



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY  
14<sup>TH</sup> NILA HANSARD – 10 APRIL 2013**

**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

**PETITIONS**

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

**GIVING OF NOTICES**

Are there any notices?

**QUESTIONS WITHOUT NOTICE**

Are there any questions without notice Honourable Members.

**MR EVANS** Thank you Mr Speaker. Just some concern amongst the community as to the sighting of the Argentinean ants Programme and some baiting being done within the town region. I was just wondering if I could ask the Member or anybody that may have knowledge as to the extent of the infestation of the Argentinean ants and whether the baiting was a precautionary measure or whether it was to eliminate ants that may be within the town region.

**MR WARD** Thank you Mr Deputy Speaker I'm happy to address that. Yes Just in the last few weeks a property in the valley area to the East of the town on Taylors Road was identified as being active with the ants. It was found to be quite an extensive area that it spreads over a number of properties there and work is continuing at this stage as to delimiting the area involved which is basically defining what area is involved. There is going to be some burning of material that's known to be housing a big infestation and the property owners have agreed to that burning, and that will be happening in the near future. So there may be minor smoke annoyance for people for a short time but it is worth destroying that big area of ants.

**MR NOBBS** Just a question for the Minister for Finance. Minister what do you consider of the proposal put recently that the Funding Agreements the issue of Commonwealth Finance Minister's orders and appointment of Commonwealth Finance Officer have given the Commonwealth control over most, if not all expenditure by the Norfolk Island Government and the Public Service. Do you have a response to that?

**MR SHERIDAN** Thank you Mr Speaker and thank you Mr Nobbs for the question. I can see where Mr Nobbs is coming from with his remarks that he believes that the Commonwealth now controls Norfolk Island finances in regards to Funding Agreements, Commonwealth Finance Orders and the position that's been created down at the Administration. I don't see it as control Mr Speaker, I see it as assistance provided by the Commonwealth to ensure that our finances are expended in a reasonable manner. I don't believe having a condition that funds expended of \$50,000

and over require Commonwealth approval is limiting. If there's a need, an expressed need and the need has been identified there should be no problem with getting the ok from the Commonwealth. Considering that the Commonwealth has provided to us over the last 4 years some nearly \$30m I suppose, \$29m I think it's prudent that they know and they have some say in where their funds have been expended instead of just giving the Norfolk Island Government say open slather with the expenditure. So I don't necessarily agree with Mr Nobbs' assertion but I can take on board his concerns and I'm quite happy to work through the issues how they are now and I think that the position is quite workable.

MR NOBBS Thank you Mr Speaker That question wasn't mine, it came from a Parliamentary Committee in Canberra. I just needed to get Minister's.

SPEAKER Do you have a further question Mr Nobbs?

MR NOBBS I have got a further question for the Finance Minister. Minister does the Norfolk Island Government still comply a Retail Price Index each quarter as required by the Retail Price Index Act.

MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs for the question. Yes there is still a requirement for the RPI, the Retail Price Index to be done every quarter. Unfortunately over the last, some time last year, that system was addressed by a Consultant and it was you might say that the system had broken down because there is a lot of items in the basket of goods that weren't available any longer and it no longer provided a proper indication of the movement of goods on Norfolk Island. So the assessment was done, new goods were brought in and they virtually built a new programme for the Administration to manage the Retail Price Index. It's unfortunate that they had some problem getting the programme to operate satisfactorily and that's why there is no indexes, no data has been provided over the last 6 months. I have asked the CEO to provide to me statistical information, economic data, not just on the RPI but also the BAF the Benefit Adjustment Factor and also other areas like the GST quarterly returns on the GST and I'd like to build a picture of the economy every 3 months to provide to the community. So that will be back on track that RPI process but unfortunately for the last 6 months it has broken down somewhat due to the new programme not functioning properly.

MR NOBBS Thank you Mr Speaker. So the BAF is required for the pensions and the like. Has that continued as is, or has it, taking a guess at what the BAF index is now?

MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs. No the Benefit Adjustment Factor system is completely different. That is managed by the Social Services area, that has been conducted over this period, this has been done and the Benefits have been adjusted in accordance with that if required. So that part of it is working. It's just the RPI part that's managed by a different Section that they are having some problem with.

MR NOBBS Just a further question. The basis for a lot of the Administration charges has been the RPI. What affect does not having these figures. I understand it was something like the last quarter in 2011 was the last official advice on that. I take your word for it, six months seems fine but what affect is it having on the price adjustments within Administration. This is supposed to be done I think from memory and it may have changed and you may be able to tell me but it's done every 1 July.

MR SHERIDAN Thank you Mr Speaker and Mr Nobbs. No that was done last July and Mr Nobbs is correct the fee unit is altered in accordance with the RPI on a yearly basis and that was done last financial year. Coming up to the end of this financial

year and the 1<sup>st</sup> July it is hoped that that system will be operating. They've collected all the information required for the quarterly returns but all they need to now do is drop those numbers into the system and come up with that Index number. So it is hope for, and I will follow this through with the CEO of the Service that by 1 July we will be able to obtain the RPI on a regular basis.

MR NOBBS Thank you Mr Speaker Just one question with responsibility for Roads. It's in relation to the Ball Bay Roadworks, Ball Bay access roadworks. The question comes from residents in that area out there. Are these roadwork complete as yet and if not what is the plan for the future?

MR WARD Thank you Mr Speaker and thank you Mr Nobbs. As I understand it there are some finishing aspects of that job to be done yet. I presume your referring to the road down to Ball Bay. I believe there is still some sealing work to be done there and some minor finishing works. As to whether there is a layer put along the top there, I'm not sure who's got that in hand yet but I've had no representation yet on that.

MR NOBBS Can I have a supplementary. The residents were concerned that there are piles of dirt currently out there. What's the future of those Minister?

MR WARD Thank you Mr Speaker. There was some thought of using the soil from there for the RESA project. That was spoken of in about probably 8 weeks or so and the area was tested for the Argentine Ants up in that area because they were close to that area at one stage. No ant activity was found where the soil is stockpiled but whether they need it for RESA is yet to be seen. They are stil, when the soil from the site along side of the Airport at this stage and if they don't it will be a matter of talking with the Works Supervisor as to where else they may use that soil.

MR NOBBS Supplementary. Minister would you be prepared to look into the soil situation and come back with an answer for the residents in that area out there that's concerned.

MR WARD Yes Mr Nobbs I would. What exactly is there concern, that it will be just left there for...

MR NOBBS Yes

MR WARD We can certainly look into what options are available.

MS WARD Thank you Mr Speaker. My question is to the Minister for Finance and his responsibility for the Telecom GBE and the question relates to the April Funding Agreement milestones. Will the Minister provide an update on progress in relation to the provision of a wholesale ADSL agreement being provided to interested internet service providers and answer if the Minister is able at this stage what market testing has taken place and what steps have been taken to contract new providers.

MR SHERIDAN Thank you Mr Speaker and I thank you Mrs Ward for the question. The progress for that funding requirement for April virtually has been completed. The wholesale ADSL agreement has been put out for public comment. I believe comments have been received and the final agreement has been determined. The Service is just putting the final touches to it now Mr Speaker and it's just awaiting Cabinet sign off. So I would expect that at the next Cabinet Meeting or two within the next 2 weeks that that agreement would come to the Cabinet for sign off and then that it would be put out to the public for people who would like to participate under that programme. As for the market testing and has anything been done to contract new providers, that's a milestone under the May requirement under the Funding Agreement

and once this agreement has been signed off and it's put out to the market yes then I will ask the Service to put out some form of advertising to inform the community and proposed operators that that facility is available for competition in that area.

MRS WARD Thank you Mr Speaker. Again a question to the Minister this time in his responsibility for economic policy. Will the Minister provide Members with an update on the divestment programme.

MR SHERIDAN Thank you Mr Speaker and thank you again Mrs Ward. The divestment programme currently how it stands is that there was a request for Tender to ascertain a person or a Company who would undertake the initial work. That Tender has closed, the preferred Tender has been identified and that's the stage where we are at now. But it is expected that work will commence very shortly and that's on the working up a programme that will assist the Norfolk Island Government to assess any business enterprises that may be considering to divest themselves of or to corporatise. So that's the next step and it's intended that the majority of that work will be done in two stages, a desktop stage and an on island work and it's envisaged that work will be completed by the end of this financial year.

MRS WARD If I may a supplementary on that question. Is it a fact that within the ACEL Tasman Economic Development Report there is a recommendation that IPART who is the Independent Pricing and Regulatory Tribunal be invited to act as an economic regulator for Norfolk Island as part of Stage 1 of the economic development strategy and if so, is it the intention of this Government or the Minister to approach IPART in the near future.

MR SHERIDAN Thank you Mr Speaker and Mrs Ward for the question. Mr Speaker I can't say that I've turned my mind as to whether or not we would request IPART to participate as a price regulator but I would expect that it would form part of the assessment process with the divestment programme that if we were to corporatise some of these entities or yes then, we would need an independent regulator so that the Government is hands free from that area. So there would be some form of regulation and an independent and yes the ACEL Tasman did provide a recommendation that IPART could be asked but that decision hasn't been taken at this time.

MR PORTER Thank you Mr Speaker. Through you to the Chief Minister. Given the dire state of the economy on island and the view that this will be the case for some time to come and in further to your comments during your election campaign concerning the survival of the private sector do you have a strategy that you can share with us on how you will stimulate the private sector, and further how it would be funded and I've asked this question initially regarding existing businesses on island.

MR SNELL Thank you Mr Speaker. Thank you Mr Porter for the question. Mr Speaker the question is far ranging, it has indications pertaining to a statement which I hope to provide at the necessary time in Statement on the Paper this morning but as Chief Minister I will be looking at some of the policies that have been introduced in the 13<sup>th</sup> legislative Assembly particularly regarding to advancement of tourism to the advancement of cruise ship visitations to the island, the reduction of some expenses I hopefully will introduce as well and to relook with the Members of the Government and others the introduction of the Committee the Infrastructure and Business Development Committee, all of those will assist in the ongoing negotiation for better sustainability of Norfolk. But exact details I don't have at this time.

MR PORTER Please Mr Speaker to Minister of Finance. Is the Minister aware of significant delays which are being currently experienced in receiving mail from Australia. Can the Minister advise of a reason or does he have any idea of the reason for these delays and advise if there was any action that could be taken to overcome them.

MR SHERIDAN Thank you Mr Speaker and thank you Mr Porter for the question. I'm quite well aware of the delays because I experience that myself. I had a parcel posted in late November December and only received it I think was late March, early April. So I'm fully aware of where Mr Porter is coming from. In discussions with the Postal Services Manager, Australia Post have altered their delivery you might say to Norfolk Island somewhat in that anything that's determined to be an e-parcel which is ordered online is now delivered by Surface Mail and of course that provides some time delay in regards to our shipping timetable. What the Postal Services Manager has taken on board, she's visiting Australia in the very near future, whether it's next week. She did give me a time but it's before the end of the month and she's going over there to visit all of the centres that handle mail for Norfolk Island and she's going to put up our concerns and walk through the issues to identify how the system can operate a lot better for a faster delivery of postal parcels for Norfolk Island. So hopefully by, I have asked the Manager to brief me on her return so it's hopefully by the next Sitting I may have some more information for Mr Porter, Mr Speaker.

MR PORTER A further question to the Chief Minister please Mr Speaker. Can the Minister please advise whether staff who deal with the public are trained in Customer Service and counselled to ensure that they adhere to Government policies and where staff have personal views which differ from the Governments policy, are they shifted to other positions or are they just left to their own devices.

