentation that has to happen between the time of election and the first ceremonial sitting day. Nobody realises more than I, what is involved and I just want to record my best wishes and thanks to you all for a job well done

MEMBERS Hear, hear

MR SNELL Thank you Mr Speaker I would just like to reiterate the kind words from Ms Adams and I would also like to state here this afternoon my appreciation to all those who have supported me in the role of Chief Minister, those out there in the public who have voted for me and given me a mandate. Thank you and I will do my best

MR NOBBS Thank you Mr Speaker. I just want to give notice that at the next sitting I'll be presenting a motion seeking a review of the Police Act

SPEAKER Thank you Mr Nobbs and may I just remind that there is a process within the sequence for the sitting, for such notices of motion to be given. That doesn't exclude you saying it now, but I just remind you of the other proposals. Thank you. Is there any further debate Honourable Members? There being no further debate we have concluded Honourable Members in terms of the adjournment debate and I put the question that the House do now adjourn

QUESTION PUT  
AGREED

The ayes have it. Therefore Honourable Members this House stands adjourned until Wednesday 10<sup>th</sup> April 2013, at 10.00 am.