MR SNELL Thank you Mr Speaker. That's rather hypothetical. I'm not aware of you know difficulties within the staffing movement within the Public Service. I know that there are training sessions in place and very good ones. I'm certain that members of the Public Service have responsibilities dictated to them by the terms of their employment. I have not personally been experienced of any dissatisfaction from any member of the community, but to take Mr Porter's question on board I will certainly discuss it with the CEO if there's any difficulty at all.

MR PORTER Further Mr Speaker to the Minister for Finance. Is the Minister aware that fly in fly out staff working in the mining oil and gas industries living only on Norfolk Island and returning to Norfolk Island for their breaks are being charged Absentee Landowners Levy. Is the Minister aware that others who are working too far from Norfolk Island to return on every break but whose families continue to live here and reside in the family home and who are working away, only because they cannot find work here on Norfolk Island are also being charged Absentee Landowners Levy and is there any way that Norfolk Island should rectify this.

MR SHERIDAN Thank you Mr Speaker and thank you Mr Porter for the question. Yes I am aware of the position with some of our workers offshore who do maintain residency here and who are charged Absentee Landowners Levies or portion thereof. I have them on my table at this moment and I'm waiting some further information from the Administration. I have about ½ dozen at least to deal with. It's my intent that I will have a look at the Absentee Landowners Act to see if we can facilitate in some area, because there are some areas there where there is the ability to exempt certain people. We may be able to massage that Section to identify it, it will be difficult to identify these people who do maintain a home on Norfolk Island but half of their family composition work offshore to provide for their family. I think it's only reasonable that we do consider this and I will take it on board and I will get back to Mr Porter in the near future on that.

MR PORTER Just a final one to the Chief Minister. Can the Chief Minister advise whether it is a fact that private homes without tourist accommodation licences are being used to accommodate visitors for reward. Does the Chief Minister acknowledge that this is not a level playing field but the absence of guaranteed minimum

standards and appropriate insurances leaves visitors at risk and the quality of the island's service in jeopardy.

**MR SNELL** Thank you Mr Speaker and Mr Porter for the question. It's a question Mr Speaker that's of concern to the Government. At this present time Mr Speaker I have no confirmation of what is alluded to by Mr Porter but I do appreciate that there are rumours that this type of practice is occurring. The guidelines that are required under the Roadmap, the Funding Agreement which we must meet with the milestones have suggested and recommended that of course the tourist situation be changed on Norfolk and one of those will be the opening up of accommodation. Certainly there will be some controls which will be put in place, particularly in Planning and other areas but to answer Mr Porter's question I personally have no confirmation that this is going on at this present time. I do have a Tourism Officer who has responsibility for this type of question and I will run it past my Officer in due course and I'll get back to Mr Porter with some concrete evidence of whether this is happening or is it not and what can be done about it.

**MR PORTER** Could I just ask a supplementary. Would the Chief Minister consider having the Government implement minimum standards of accommodation fitness for use. That may address a lot of this issue.

**MR SNELL** Thank you Mr Speaker. Yes Mr Porter there are what they call the Tourism Quality rating within the industry and you would be well aware being a Proprietor yourself and it's hopefully will be included within any policy guidelines and regulations that will flow on from the compliance with the milestones as requested and this matter will certainly come under some more consideration in the very near future but certainly your points will be taken on board.

**MRS WARD** Thank you. My question is to Minister Adams and relates to the current Funding Agreement conditions. Is it a fact that the Norfolk Island Hospital Enterprise Advisory Board was to prepare a report to further examine additional measures that might be implemented to enhance the efficient and effective delivery of health services on the island, and if so, what action has taken place to ensure that this condition has been met.

**MS ADAMS** Thank you Mr Speaker and thank you Mrs Ward. That time line has now been met Mrs Ward. The Hospital has provided the necessary data, it was handed to Mr Plant yesterday through Mrs Davenport.

**MRS WARD** Again to Minister Adams. Will the Minister outline what action has been taken to be ready to actively promote legislative changes to Immigration and Accommodation once assent is given.

**MS ADAMS** Thank you Mr Speaker and thank you Mrs Ward. This is referring to Item 9b promotion of Immigration and Accommodation changes in the Funding Agreement of December where the Norfolk Island Government has been required to actively promote changes to Immigration and Accommodation including Newsletters and promotional materials to identified investors. That is a matter for discussion for me next week with the CEO to see what role he would see the Public Service playing in this meeting at this time by Mrs Ward.

**MRS WARD** And again to Minister Adams. What action has been taken by both Governments to engage the Federal Department of Immigration and Citizenship and assist Norfolk Island in identifying outstanding anomalies within the Immigration Act 1980 Norfolk Island Act.

**MS ADAMS** Thank you Mr Speaker and thank you Mrs Ward for the question. For the purposes of Handsard I will read the wording from the Funding

Agreement in respect of Item 9c Immigration ?????? Jointly review the Immigration Act to identify any outstanding anomalies with Mainland Australia with the Commonwealth to engage the Commonwealth Department of Immigration and Citizenship to assist in identifying anomalies and identifying possible solutions. Mr Speaker I can't speak for the Commonwealth. What I can say is though that I think was two days ago there was a phone link up between our Collector of Customs in his role of Immigration Services, the CEO and Mr Plant with DIAC discussing particular issues and there will be a report back to me on that when the composite Committee comes together again that I'll be referring to in a Statement shortly comes together again on Friday, and I expect an update at that time.

MRS WARD Yes I thank the Minister for that answer. Again to Minister Adams. Will the Minister outline to Members what action she has taken to address her concerns over potential impacts of recent changes to Immigration law and will the Minister give Members a guarantee that her actions will not undermine the actions of the previous Government or jeopardise the already agreed conditions of the Funding Agreement in any way.

MS ADAMS Mr Speaker thank you, Mrs Ward thank you. What I can say is I will be making a Statement later on a meeting that took place last week and which will reconvene again this Friday at 2.30 in which we are exploring potential difficulties within our current immigration regime and other pieces of the legislation that are affected by the Immigration Act on Norfolk Island. Officers are being asked to go back to their respective areas and bring to this meeting potential problems that need to be addressed which actually ties in with what we've just discussed in the previous question. Our Government, the Norfolk Island Government on the 14<sup>th</sup> Assembly has undertaken to meet the time lines and the requirements of the Funding Agreement as we no way intend to upset the funding that's to be provided to Norfolk Island, and that's' as much as I'm prepared to say in respect of my personal views. I can speak on behalf of the Government but that is the decision that we have taken.

MRS WARD A supplementary thank you. Is it a fact that any effort to undermine the current Funding Agreement conditions or milestones will form grounds for termination of the contract and thereby put at risk the transfer of emergency funds that are needed to provide ongoing essential services to the island.

MS ADAMS Thank you Mr Speaker, thank you Mrs Ward. I think I have already answered that. The Norfolk Island Government at the 14<sup>th</sup> Assembly will be doing nothing to interrupt the Funding Agreement of 22 December 2012 and are working actively to meet the timelines and the requirements that are in the Funding Agreement.

MR NOBBS I'd just like to ask a question of the Minister for Finance. Minister are you aware of something called a Capacity Building Team. It was referred to in August 2012. Did this ever exist and does it still exist and what did it do?

MR SHERIDANT Thank you Mr Speaker and thank you Mr Nobbs for the question. The Capacity Building Team, yes it was a team that was provided by the Commonwealth by Commonwealth Departments at the Commonwealth Department's own cost. It was 3 or 4 people that were seconded to the Government to the Administration of Norfolk Island to assist them in building capacity within the Public Service. Now these people were on island for approximately 6 months. They all left approximately late last year in November, December last year. As to the outcomes Mr Nobbs, a final report I haven't been provided with a final report from their tenure here on Norfolk Island but I can ask the CEO to provide me with one to confirm that the work that they did do was actually supporting the Administration in their capacity building. So yes it was true there was some people here and it happened last year.

MR NOBBS ..and no report

MR SHERIDAN I haven't seen a report as yet.

MR NOBBS I just ask Ms Adams if I may just following on from Mrs Ward's question. Will you undertake to take into account in all your discussions in relation to the immigration and such that there are other concerns within the community that could be addressed which may improve the outcome for both the Commonwealth and Norfolk Island. Would you do that or will you blatantly stick to that statement that Mrs Ward just read out that if we do anything against what is said here, it's all over rover.

MS ADAMS Thank you Mr Speaker, thank you Mr Nobbs. We have the Federal Minister with responsibility for Norfolk Island arriving on the island on Monday and Members will be meeting with the Minister at 9.00am here in this Chamber. That may very well be the time for Members to raise concerns that they have as representatives for the community of Norfolk Island. I'm aware of the concerns in the community and the Committee which has been brought together of all areas that are impacted on by Immigration and the Immigration changes that are foreshadowed are being actively assessed within the Public Service through the Committee that's been established and I would hope that the Commonwealth, if there were glaring problems evident that they would be sympathetic to the concerns expressed by the Norfolk Island community. Is that helpful Mr Nobbs.

MR NOBBS I have a question to the Minister for Finance. The current, are you aware that there is some activity on the South East corner of the Airport and that I assume it's the completion of the RESA exercise. I've just got a couple of questions on that Mr Speaker if I may. What are the arrangements that cover that. Is there a contract or contracts or is it a hire by the hour or what arrangement is it being done under.

MR SHERIDAN Thank you Mr Speaker, thank you Mr Nobbs. Yes the work that's being done at the end of the runway on the Southern end there is the completion of the RESA works which I suppose commenced some two years ago. The majority of that work has been undertaken by Administration Personnel. Some equipment has been hired from the private sector and the request for this equipment hire was gazetted and put out for tender you might say late last year early this year. So yes it's work being undertaken by the Administration with some hireage of outside equipment. It's intended that this work will be completed by the end of this financial year.

MR NOBBS Supplementary. Do you know the estimated total cost to complete the project and where are the funds being sourced.

MR SHERIDAN Thank you Mr Speaker and Mr Nobbs. The funds have been identified in the Budget this financial year. As to the actual amount it slips my mind and I'll have to get back to Mr Nobbs on that question Mr Speaker.

MR NOBBS That's fine. Could you just also look at it. Would you look at the issue of the finance, Commonwealth Finance Minister's orders I think they call them and there's a provision in there for over \$240,000 is expended on the project that it has the approval of, and I know it was not started in your time but the approval of either the Minister for Finance or the CEO and the terms of the approval, description of the arrangements and amounts be committed and published on the Norfolk Island Government website. Would you also look at that for me.

MR SHERIDAN Thank you Mr Speaker. I'll certainly look at that Mr Nobbs and if that project is over that funding mark, \$240,000 I will see whether it fits that requirement and whether or not it needs to be put onto the website. I'm not entirely sure I'll have to investigate that further.

MRS WARD Thank you Mr Speaker. A question to the Chief Minister. Is it a fact that in the Chief Minister's recent campaign statement the Chief Minister wrote and I will quote "The Funding Agreement is a document that must progress to its final stage. I see no advantage to Norfolk Island in now raising criticism or objection". If so would the Chief Minister reaffirm his campaign statement now for the benefit of all Members.

MR SNELL Thank you Mr Speaker, thank you Mrs Ward. Certainly, yes I reiterate.

MRS WARD Question again to the Chief Minister, still on the subject of the current Funding Agreement conditions at Point 10. Will the Chief Minister give a guarantee that he is able to deliver to Members a Public Sector Management Bill in time to pass through all stages and satisfy all elements of the May Finding Agreement budget milestones, including disbandment of the Public Service Board.

MR SNELL Thank you Mr Speaker and Mrs Ward for the question. That's been a subject of discussion within Cabinet and with the CEO and with discussions with His Honour. It is a difficult one, it's a very difficult question simply because of the volume required under the milestones agreement and there are some sections that require consideration. It certainly is a difficult ask and Mrs Ward through you Mr Speaker there is a letter from the Chief Executive Officer to Dr Mackie Mconchie, Assistant Secretary, Local Government and Territories and it highlights this question and it's re the clarification May milestones on the December 2012 Funding Agreement, and it goes on to say "I advise that at a meeting of the Norfolk Island Cabinet on the 8<sup>th</sup> April 2013 a request was made by the Minister for Cultural Heritage and Community Services and endorsed by the Cabinet that clarification be sought from the Australian Government as to the wording in Clause 10 of the Funding Agreement executed between the parties in December 2012. Specifically the Norfolk Island Government seeks clarification concerning Item 10 of Schedule 21 in the Funding Agreement which requires that for the month of May 2013 Norfolk Island will undertake "a framework of Public Sector Reform regarding a new Public Service Act b) a new Human Resources policy and c) caps on redundancies". Clarification is sought on the term undertake, for example does this or does the term mean full legal commencement of the specified reforms, substantial progress or completion and adoption of relevant legislation. The Norfolk Island Government is to consider draft Public Sector legislation at its sittings in May 2013 and is concerned that there may be insufficient time to fully consider the matters as is required of the Assembly if the relevant clause in the Funding Agreement is interpreted by the Commonwealth in a manner different to that interpretation placed on the meaning of the Clause by the Norfolk Island Government. And we are seeking response to that. So there are some question marks in answer to Mrs Ward's question and we hope to have those satisfactorily answered in due course and to prevent any hold up of milestones that are being placed upon us. Thank you Mr Deputy Speaker.

MRS WARD A supplementary thank you Mr Deputy Speaker. I would like the Chief Minister to detail the difficulties because if we go on to A1 of the Section 10 which the Chief Minister is quoting from is that "The Public Sector Management Act 2000 will be replaced". It doesn't come any simpler than that but if there are difficulties could the Chief Minister please describe those now to the House.

DEPUTY SPEAKER Is there ?? that we need a interpretation on what that means.

MRS WARD If I may Mr Speaker the Chief Minister is quoting from the Section so I would presume that he has that information in front of him and that he is also very familiar with the Funding Agreement and the conditions.

MR SNELL Thank you Mr Deputy Speaker. I am familiar with the Funding Agreement and the milestones that have been set within it. I don't have it in front of me at this time. There are certain implications with the removal of the legislation that we have within the Public Service now and as already quoted, there are necessary considerations to be taken into account, safety nets and so forth for employees etc. We rely heavily on the advice given to us by the Public Service, particularly through Legal Counsel and also through the Offices of the CEO. I don't have those documents in front of me as suggested by Mrs Ward and certainly it is of consideration but I can't detail any more information at this time.

MRS WARD Thank you Mr Deputy Speaker. Again to the Chief Minister. Would the Minister inform Members of the timetable he has set in his role as Minister for Tourism for the 10 year tourism strategy to be finalised and tabled in this House and does the new Minister intend to make any major adjustments to the strategy at this stage following on from his policy statements in his recent campaign.

MR SNELL Thank you Mr Deputy Speaker. There is a Strategic Plan that has been compiled by the previous Minister for which has been submitted to the General Manager for the Norfolk Island Government Tourist Bureau. His comments were that it has to go before the Board for the new Board that is, for further discussion and once the new Board has met and the reports come back and recommendations from that Board I will be submitting the Norfolk Island Tourism Strategic Plan. As I don't see any major changes that is required to what has already been agreed upon but I will take advice and wait for advice from the Norfolk Island Government Tourist Board when it meets.

MR BUFFETT Thank you Mr Deputy Speaker. I have a question for the MR SNELL. It relates to the forthcoming visit by the appropriate Commonwealth Minister to Norfolk Island and I ask the Chief Minister and Minister for Tourism, Mr Snell whether he will be pursuing with the Minister, the Commonwealth Minister when she arrives here the outstanding Commonwealth commitments to allow Norfolk Island to enter the larger pool such as taxation, welfare benefits, Medicare and the like so that the community here will be able to commence to experience long term benefits by the association that is outlined in the Roadmap.

MR SNELL Thank you Mr Deputy Speaker and Mr Buffett for the question. The answer is yes.

MR BUFFETT Mr Deputy Speaker I ask the Chief Minister whether he will be making a Statement on the CEO's situation.

MR SNELL Mr Buffett sorry would you please repeat the question.

MR BUFFETT I ask the Chief Minister Mr Deputy Speaker whether he will be making a Statement on the CEO situation.

MR SNELL Yes I will,

MR BUFFETT Again I think this may be to the Chief Minister but if it needs to be handled by other Ministers I would defer to your judgement in respect of that Mr Deputy Speaker. I have questions in respect of round 4 and round 3 of applications for grants to the Commonwealth. Round 3 as we know relates to a waste management project and round 4 relates to the Cascade situation. Could an appropriate Minister, Chief Minister it may be yourself give an update to the House and to the community in respect of both of those projects.

CHIEF MINISTER Mr Deputy Speaker I'll take that question On Notice and I will have some clarification for you in due course.

MR BUFFETT Mr Deputy Speaker if I just might pursue with a supplementary. I understand that we're getting close to the deadline for close of applications in respect of maybe both of those. So it is important for us to know in a timely way how they are travelling.

MR SNELL Yes Mr Deputy Speaker I'll take that On Notice.

MR BUFFETT Mr Deputy Speaker if I may. There has been mention in the last couple of days in the Forestry area talk of return of a Forestry zone to the National Parks overview of supervision and the like. Would the appropriate Minister like to give us some elaboration upon that. I direct that to Minister Ward if that's appropriate please.

MR WARD Thank you Mr Deputy Speaker, thank you Mr Buffett for the question. I have had a communication from the Director of National Parks, Peter Cochrane in which he has drawn to my attention a licence agreement or proposed licence agreement that they are wishing to put into place with the Norfolk Island Government, relating to the use of the Forestry zone which is basically the Western section of the Norfolk Island national Park. They have a very complex zoning arrangement within that and they are proposing a staged return to the National Park of most of these zones within the Forestry zone. Some of these zones are quite high value native vegetation and wouldn't be appropriate for those to be included in the conservation zone of the Park. However there is also suggestion of removing the entire gum forest over time and a requirement for us to remove a hectare of that forest each year. This I believe needs some very careful evaluation. It's a resource that's been developed over a very long time by this community and shouldn't be dealt with lightly, it should be very thoroughly researched before we make a commitment to doing that. There is also a suggestion in there or provision in there for the Norfolk Island Administration to pay to the Director of National Parks an annual licence fee of \$2,500. This is quite a new arrangement with not being renting or leasing the Park or the part of the Park we're using to date. So this is all subject to some ongoing discussions of course. A lot of discussion will be needed to refine this and work out what direction we're taking.

MR BUFFETT Could I seek a supplementary question in terms of this matter Mr Deputy Speaker. I thank Minister Ward for his explanation and I note in the latter part of it he's talking about the prospect of Norfolk Island being asked to pay to use its own block of dirt so to speak. I don't recall that as being part of any previous arrangement and that being the case I'm wondering what the attitude of the Minister is in protecting Norfolk Islands concept of the Park being r? to Norfolk Island and the Australian authority has a management role, not necessarily a proprietorship role in which they might be charging us the rent.

MR WARD Thank you Mr Deputy Speaker and Mr Buffett. I was surprised to find this licencing fee included in there. It is a fairly standard practice in other Parks but they are under a very different constitutional arrangement. I would certainly be conferring with other Members of Cabinet as to what view they hold on this and personally I was very surprised that this requirement be placed in there. I need to do a lot more research as to what agreements were entered into when the Park was established. This only came across my desk two days ago but I'll be happy to keep the House informed as the process ...

MR BUFFETT I have a question just for an update in terms of an appointment to the Norfolk Island Remuneration Tribunal.

MR SNELL Yes there has been an appointment or there has been a recommendation for an appointment to the Administrative Review Tribunal and I do have

some information on that if you could just bear with me. Mr Deputy Speaker it appears that I may have to take that question On Notice. There has been some progress in that area. I don't seem to have brought the particular file along this morning, not that I was anticipating a question on this matter but I was hoping to be able to give you more detail. But the appointment of a person to act in the role has not been finalised to answer the question but it is under way.

MRS WARD This is a supplementary to that question Mr Deputy Speaker again to the Chief Minister of course. Is it a fact that an Administration employee pay claim has been lodged with Remuneration Tribunal and if so would the Chief Minister inform the House of the potential financial impact on the budget should the claim be successful.

MR SNELL Thank you Mrs Ward and Mr Deputy Speaker. I have no knowledge of that at this time and I will take that question On Notice.

MR BUFFETT Yes I have a supplementary. I wonder if the Chief Minister can confirm his report to us just now. I rather recall amongst all Members and I assume that that would include the Chief Minister Chief Executive Officer reporting to us that there was such a claim. Have I misunderstood it or is the Chief Minister not aware of it.

MR SNELL I am aware of it.

MR BUFFETT You've just advised us your not aware of it.

MR SNELL I beg your pardon through you Mr Deputy Speaker. Yes I am aware of the pay claim lodged by the Public Service, yes I am and it has been referred to the Arbitration which we don't have a sitting member at this time and it is being dealt with in that regard. I take that point on board and yes I have seen that.

MRS WARD Supplementary if I may Mr Deputy Speaker. Is it a fact that within this report which was presented to all MLA's including the Chief Minister on the 22<sup>nd</sup> March 2013 that there is a back pay claim for \$1.2m back to the year commencing 2008/2009 and that there would be an ongoing increase on recurrent expenditure under the budget line of \$285,000.

MR SNELL What is the question.

MRS WARD Is it a fact. Perhaps the Chief Minister now recalls now that he remembers that he has been presented with the report.

MR SNELL I have read the report Mr Deputy Speaker and what are you suggesting? That report is incorrect?

MRS WARD If the Chief Minister is unaware at this stage I will put the question On Notice thank you.

MR SHERIDAN Mr Deputy Speaker. Could I just make a further response to a question that was asked by yourself earlier in the meeting.

DEPUTY SPEAKER Certainly

MR SHERIDAN Mr Deputy Speaker I responded to a question earlier about the Retail Price Index and I believe I stated that the system RPI was working at the last financial year. This actually was incorrect. The system had failed prior to the requirement to review it at the start of this financial year 1<sup>st</sup> July. So there was no recalculation of the fee unit for July 2012. It's intended that in July 2013 that's the end of

or the start of next financial year that the fee increase, if there is any will take into account the past 2 years.

SPEAKER Thank you. The time for Questions has expired this morning.

MRS WARD Mr Speaker can I move an extension of time by 15 minutes.

SPEAKER The proposal is that Questions Without Notice be extended for 15 minutes.

QUESTION PUT  
AGREED

MRS WARD Thank you Mr Speaker. My question is to the chief Minister and relates to documents which have been provided to all Members of the previous Assembly including the then Member was a Chief Minister who is now, was a Member is now the Chief Minister has been provided with these reports. Is it a fact, the question is to the Chief Minister. Is it a fact that in early February this year the CEO of Administration conducted a due diligence examination on a Company called Redemptech Holdings PTY Ltd in preparedness for a contract being signed between the Administration and Redemptech and that as part of the examination the Company was asked to provide details of its financial standing and material worth and it was also alerted to the fact that the Commonwealth now has greater oversight of the island's financial affairs, and if so is it also a fact that on the 21<sup>st</sup> of the same month Redemptech advised that they were withdrawing their proposal from the island.

MR SNELL Thank you Mrs Ward. Mr Speaker I thank Mrs Ward for the question and she has raised in conjunction obviously with a lot of talk and dialogue that's been gone on about this project. The answer to the question is how does Mrs Ward feel that the Government was financially going to be involved in what ramifications does Mrs Ward think could have happened financially from the introduction of this project into Norfolk Island. Can you identify where the project would have cost and they did request funding for this.

MRS WARD Point of Order Mr Speaker. Is the Chief Minister

SPEAKER Chief Minister are you asking that question of Mrs Ward.

MRS WARD I'm honoured of course.

SPEAKER May I respectfully point out that this is Question time and Question time is to the Minister's of the Government to be explaining their situation in terms of their various ministries.

MRS WARD Mr Speaker I maybe able to assist the Chief Minister

SPEAKER You've had the opportunity to ask the question Mrs Ward. It's now in the court of the Chief Minister to respond.

MR SNELL Let me respond Mr Speaker. The details of this project has been delivered to every Member of this House. May we go back

MRS WARD Point of Order. The details of the project haven't, this is a due diligence finding report from the CEO. It's the CEO who did the due diligence thank you.

SPEAKER I don't see that as a Point of Order Mrs Ward.

MRS WARD Misleading the House

SPEAKER If your asking me to rule upon that you need

MRS WARD I'm not asking you to rule Mr Speaker. I withdraw.

SPEAKER Thank you Mrs Ward.

MR SNELL Mr Speaker let me read a summation of the situation. The Members of the Legislative Assembly have been provided with a raft of paperwork to the HEG generation project Redemptech. It is also understood that a selected collection of various documents, reports and communications have also been around for some months. In the interest of completeness for this project there is an attachment of summaries that have been sent to Members of the Legislative Assembly. It is obvious that there are strong views. Such views were formed some time ago about either the technology or the project itself. Regrettably those views have been formed in the opinion of some without the benefit of having a thorough understanding of either. Despite the confidentiality issue which may in hindsight have been too tight, not one MLA in the previous Assembly took the time to make contact with either Redemptech or the write of this which is Mr Geoff Bennett. Had they done so many of the fears, misconceptions etc might well have been set aside or at the very least better understood. But let's look at the important elements of the project

MRS WARD Point of Order Mr Speaker. Is the Chief Minister making a Statement or attempting to answer the question

SPEAKER Obviously from the Speaker's point of view I'm looking to an answer to the question

MR SNELL I'm attempting to answer the question. I'm attempting to explain that there was no risk to the Government

MRS WARD That wasn't the question

MR SNELL ..and there was no financial impact to the Government

SPEAKER Just pause for a minute Chief Minister. Mrs Ward you have a further Point of Order.

MRS WARD I would like the Chief Minister to answer the question simply. I'm happy to re ask the question.

SPEAKER I don't interpret that as a Point of Order Mrs Ward. May I point out that you have the authority to ask the question. The answerer has the authority to frame the answer in the way he or she would determine.

MR SNELL So we go back. But let's go back to the report from the CEO at the time. There is some hint that there may have been distrust in his own Legal Services Unit for the request from him for an independent Company on the conditions of the contract. Confidential agreements was also a question, budget implications are also a question. But let's carry on. The generator was only to arrive on Norfolk Island after independent verification and Australian Standards Certification. This was to ensure that the HEG arrived as fully operational generator rather than as an experimental unit. The draft contract which was commenced in 2010 with input from Redemptech Administration's Legal Services Unit, the former CEO, Norfolk Island Energy management and Government ensured that all costs of transportation, installation,

connection to dummy load, monitoring, maintenance and if accepted connection to the grid with responsibility of Redemptech. Quite simply all costs and liabilities were accepted by Redemptech. Additionally the draft contract stipulated that Redemptech was to hold \$20m of insurance cover through Lumley's for any damage that may occur to the Norfolk Island Electricity network during the HEG network trial period. If Norfolk Electricity was not confident in the capacity, technology or safety of the HEG during any phase of the trial connection to the dummy load or the Norfolk Island grid the generator could be immediately removed at Redemptech's cost. The draft contractual arrangements were specific to protecting the Norfolk Island's community and infrastructure while offering an opportunity to trial a system that proposed a significant reduction in electricity costs to the consumer, as well as extraordinary opportunities for the Norfolk Island Government with both savings and new revenue streams. Mrs Ward I can't at this time offer any more explanation to answer your question. If you'd like to put more On Notice I'll be happy to get to it.

MRS WARD Thank you Mr Speaker. I think the Chief Minister mentioned himself mentioned the name Geoff Bennett so is it a fact that the Chief Minister is receiving his information from that particular person and would the Minister answer the question which was, that on the 21<sup>st</sup>. Is it a fact that on the 21<sup>st</sup> February Redemptech advised that they were withdrawing their proposal on the island.

MR SNELL They did advise that they were withdrawing their proposal from the island, the date, the 21<sup>st</sup>, all matters ?? consider Redemptech will now move this first showcase opportunity to Singapore, yes you are quite right in that respect.

MR SHERIDAN A supplementary question if I may Mr Speaker. It's just a supplementary question in regards to this because I'm a bit confused and I'd just like some certainty from the Chief Minister in regards to what he's reading out there. Is that the Government's position that he has taken on this technology, on this proposal by Redemptech. I believe you were just reading from the Statement from a private citizen.

MR SNELL That is correct but

MR SHERIDAN And is that your position?

MR SNELL It's certainly my position. I take that advice

MR SHERIDAN No wonder the CEO resigned then

MR SNELL I take umbrage of that Mr Speaker. The CEO resigned for reasons that he has not fully given to me and the CEO resigned because Mr Speaker I asked for the sake of the public and for Members here for 2 Officers of the Public Service to address this House on the knowledge that they may have of the project. It was purely to inform the Members and the public of their interpretation of the project itself and of any knowledge that they may have had at the time. It was not to be dishonourable to the CEO. It was not a witch hunt, it was purely one of seeking information, and I wanted all Members of the Assembly and the community to be fully aware of the implications of such a project. I was not fully aware of it until the CEO had started to circulate matters in his due diligence research as requested by the previous Government. So I wanted all Members. Now the CEO took umbrage at that I believe that I was undermining his authority, it was not intended to be so. I just wanted to hear the technical details from the Manager of Norfolk Island Energy and also from the Legal Counsel for his advice on how the original contracts were made up and his advice on why the CEO sought at the time to seek an independent Legal advice from an overseas company Pikes and Verekers Lawyers which I believe is in the Byron Bay area. All I wanted to do was to clarify in areas of that nature. It was not to undermine the CEO.



Question time has expired and we move on There are no Answers to Questions on Notice obviously this morning.

## PRESENTATION OF PAPERS

SPEAKER Are there any Papers for presentation this morning Honourable Members

MS ADAMS Thank you Mr Speaker. I table a memorandum received from the Immigration Officer dated 8 April 2013 in respect of the Immigration Act 1980, Declarations of residency for the year ended 31 December 2012. I'll read the memorandum. Subsection 34(2) of The Immigration Act 1980 requires the executive member to cause a record to be kept of the declarations granted under section 33 of the Act and to report to the Legislative Assembly not later than the 31<sup>st</sup> March each year. The number of Declarations of Residency granted during the year ended on the previous 31 December. The attached report is for tabling pursuant to paragraph 34(2)(b) of the Act. There were 28 persons declared residents during 2012 as follows – 12 declarations were for persons who received their General Entry Permits under special relationship provisions; there were eight declarations for children of residents who received their General Entry Permits under special relationship provisions and there were eight declarations for persons who obtained their General Entry Permits through the quota. And that is signed Yvon French. Thank you.

SPEAKER Thank you. Further Papers.

MR SHERIDAN Thank you Mr Speaker, under section 2(b)(2) of The Customs Act 1913 that section makes provision for the Minister to exempt goods from duty where the duty payable is less than \$200. Section 2(b)(5) of the Act provides that where the Minister exercises his power shall lay a copy of the exemption on the table of the Legislative Assembly. Mr Speaker I so table four exemptions provided by the previous Minister and a further three exemptions approved by myself.

MR SHERIDAN Thank you Mr Speaker, also in accordance with section 19 of the Goods and Services Tax Act 2007 I am provided with a GST Quarterly Report – Jan/Mar 2013 by the Chief Revenue Officer and under that section I'm also required to table the Report into the House and I do so now and these are the figures for January to March 2013 and just reading through the report briefly, during that period there was \$1.86m was collected for this quarter from the GST. I so table that report

SPEAKER Further papers? Honourable Members if there are no further Papers for presentation this we move on

## STATEMENTS

Are there any Statements this morning Honourable Members

MR SNELL Thank you Mr Speaker. I offered to make a statement setting Norfolk Island Government 's priorities. As Members are aware there's been almost a month since our appointment as members of the 14<sup>th</sup> Legislative Assembly . I am pleased to advise this House and the community that my Ministerial colleagues and I have met to determine our portfolios priority and from that we will develop the Norfolk Island Government Priorities which will in turn assist the Norfolk Island Administration to prepare Management Plans upon which to base future budgets beyond 30 June 2013. What I can advise at the outset is that the conditions of the funding agreement of December 2012 sets the Government and Administration priorities to June 2013 and the milestones to be met to receive the essential service funding from the Commonwealth Government. For the listening community the Funding Agreement can be found under new links at [www.ni.net.nf](http://www.ni.net.nf). The next priority is for the Government to meet with the

newly appointed Federal Minister with responsibility for Territories, the Hon Catherine King MP. I have written to Minister King and attempted to call her on a number of occasions to attempt to set up a meeting at the earliest opportunity. I have received an email from her to advise that she is receiving briefings from her Department. As we are all aware Minister King will now be visiting Norfolk and we look forward to meeting with her at that time. In the meantime the Chief of Staff has received advise that Minister Crean's previous advisor, Adam Mara is transferring to Minister King's office so there will be continuity and an understanding of the path that Norfolk Island seeks to travel to achieve short and long term sustainability. I also take this opportunity to confirm that the representatives from the Joint Standing Committee on the National Capital and External Territories will be visiting on the 29<sup>th</sup> and 30<sup>th</sup> April 2013 and there will be opportunities for us all to meet with them. The next priority for my Government is to seek to meet with all the Commonwealth Minister's who have responsibility for areas contained in the Roadmap to seek to agree the model of self government for Norfolk Island and to settle Norfolk Island's fiscal relationship with the Commonwealth. Agreeing on our fiscal relationship will give certainty for the Minister for Finance to manage the budget together with the Chief Executive Officer. In this regard we have not only written to Minister King, we have each written to our counterpart Commonwealth Ministers. In the meantime it is hoped that the positive dialogue will continue between my ministerial advisors, the Chief Executive Officer and the Commonwealth Departmental officers. In addition work has commenced on preparing our Legislative Programme which will reflect the Government's priorities and will reflect those matters for which instructions has been given, are awaiting assent and I trust that this programme will be available for circulation prior to the next sitting. The four Ministerial portfolios reflect what the Norfolk Island Government has assessed as important to the community and the Administrative Arrangements Order which I tabled at our Inaugural sitting on the 20<sup>th</sup> March 2013, set out the major portfolio responsibilities. While the Administrative Arrangements Orders set out major items within each portfolio there are many other matters that each of us need to address and we are grateful for the support and advice already provided by the Chief Executive Officer and members of the Public Service. During this month we will all receive briefings from Administration officers as to current issues and a timetable for this is currently being prepared. May I take this opportunity to extend my sincere regret that the Chief Executive Officer has tendered his resignation effective 9<sup>th</sup> May 2013. In responding to the Chief Executive Officer I expressed that regret and disappointment that I and my Ministerial colleagues were unable to persuade him to stay and lead and guide the Norfolk Island Administration during this time of significant reform and financial constraints. I also acknowledge his ongoing support and in particular his daily monitoring of the Norfolk Island Administration cash position and his attempt to build the capacity of Norfolk Island Administration employees. As indicated earlier a recruitment process is under way as we speak and the Chief Executive Officer has offered to take control of that. In addition several meetings as to the way forward has been held with my Ministerial colleagues on the recruitment process that we may wish of course to have this more confirmed after discussions with the Chief Executive Officer after today's meeting. Obviously on behalf of all of us I extend best wishes to the Chief Executive Officer and Mrs Faulkner who will depart prior to our next sitting. I also advise that I receive with regret the resignation from Dr Cheryl Davenport, Chief of Staff to the Norfolk Island Legislative Assembly. Dr Davenport has been instrumental in compiling and collating a huge amount of legislative material required by the Commonwealth and previous Government on the reform programme for Norfolk Island Roadmap and Funding Agreements as well as of course many other responsibilities in her area as Chief of Staff. I do acknowledge that Dr Davenport and I share different policy views on the further of Norfolk Island and this may have led in some way to her resignation and I certainly regret that. This aside, I'm sure all of us again will acknowledge the contribution Dr Davenport has made and the great amount of work she has contributed in her role in the time that she has been here and I'm sure all of you will join with me in wishing Dr Davenport the best for the future.

MRS WARD Thank you Mr Speaker I would like to move that the question be noted

SPEAKER The question is that the question be noted

MRS WARD Thank you Mr Speaker. I would just like to congratulate the Chief Minister on his progress to date and yes the Federal Minister King's visit is I think wonderful that she has only been in the position for three weeks and yet has deemed Norfolk Island to be up there on her agenda and worth a visit so early so I thank the Chief Minister and Minister for Tourism, Mr Snell and His Honour the Administrator for seeing that happen. The Roadmap obviously will be on the top of the agenda and the progress of what's happened to date and what needs to be pressured from this Government to the Commonwealth and for the Commonwealth to ensure that the Norfolk Island Government continue to work towards a reform programme and we see that in the Funding Agreement which of course there will be another one coming for the next financial year but the point I would just like to pick up particularly is the Legislative Programme that the Chief Minister has mentioned and say to him and to the House that the community and Members have every right to expect that the Government will be proactive at this time and lead the reform process. The Chief Minister knows as a Member as does Minister Adams and Minister Sheridan, have that advantage of being aware of the Legislative Programme which was put up by the previous Chief Minister on behalf of his Government and understandably it complements the joint Government Roadmap Reform Programme so obviously the Chief Minister will want to put his stamp and his Cabinet's stamp on this reform programme but we would expect that it follows the endorsement that was given in the House last sitting on the Roadmap direction, the reform direction continues so all power to the Chief Minister. I look forward to seeing that Legislative Programme because we know that's what we need. If we don't have a programme we're rudderless and the community is rudderless. So thank you again

SPEAKER Thank you. Further debate. No. The question is that the Statement be noted and I put that question

QUESTION PUT  
AGREED

The ayes have it

MS ADAMS Thank you Mr Speaker I have five statements this morning. Honourable Members an update on some of the areas in my portfolio relating to **Community Services, KAVHA and Immigration**. Firstly Community Services. As Members are aware the Memorandum of Understanding signed in late 2010 by the former Chief Minister the Hon David Buffett AM and the then federal minister the Honourable Simon Crean contains a provision that - Norfolk Island had agreed in broad terms to participate in the Australian taxation and social security systems on the basis that there will be a net benefit for Norfolk Island and its community and there is appropriate consideration of local circumstances". In my recent discussions with the Authorised Officer, Social Services and the Healthcare Manager, I raised the issue of the likely impact of extension of Australian legislation relating to Social Services, Health and Aged Care. The Norfolk Island community were issued with "Roadmap Fact Sheets by the Department of Regional Australia Regional Development and Local Government in May 2011, but the fact sheets were qualified in that the details in the Fact Sheets are not necessarily what will be extended to Norfolk Island as a future governance model for Norfolk Island is yet to be decided. That still remains the case today. A request has been sent through the CEO asking that relevant Administration officers undertake a review and provide detailed comparison of the current Norfolk Island benefits against the Commonwealth benefits. It is my wish that Chief of Staff Dr Cheryl Davenport be part of the working group undertaking the review. It is intended that the review should include the benefits of extension of Private Health Insurance Act 2007 and Pharmaceutical Benefits Scheme and Dr Davenport has done work already in this regard which will be



part of that process Mrs Ward. A further meeting has been convened for 2.30 this coming Friday and officers have been requested to provide their findings to the Senior Policy Officer by close of business this coming Thursday so they can be collated together and put together in some comprehensive form for the Friday meeting. I will be asking Mr George Plant in his role of Senior Adviser – Roadmap Reform Process to attend the meeting on Friday so that he will be able to report on his discussions with DIAC that I alluded to earlier. I thank all the officers who attended last week's meeting for the support they have given me and for their willingness to be part of this important assessment process.

MS ADAMS                      Thank you Mr Speaker. The next statement Honourable Members is still in immigration but it refers to the **new born children of Norfolk Island Parents**. As members are aware, and I did bring this to your attention at yesterday's meeting of Members, most expectant mothers are now required to travel off Island for the birth of their child due to current lack of obstetric facilities. The Manager of Customs and Immigration Services, Mr Alan Buffett, has for some time now been working with the Official Secretary and DIAC, that is the Department of Immigration and Citizenship, to endeavour to find a working arrangement which allows the new born child to be uplifted to Norfolk Island without the need for registration of the birth in Australia and the issuing of a passport for the child. If this arrangement can be achieved then the birth of the child would be able to be registered in Norfolk Island under the Registration of Births, Deaths and Marriages Act; an ability which does not exist at the moment if the newborn child has been registered in Australia. Former Chief Minister Mr David Buffett in the last Assembly endeavoured to find some mutually agreeable outcome for Norfolk's mothers and his efforts are acknowledged. I also thank the Official Secretary Mr Keith Young for his efforts on Norfolk's behalf in this matter. I am confident Members join with me in my desire to find a workable solution as quickly as possible in this matter for Norfolk Island mothers

MS ADAMS                      Thank you Mr Speaker, my final statement is on KAVHA. A brief report on KAVHA. The Road Map dated 2 March 2011 lays out parameters for reforms, including the need to strengthen the Island's unique heritage and environment. The Roadmap speaks of "Preserving and enhancing the environment and heritage attributes of the Island including the Kingston and Arthur's Vale Historic Area and the other natural areas of Norfolk Island and recognizing their contribution to the economy and community". Further it requires in 2011-2012 the implementation of an appropriate structure for the operation of the Kingston and Arthur's Vale Historic Area. The Funding Agreement of 22 September 2011 requires that Norfolk Island will continue to support the need for revised management arrangements for the world heritage Kingston and Arthur's Vale Historic Area, and will work cooperatively, collaboratively and in good faith with the Department to: a. finalise the preferred model of management by the next meeting of the Management Board; and b. implement the new governance model by 30 June 2012. The Norfolk Island members of the KAVHA Board at this time are the Hon David Buffett AM, who is the current Chairman of the Board, and Mr Andre Nobbs. The Commonwealth Members of the Board are Dr Mattie McConchie and Ms Robyn Fleming. As Minister with responsibility for KAVHA I remain committed to the stated intention in the Roadmap to strengthen the Island's unique heritage, of which the Kingston and Arthurs Vale Historic Area is an integral part. Despite best endeavours on the part of Norfolk Island the Board has not met in almost 12 months which has had consequences on delivery of the reforms required in the Roadmap and I have asked the Chairman of the Board to use his best endeavours to have the Board meet on Norfolk Island in the week commencing 22 April 2013; a meeting which I will be attending as an observer. Once the meeting is held and I have a better understanding of the matters before the KAVHA Board which is made of representatives of both the Australian and Norfolk Island Governments I will be in a better position to consider how Norfolk Island will move forward in progressing the reforms relevant to KAVHA contained in the Roadmap. That concludes my statements this morning thank you Mr Speaker

SPEAKER Thank you. Any further Statements this morning. No. There are no Messages this morning and there are no reports from Standing Committees. We commence notices

**IMMIGRATION ACT 1980 – APPOINTMENT OF MEMBERS OF THE LEGISLATIVE ASSEMBLY TO THE IMMIGRATION COMMITTEE**

MS ADAMS Thank you Mr Speaker, I move THAT for the purposes of subsections 6(2) and 6(4) of the *Immigration Act 1980*, this House recommends to the executive member that Ronald Coane Nobbs, and Melissa Ward being members of the Legislative Assembly, be appointed as members of the Immigration Committee. Thank you Mr Speaker on behalf of the House I thank Mr Nobbs and Mrs Ward for agreeing to be on this committee and whilst their tenure may be short lived on the committee if the committee is disbanded as a result of the passage of the Immigration (Amendment No 2) Bill, at this time they will continue to play a meaningful role under the existing legislation. The functions of the Committee just for the record are to furnish reports to the Executive Member a) as provided by section 19 of the Act with respect to applications to the grant of general entry permits, b) as provided by section 32 of the Act with respect to applications for persons to be declared to be residents of Norfolk Island and c) with respect to any other matter which the executive member refers to the committee concerning his or her powers or functions under this Act or that otherwise relates to the operation of the Act. The committee may offer advise to the executive member with respect to any matter which in its opinion relates to the grant of permits, immigration to Norfolk Island or the declarations of persons to be residents of Norfolk Island or otherwise relates to the operation of the Act. Thank you Mr Speaker

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed

**SOCIAL SERVICES ACT 1980 - APPOINTMENT OF MEMBERS OF THE LEGISLATIVE ASSEMBLY TO THE NORFOLK ISLAND SOCIAL SERVICES BOARD**

MS ADAMS Thank you Mr Speaker I move that for the purposes of section 5(1) of the Social Services Act 1980, this House resolves to choose Ronald Coane Nobbs and Melissa Ward being members of this House, to each be a member of the Norfolk Island Social Services Board and further, in accordance with subsection 4(5) of the Act, appoint Melissa Ward to be chairman of the Board. Mr Speaker I thank Mrs Ward and Mr Nobbs for agreeing to be on this committee. I commend Mrs Ward on her appointment as Chairman of the Board, her experience in the previous Legislative Assembly in this area will be invaluable in guiding the committee. Thank you and the functions of the Board for the record are to consider and make recommendations to the executive member concerning the exercise of any part by the executive member or by an authorised officer under this Act. The Board has the further function of furnishing to the executive member reports or recommendations concerning social welfare in Norfolk Island, the likely cost of any extension of the benefits under the Act, the priority that should be given to an extension of the benefits under this Act and the operation generally of the Act. I commend the motion to the House

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed

**HEALTHCARE ACT 1989 – APPOINTMENT OF A MEMBER TO THE HEALTHCARE CLAIMS COMMITTEE**

MS ADAMS                      Thank you Mr Speaker I move that for the purposes of section 22(2) of the Healthcare Act 1989, this House resolves to choose Hadyn Paul Evans to be a Member of the Claims Committee. I commend this motion to the House Members and thank Mr Evans for agreeing to be the Assembly member on this committee. For the listening public the functions of the committee are. On a referral to the committee by the Minister to determine the entitlement of a person to free medical services under this part other than section 21 of the Act and to determine applications made under section 21 for reimbursement of costs incurred by an applicant. I commend the motion

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed.

**SEA INSTALLATIONS ACT 1987 (CLWTH) – NOMINATION OF MEMBER TO BE REPRESENTATIVE**

MR WARD                      Thank you Mr Speaker. I move that for the purposes of paragraph (d) of the definition of “representative” in sub section 4(1), of the Sea Installations Act 1987 of the Commonwealth, this House nominates David Raymond Porter to represent Norfolk Island for the purposes of the Act. Thank you. Mr speaker this role is basically to establish a point of contact for our Commonwealth counterparts to deal with should there be an issue in this area to do with placing any sort of structure in the oceans in our immediate area around us. I’m not sure how far that extends given our new maritime arrangements, but its basically to create that contact point and to fulfill the needs of the legislation. I thank Mr Porter for taking it on.

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed

**NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 – APPOINTMENT OF MEMBER OF THE NORFOLK ISLAND GOVERNMENT TOURIST BUREAU**

MR SNELL                      Thank you Mr Speaker I move that this House in accordance with subsection 4(2) of the Norfolk Island Government Tourist Bureau Act 1980 recommends to the Minister that he appoint David Raymond Porter as a member of the Norfolk Island Government Tourist Bureau. I have served on the Norfolk Island Government Tourist Bureau with Mr Port on a previous occasion and have the fullest confidence in his ability to conduct his duties well in the role of the representative of the Norfolk Island Government on the Norfolk Island Government Tourist Bureau and his tourism knowledge is well known and I thank him and support him in his new role.

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed.

#### **APPOINTMENT OF A BUSINESS COMMITTEE**

MR NOBBS Thank you Mr Speaker, I move that this House under standing order 20 in addition to the Speaker appoints Lisle Denis Snell and Robin Eleanor Adams to be Members of the Business Committee. Thank you Mr Speakr and thank you to those two members for putting their hands up to be members of this committee which from memory is to manage the business of this House and I thank them

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is agreed.

#### **APPOINTMENT OF THE HOUSE COMMITTEE**

MRS WARD Mr Speaker I move that this House, under standing order 19, in addition to the Speaker, appoints Hadyn Paul Evans and Timothy John Sheridan to be Members of the House Committee. I just think it's highly appropriate for both of these Members to be appointed to the House committee which is all about keeping the fridge full. Thank you

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed.

#### **APPOINTMENT OF STANDING ORDERS COMMITTEE**

MR PORTER Thank you Mr Speaker I move that this House, pursuant to standing order 17, in addition to the Speaker and Deputy Speaker, appoints Robin Eleanor Adams, Timothy John Sheridan and Melissa Ward to be Members of the Standing Orders Committee. It's important that Standing Orders are adhered to or certainly respected to give good governance and to give faith to the community that good government is effected in this House so I recommend to you that Minister Adams, Minister Sheridan and Mrs Ward be members of the Standing Orders committee

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed.

**APPOINTMENT OF A COMMITTEE OF IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE**

MR EVANS Mr Speaker I move that this House under standing order 20A in addition to the Speaker appoints Ronald Coane Nobbs, Melissa Ward and David Raymond Porter as permanent Members of the Impact of Bills and Subordinate Legislation Committee and appoints Timothy John Sheridan as the alternate member to act when a permanent member is unavailable due to illness; is off Island; or nominates to be absent due to a conflict of interest or some other reason. Thank you Mr Speaker I'm sure when you must read those names that we've appointed, they will be a wealth of knowledge and experience so I commend this motion to the House and I'm sure that they will do their job proud

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed.

**APPOINTMENT OF A COMMITTEE OF PRIVILEGES**

MR WARD Madam Speaker I move that this House, under standing order 18, appoints Ronald Coane Nobbs, Timothy John Sheridan and David Raymond Porter as permanent Members of the Committee of Privileges and Melissa Ward as the alternate Member to act when a permanent Member is unavailable due to illness, is off island or nominates to be absent due to a conflict of interest or some other reason. Mr Speaker I thank these members for being willing to take on this role

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

QUESTION PUT  
AGREED

The Ayes have it. The motion is agreed.

**APPOINTMENT OF A PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**

MR SHERIDAN Thank you Mr Speaker, I move that this House under standing order 20B in addition to the Speaker ex officio appoints Ronald Coane Nobbs, Hadyn Paul Evans and David Raymond Porter as Members of the Public Accounts and Estimates Committee. I won't say too many words on this but I would like to thank these three Members for putting their hands up for this important committee. This committee the Public Accounts and Estimates, has the opportunity to review some of our expenditure and of course as my position of Minister for Finance, it will assist me greatly in my portfolio responsibilities so thank you and I recommend them to the House

SPEAKER Thank you Mr Sheridan. Is there further debate Honourable Members. There being no further debate I put the question that the motion be agreed to

QUESTION PUT  
AGREED

The Ayes have it. The motion is so agreed.

**AMENDMENT OF STANDING ORDERS – ESTABLISHMENT OF INFRASTRUCTURE AND BUSINESS DEVELOPMENT COMMITTEE**

MR SNELL Mr Speaker I move that the Standing Orders be amended by the insertion of the following new standing order: "20C. An Infrastructure and Business Development Committee to consist of the Chief Minister (ex officio) and three other Members shall be appointed as soon as practicable after the opening of a new House to:

- 1) Investigate and report on –
  - (a) the means by which the current Norfolk Island economy may be strengthened and expanded;
  - (b) Norfolk Island's current and future infrastructure needs based on current, proposed or potential business development requirements; and
  - (c) such other relevant matters as the Chief Minister and/or the Committee deems relevant.
- 2) The Committee shall –
  - (a) have the power to send for persons, papers and records; and may invite submissions from members of the public; and
  - (b) report to the Legislative Assembly as to the outcome of its deliberations and recommendations on a quarterly basis.

Mr Speaker the establish of an Infrastructure and Business Development Committee is to report to the Legislative Assembly is considered essential for strategic planning and to strengthen and expand the Island's economy and particularly its infrastructure for which we are responsible. The Terms of Reference set out in the motion gives the committee authority to investigate and report on means by which the current Norfolk Island economy may be strengthened and expanded and b) Norfolk Island's current and any future infrastructure needs based on current proposed or potential business development requirements. The terms of reference are flexible to enable the committee to investigate and report on any other relevant matters as the committee deems relevant. It is intended that the committee comprise myself as ex officio Member and three Members of the Legislative Assembly as permanent Members with the ability to call for persons, papers and records to assist in its enquiry and to enable it to invite submissions from Members of the public. The committee will be required to report to the Legislative Assembly as to its deliberations and recommendations each quarter from their appointment. The committee will require administrative support and the Legislative Assembly budget will need to have regard to this at the relevant time. I commend the motion

MRS WARD Thank you Mr. Speaker. The Chief Minister and Minister for Tourism, Mr Snell is talking about the creation of a new committee here and I think it's worth saying some words at this stage and to clarify for the record our understanding of the use and the need and the functions of this committee which is stated clearly in the motion. The Chief Minister and Minister for Tourism, Mr Snell has said that it relates to strategic planning and that's his responsibility of course. The question of funding is an obvious difficulty but I would hope that the Legislative Assembly would see the merit in allocating funding to this committee if it is about, as the Chief Minister says, dealing with long term strategic plans and infrastructure. I certainly see the relevance of infrastructure in this committee but I do question the use of the words business development because it was my understanding that we had entered the world of the Government getting its nose out of business so I'm concerned about the intent there but I'm sure that will be come clearer as we move along. I don't intend to object to the motion at this stage. If it's intended that its to be used for the private sector to use this committee as a sounding board or an information centre at the same time, then it may be helpful. If they are looking for the Government to assist in funding projects at this stage, then they're not going to have much joy. The Chief Minister has also said publicly that this is more about an investment ideas forum and if that's the case then this committee doesn't have to sit back and wait. It can start by examining the Acil Tasman Report which forms a strategic plan for reforming Norfolk Island's economy and the fundamental value of the Acil Tasman Report is that it already draws together the views of the Island's residents.

People are very concerned about the Government's dominant role in business and what that has effectively done to the Norfolk Island economy over many years and in particular it is relevant to mention chapter 4, because it identifies existing constraints to economic growth and diversification, investment and business development, and it makes recommendations to overcome these constraints. The main constraint is identified as the Government's involvement in the economy. It stays with the main action needed to remove constraints to economic development is to reduce the role of the Government in business and we all know that the Norfolk Island Government monopolistic behaviour has worked to stifle business in many areas and we've agreed to the divestment process which we discussed earlier and that's why I asked about the independent regulator as well because in time that will be a question for people, but I see that this committee will perhaps be very useful in addressing all of those things. That is why the previous Government has moved so quickly to remove barriers. It started with lighterage and then we moved to removing immigration barriers and accommodation investment restrictions. Now both of those pieces of legislation are clearly awaiting Commonwealth assent but that was all about removing restrictions to economic growth and development. We've got a long way to go on reforming our economy, a long way to go, we all know that, but I think that this committee could be useful and it could be useful and it could start straight away by reviewing the Acil Tasman report and perhaps creating an action plan to have in place when the JSC arrives and the agenda is the reform process. What have we done so far? Where are we yet to travel? That could be of great assistance, so I think that every effort to constantly highlight where government action is needed to create an environment that will facilitate growth that is so desperately needed to reverse our current state of a contracting economy and that is worthy of praise but as long as we respect the fact that Dr James Fogarty's economic development report carries the concern of the people of this community then we have a good chance of progressing because what I'll respectfully add is the problem is not identifying the issues, it's taking action to overturn long standing protectionist policy and legislation. That's the challenge to open our minds to that. But once formed, I hope that various groups will use the opportunity to address this committee and hopefully we'll see an action plan come about very quickly and one that would also address the need for clear and credible fiscal and monetary policy and that's a direct question for the Commonwealth until we deal with those big issues, we can carry on and tinker with micro economic reform in terms of divestment and competition all we like, but until we've got that big picture fiscal arrangement and governance arrangement we will continue to struggle in as stated very clearly its our jurisdictional status, that is the major constraint to economic development, so I wish the committee well. I certainly support the creation of this committee. Thank you

MR BUFFETT                      Thank you Mr Deputy Speaker. I support this motion. If I were uncharitable I would draw a relationship between this motion that we are now considering and the Roadmap motion of our first sitting of last month. The promoters of the motion when we first commenced here in this sitting dealt really with motherhood statements, laudable in themselves, very complimentary in terms of those, but the proposers of the motion deliberately declined to include specifics about GST, governance model, tax, welfare, healthcare, PBS and the like. This motion is to consider funding and the like and all of that's laudable but it could be drawn to interpret that you say less about the detail in that first motion and you provide a mechanism here to look for an alternative financial arrangements. If there are alternative funding arrangement around that would be good but it needs to be pointed out that we have tried for something like 150 years to find alternatives to that, that we are moving through now without a great deal of success so I'm concerned a little that we're rather going cold on the Roadmap moving forward and thinking that there may be some wonderful sufficient arrangements to do something else. We of course have had assurances, well not assurances, but explanations when this particular motion was talked about that it was particularly, Mr Evans made a point about ideas and that's great, I endorse that. We of course have had ideas before, we've had think tanks before and the like. I applaud them. They did bring forward some ideas that could be used. The point I'm endeavouring to

make is that they didn't bring forward ideas that were sufficient in the wider and the bigger context to meet all of the needs of the community that we experience today. If there's something around that proves that to be otherwise well most certainly let that be said but most all of the searching over a long period of time have not been able to make such a discovery. So whilst I support the motion and wholeheartedly in the context of that which it is, I don't interpret this as an effort to be able to find alternative funding arrangements to those that we needed to follow to provide long term sustainability as set out in the Roadmap.

**MR SHERIDAN** Thank you Mr Deputy Speaker I would like to say a few words on this because it ultimately comes under my area of Responsibility and Economic Development I support the establishment of this committee because I believe that the island can do with all the assistance that can be garnished from this community. I need that assistance to further progress on economic reform. I know that it is very difficult out there as Mr Buffett has said. We've tried for many a year to diversify our economy and it's been found to be very difficult to do. If we can find something that would diversify us away from our reliance upon tourism it can only better our economy. I don't see it as a replacement for the Roadmap, I hope that's not the intent because if it is I wouldn't support. I see this as complimenting the endeavours of the Roadmap to make Norfolk Island sustainable in its own right and I just feel that if we can get the private sector and the Government to work together then maybe there is some good opportunities that may come out of it. The truth will be in the results, in the pudding as they say and I'd just like to wish these Members who are going to stick their hands up to go onto this Committee all the best and I look forward to working with them for a positive outcome for Norfolk Island.

**MS ADAMS** Thank you Mr Deputy Speaker. I'm heartened to hear Minister Sheridan's words and that was certainly the basis on which in the 13<sup>th</sup> Assembly on the 19<sup>th</sup> December from memory 2012 I moved a Motion it was titled the blueprint for Norfolk Island and the intention within that was to look at the Roadmap in a broader way. I proposed at the time that perhaps that ?? infrastructure for Norfolk Island's future needs for providing internet etc needed to be further examined and I would see this as being one of the issues that the Committee could take on board to look at, how we could arrive at the possibility of connectivity to optic fibre connectivity because so much can flow from that. In my discussions with the School Principal and Deputy School Principal on Monday we talked about the needs of the School into the future in this regard and this is just one of the issues that would be worthwhile to be considered. Another issue that I raised in the blueprint Motion was the ability under the Johnson Report, the Labor Governments 2009 Johnson Report on offshore banking units, that Australia is embracing and Norfolk Island by its positioning that optic fibre connectivity is well placed to participate in that economic activity and so this Committee has broader terms of reference really as it likes in order to achieve the terms of reference that this House is giving it and I commend the House to agree this Motion for the benefits that can flow from it, but whilst this may seem unrelated I will take this opportunity yet again to refer Members to the ACIC Report which was the Public Sector Reform and reinforce what that report talked about, the need for vision and direction. Infrastructure requirements, economic sustainability are all dependent on the need for a community vision and long term plan for the future for the 20 to 30 year horizon underpinned by sound strategic financial plan. It's the need to look as broadly as we can on Norfolk's capabilities and possibilities for our future and I see this Committee as equally able to fulfill a role in that direction. Thank you Mr Deputy Speaker.

**MR WARD** Mr Deputy Speaker I'll keep it brief. Norfolk will always at the limitations of geographical isolation affecting what business is viable here. This Committee would have a valuable role in providing a focal point for new ideas and innovations. The Committee would have the capacity to collate and develop new concepts as they arise and that can arise from all sorts of external factors as well as

good concepts that people within this community bring forward, and for that reason I support it. Thank you.

MR PORTER Thank you Mr Deputy Speaker. Anecdotal evidence would suggest that there's been many missed opportunities in business that could have strengthened the island's economic fabric and in others there has been misguided attempts that have eroded some value of the island or left a legacy of cost. So it's good that we can develop a formal feeding system for the Assembly. I'm sure it will be an asset but it will give us an opportunity to put some credibility with some of these opportunities and it will be a direct conduit then to the Assembly that may help us then have these projects become viable. Thank you.

MS ADAMS Just one final comment when you look at the Roadmap. In the Economic Development 2011 to 2012 both Governments to work together to identify cost and plan the major capital works needed to strengthen the island's economy and services which of course they are referring at that time to port facilities, the Hospital, the School and develop business cases for consideration by both Governments. This is all part of this Motion, it's all part of this Motion and I applaud the enthusiasm of the gentlemen who have been appointed to this Committee as I believe you will deliver really well for this House and Norfolk Island's future. Thank you.

SPEAKER Any further debate. No further debate. The question is that this Motion be agreed to.

QUESTION PUT  
AGREED

#### **APPOINTMENT OF MEMBERS OF THE INFRASTRUCTURE AND BUSINESS DEVELOPMENT COMMITTEE**

MR SNELL Mr Speaker I move that this House under standing order 20C, in addition to the Chief Minister (ex officio) appoints - Ronald Coane Nobbs; Haydn Paul Evans; and David Raymond Porter as Members of the Infrastructure and Business Development Committee.

SPEAKER Thank you the question is that this Motion be agreed to. Debate.

MR SNELL Thank you Mr Speaker. As you are well aware we have just earlier in the Sitting resolved to amend Standing Orders to include the establishment of an Infrastructure and Business Development Committee. I now recommend that this House appoint as permanent Members of the Committee those members outlined in this Motion. I am confident that Mr Evans, Mr Nobbs and Mr Porter can assist this Government and the Legislative Assembly to achieve positive outcomes to aid in ensuring Norfolk Island's ongoing and future sustainability. Honourable Members I commend the Motion.

SPEAKER No further debate. I put the question that the Motion be agreed to.

QUESTION PUT  
AGREED

#### **POLICE ACT 1931 – REVIEW**

MR NOBBS Mr Speaker I move that this House resolves that the Minister responsible for the Norfolk Island Police undertake a review of the Norfolk Island Police Act 1931 and attendant arrangements between the Commonwealth and

Norfolk Island Governments in relation to policing on Norfolk Island, including a review of the Memorandum of Understanding, and report to the House within 60 days.

SPEAKER The question is that this Motion be agreed to. Debate.

MR NOBBS Thank you Mr Speaker. This is a fairly simple Motion I think and it's responding to concerns in the community in the past year I guess and also particularly at election time. I said at the time that I thought that the issues that were brought up in relation to policing, not Police just policing on the island were fairly easy to fix. I then took the time after I was elected and found that I had to take the consequences of my mouth. I then checked the Police Act out and I had some considerable difficulties myself in relation to that and I'm not going into those particular issues, but I found that the MOU was signed 20 years ago and it was my recollection that in a previous life in this Assembly there had been movement to amend that MOU at the time and I thought it had been done but it obviously hasn't. So there was two issues that I found straight away. So I then spoke to the Chief Minister and further members of the public, the current Police Sergeant, some people in the Legal side of things and decided that I would proceed with the Motion as is and that it was time and I think that most if not all of those people suggested, that particularly the MOU, there was a need for a review and that we should get on with it. So there is a timeline for reporting and I'm sorry Chief Minister but I set some pretty horrendous timelines for myself when I was hoping that 60 days you would at least come back with something in relation to the development of this Motion if it's passed. It's encouraging to see that the Chief Minister has already been proactive in this area and has spoken to the 2IC of the Commonwealth Police in Canberra as well as the Officer in charge of the Norfolk Island Police. I want to make it perfectly clear that this is not a witch hunt, nor is it intended to have a go at anybody. What it is is to try and get a better understanding within the community and also a relationship that I think has sadly moved a little bit away from where we want to be in relation to the Police and the community. Now I'm not saying this as a criticism on either side but there is obviously a need to rectify some particular issues and clarify the roles. I remember a few years ago when I was in a Ministerial position that some issues came up in relation to such matters and the Police, officer in charge at the time said "look this is it, you're a community here and you as representatives in the community should tell us how you want it Policed". Now I know that that's a simplistic attitude. What I think that this review, once it's completed will actually achieve that and achieve a good outcome. I know that the Police have got a myriad of responsibilities, it's quite incredible. I understand their Rangers in the National Park, that they are dog catchers down in KAVHA, all these myriad of jobs that they have to do and maybe there is a need then, need in this review to just check exactly what laws they need to police and what should be done by the Rangers themselves, say for instance in the Park. I know that lads that I had working for me in the previous life would have had hysterics and probably gone on strike to see the Police getting around in their particular area but anyhow that's the way it goes. Hopefully it will resolve the concerns expressed by persons I have spoken to and I commend the Motion to the House.

MRS WARD Thank you Mr Speaker. Just to add some words of support and caution at the same time and just explain the understanding of this Motion and a Member has now gone on and updated himself with information and found that this is really a continuation of work that was commenced by the previous Government which included a review of the Memorandum of Understanding which from memory was 1994 it was signed, and we've been told recently by the Chief Minister that the Deputy Commissioner of the AFP will visit the island so that brings me to that 60 day deadline. I agree with Mr Nobbs that there appears to be, when there appears to be goodwill on both sides in terms of a visit and review of the MOU that the Chief Minister could at least provide a progress report within 60 days, but it also leads me back to the legislative programme which had a criminal code harmonization project in it and to be honest the comment next to it is – in progress (LSU). So I'm sure that will cover the Police Act and yes that myriad of other consequential amendments that may be needed to other

legislation in this area. So I will give it my support at this stage but I see that it will move into hopefully the signing off of an MOU with the visit at the end of the month but also to real legislative reform in this area if and where it's needed. Thank you.

MR NOBBS Thank you Mrs Ward for your support. I understand the MOU is 1993 and I just remind you that the Assembly was before the last one and there Assembly's before that and there was reviews, not reviews but intentions to review the MOU since about 1997 or 98. So I mean it's been around for a while. Thank you.

MR SNELL Thank you Mr Speaker. I don't mind the contents of this Motion. I'll support it and I'll abide by the conditions of it but Mr Speaker for the listening public and also for the information of Members I have done some work on the matters raised by Mr Nobbs and I'd like to just give a brief report. In June 2012 a letter signed by the former Chief Minister yourself, Mr Speaker David Buiffett and His Honour Neil Pope was forwarded to the Australian Federal Police Commissioner Tony Negus AM requesting a discussion and negotiation on the updating of the present MOU which was signed on 2<sup>nd</sup> February 1993. The Australian Federal Police following this communication appointed former AFP Commissioner Andy Hughes to conduct a review of Policing services provided in the territory of Norfolk Island. Mr Hughes visited Norfolk Island in late August 2012, the review I understand is now complete but the Norfolk Island Government has yet to receive a copy of it. In early march 2013 the former Chief Minister again wrote to Commissioner Negus seeking an update on the review status in relation to and seeking a date to commence negotiations on a new Memorandum of Understanding. In addition this letter also addressed the wearing of side arms by Norfolk Island Police since the change over of the Officer in charge of the Police. On Friday the 5<sup>th</sup> April Acting Deputy Commissioner Shane Comley contacted me by phone to provide me an update on the issues that had been raised by the former Chief Minister. On the question of wearing of side arms he indicated to me that this was a requirement under Australian Federal Police Commissioner's orders and acknowledged that there was a power to exempt the wearing of side arms under particular circumstances or at certain venues. He agreed that in the School grounds was such a venue. He also indicated that the Norfolk Island airport was not such a venue as it was in fact an International agreement at International Airports in Australia as a signatory to that agreement. The Deputy Commissioner also raised the Australian Federal Police concern at the number of unregistered firearms that may remain currently unsecured in Norfolk Island and raised the possibility of implementing a Government buy back scheme and how it might be funded, and he was concerned that the probability Mr Speaker that there were some automatic and semi automatic weapons still unaccounted for here on Norfolk Island. This will of course be further addressed by the local Police following the response to renewal notice for firearm licences proposed to be sent out shortly. They consider as an estimate the numbers of unlicensed weapons could be in the vicinity of over 400. A visit is proposed to Norfolk Island for 28 and 29 May 2013 by Assistant Commissioner Mandy ? and this visit would primarily be to commence negotiations on a future MOU between the Norfolk Island Government and the AFP based on the Hughes report. The report would be given to the Norfolk Island Government during this visit. Further discussions would also take place in relation to the wearing of side arms by Norfolk Island Police along with several other issues. MR Speaker I have circulated to Members the report which I will receive monthly from the Detective Sergeant Craig Mariot in his responsibility here on Norfolk Island as the Australian Federal Police and Members have received that. Thank you Mr Speaker.

SPEAKER Thank you. No further debate. I put the question that this Motion be agreed to.

QUESTION PUT  
AGREED

**PUBLIC SECTOR MANAGEMENT ACT 2000 APPOINTMENT OF A DEPUTY OF A MEMBER OF THE PUBLIC SERVICE BOARD**

MR SNELL Thank you Mr Speaker. I move that this House in accordance with subsection 11(1) of the Public Sector Management Act 2000, recommends that the responsible Minister appoint — Rhonda Evelyn Griffiths as a deputy of a Board Member of the Public Service Board referred to in section 10(1)(a) for the period of two years commencing 11 April 2013.

MR SNELL Thank you Chief Minister. The question is that this Motion be agreed to. Debate.

MR SNELL Thank you Mr Speaker. I again thank Mrs Griffiths for volunteering to become a member of the Public Service Board as required due to a conflict of interest with a Board Member and also indications of vacancies that will occur. Mr Speaker the appointment will most likely be short as it is recommended under the May Funding Agreement that the Norfolk Island Public Service Board be disbanded and an off island Board be substituted. We are well aware of that situation but there are matters of the files of the Public Service Board that needs to be referred to, needs to be actioned upon, even prior to that time Mr Speaker and we hopefully will be able to resolve matters before and so that it does not conflict with requirements of the milestones in the funding Agreement Mr Speaker.

MS ADAMS Thank you Mr Speaker. I'm pleased to hear the Chief Minister refer to the Funding Agreement and Item 10 and earlier today Chief Minister read a letter to Dr McConchie on Item 10 and the meaning of the word "undertake" and the response from Dr McConchie saying that she has consulted with her colleagues and they have confirmed that the intent of the Funding Agreement in relation to Item 10 Schedule 2 for the month of May was for introduction and passage of the relevant legislation. As the Chief Minister has said the appointment of Mrs Griffiths to the Public Service Board may be short lived however it is important for it to be noted that, and I'm sure that the CEO will have been bearing this in mind in respect of the Public Service Board that if there are matters before the Public Service Board when this legislation is passed that is an issue of natural justice, and that any legislation and at the moment all we've been able to see is I believe a first draft, the legislation is now with the Commonwealth for comment, there are timelines that have to be met within the current Public Sector Management Act 2000 in respect of communication with the Officers of the Public Service etc and I'm sure the CEO is more than aware of this but the point I'm making is let us be mindful as to whether or not the legislation change that's coming before us as a Parliament contains either a sunset clause or some sort of provision which allows the Public Service Board to continue until such time as it has continued any matters that are before it under the 2000 legislation as it exists today. That point needs to be carefully taken into consideration and I'm sure the CEO will be taking that on board. Thank you Mr Speaker,

SPEAKER Thank you, Any further debate. No further debate. I put the question that the Motion be agreed to.

QUESTION PUT  
AGREED

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

MR SNELL Thank you Mr Speaker. I move that this House in accordance with sections 4 and 6 of the Norfolk Island Government Tourist Bureau Act 1980 resolves that the Minister with responsibility for the Norfolk Island Government

Tourist Bureau Advisory Board appoint Rael Donde to be a member of the Norfolk Island Government Tourist Bureau Advisory Board for the term of two years commencing 11 April 2013; and appoint Greg Brugman to be a delegate member of the Norfolk Island Government Tourist Bureau Advisory Board for the appointed member and to act as the member if the member is absent or unable to discharge official duties, during the term that the member is appointed to the Norfolk Island Government Tourist Bureau Advisory Board.

SPEAKER Thank you chief Minister. The question is that this Motion be agreed to, Debate.

MR SNELL Thank you Mr Speaker. Again I thank those members who have put their names forward for these voluntary boards and sometimes an onerous one, sometimes of criticism and it's a very important area, it's one that we foster and that we try and do all possible to enhance the stability of the island through areas of the financial stability of the island through areas such as tourism. It's a very important board and I commend the members for putting their names forward. Thank you.

SPEAKER Thank you Chief Minister. Further debate. The question is that this Motion be agreed to.

QUESTION PUT  
AGREED

**MOTION BY LEAVE – PUBLIC SECTOR MANAGEMENT ACT 2000  
RECOMMENDATION OF ASSEMBLY FOR APPOINTMENT OF EXECUTIVE  
DIRECTOR BY THE CHIEF EXECUTIVE OFFICER**

MR SNELL Thank you Mr Speaker. I seek leave to move the foreshadowed Motion in respect of the appointment of an Executive Director by the Chief Executive Officer.

SPEAKER Thank you Chief Minister. Is leave granted? Leave is not granted.

MS ADAMS Mr Speaker I move that so much of Standing Orders 244 is suspended as necessary for this Motion to be brought forward. It requires 6 members agreeing.

SPEAKER Thank you Ms Adams. The process Honourable Members is that we now have a Motion to put aside the Standing Orders that has the requirement to have unanimous leave granted for such a matter to come forward, and therefore I put that matter now to the vote.

QUESTION PUT

SPEAKER Would the Clerk please call the House.

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

SPEAKER The Ayes 8 the No's 1 the Motion is carried. Therefore Leave is granted in leave in terms of this Motion.

MR SNELL Thank you Mr Speaker . This is a requirement that is

SPEAKER Would you be kind enough to move the Motion now please.

MR SNELL I beg your pardon. Mr Speaker I move that for the purpose of subsection 39(1) of the Public Sector Management Act 2000, this Legislative Assembly recommends that Mr Bruce Taylor be appointed by the Chief Executive Officer in accordance with the provisions of the organizational structure and employment standards as an Executive Director with the title or designation of Deputy Chief Executive Officer.

SPEAKER Thank you. The question is that the Motion be agreed to.

MR SNELL Thank you Mr Speaker. This has been a subject of numerous meetings with particularly my Ministerial colleagues. Mr Speaker it is considered necessary in the moving forward the Funding Agreement in place and I have acknowledged and accepted the advice from the current CEO that he considers that after the proper recruitment process that has been done that Mr Taylor was selected as the preferred candidate for this job, and continuity Mr Speaker is important at this very critical time in our deliberations and conditions of the Roadmap. Mr Speaker I commend the Motion.

MR NOBBS Thank you Mr Speaker. I just want to clarify my reasons for objecting to this Motion. I've got nothing against the person who has been put forward. I've got nothing what so ever against Bruce at all and I would welcome he work with me any time. My concern is this. I received this Motion at 10.00pm last night. I've had a pretty sleepless night I can tell you because I look at it this way, that there's a continuation and there's been a continuation this morning of we're going to divest the GBE's, we're going to sell them, we're going to get rid of other activities, we're going to give the Commonwealth responsibility. Surely we should before we do anything further is look at what will the Norfolk Island Administration structure be? Now we've got the CEO has resigned, the Chief of Staff is not a member, it's apolitical member but political appointment but that's also relevant. These sort of issues we should be looking at that before we finalise the appointment of replacements in this particular area. That's all I'm saying. Now we're supposed to be cutting back on staff all the way down the line. I don't suggest we cut back on them but surely we can sit down and work out a potential structure within the Administration. If you take even putting the GBE's on a commercial basis and putting them out under a, still owned by the Norfolk Island government they will be outside the Norfolk Island Administration, the actual Norfolk Island Administration which we are talking about under, they'll be out from underneath that umbrella. If you take the other guys, if Customs go over or whatever you like, whatever is proposed under the thing, Immigration goes over to Australia, those sort of issues will be outside then to the Administration structure. So going from what's supposed to be 150 and it turned out 170 odd it will be reduced considerably to something like 50 or 60 people. Now the role of the CEO and the Deputy CEO will change considerably in that time. You still need those guys in the organization but their rile will be completely different, and that's what we need to look at as we're going across. If you want to follow the Roadmap well for goodness sake stick to what your talking about and look at what we're putting up and what the outcomes will be. That's the way I look at it, and that's my only objection to it and I thought long and hard about it and I've stuck by it. It's not the first time I've been beaten 8/1 so I'm not too worried about that but that's my belief that we should look at the rest of the Administration, what's going to happen in the immediate future and people are talking about the immediate future this morning so I mean, we've got to look at that. That's all. Thank you Mr Speaker.

MS ADAMS Thank you Mr Speaker. Just for the record this matter was brought before the 13<sup>th</sup> Assembly, possible February could have even been earlier and a decision was taken at that time by the 13<sup>th</sup> Legislative Assembly that for this purpose it was in caretaker mode and it should be referred to the 14<sup>th</sup> Assembly, that's my clear understanding and so here we are, it's before us today. Taking into account what Mr Nobbs has said is absolute wisdom, I hear you Mr Nobbs. I support what your saying, but I have understanding taking into account what you are saying about potential restructures etc etc all contracts being issued by the Administration at this time have within them the ability for a months termination, all contracts as I understand it. Don't hold me to whether it's a month but hold me to that there is the ability under any restructure to make the position redundant and this is one of the requirements under the Funding Agreement Item 10 to cap redundancies, you know there is all these side issues that are happening trying to support the philosophy that you are putting forward and I agree with you totally. However we've also got at the moment the need for careful daily consideration of Norfolk Island's financial position and that Deputy CEO, that's his role, and so it's on that basis that I will be supporting the Motion. Thank you MR Speaker.

MR SHERIDAN Thank you Mr Speaker. Just a few words on this matter. At another time, another place, different circumstances I most probably wouldn't support this Motion and I'm very mindful of the position that this Government has placed itself in. With the unfortunate resignation of the CEO of the Service and the requirement to have some stability remain within the Administration. So it's on that one issue and one issue only that I will support this Motion today and as Ms Adams has said, contracts do now come with a standard clause in them that I think a months notice, that may be given and in particularly because of the way our finances are managed today, to this date. We can't guarantee long term contracts and that's one of the main reasons why that clause has been inserted into all contracts is the management of the staff is purely for monetary reasons, but it's vital for the Administration at this time to have some continuity in the service revision and recommendations to Government that they do provide. So I see it's vital at this time that some continuity is placed or is maintained down at the Administration offices. So with those few words Mr Speaker I support the Motion.

MS ADAMS Mr Speaker I just want to reaffirm what I said and that is, that the incumbent of that role at the moment is critical in the financial situatiin for Norfolk Island. The question of CEO, Acting CEO, all of those things will be taken up by the Chief Minister with Cabinet and that's another issue that we'll be addressing as part of the recruitment process as to fulfilling the position of person to act as CEO until the recruitment process is concluded.

SPEAKER Any further debate. There being no further debate I put the question that the Motion be agreed to.

#### QUESTION PUT

Would you like the House called Mr Nobbs.

MR NOBBS No I don't think so.

MS ADAMS I ask that the House be called thanks Mr Speaker.

SPEAKER Could the Clerk please call the House

Mr Buffett	Aye
Mr Porter	Aye
Mr Ward	Aye
Ms Adams	Aye
Mr Snell	Aye



