



NORFOLK ISLAND LEGISLATIVE ASSEMBLY
14TH NILA HANSARD – 19 FEBRUARY 2014

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

PRAYER

Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this House, direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island, Amen.

CONDOLENCES

Honourable Members are there any condolences today. Mr Evans

MR EVANS Mr Speaker it is with regret that this House records the passing of **Katherine Daisy Adams-Friend** who was born in November 1930, the youngest child of Amy Ruth Adams (nee Christian) and Ephraim Henry Adams (Pumper). She was educated at the Norfolk Island School and took her first job as a nursing aid at the hospital, in what is now Bishop's Court near the Mission Chapel. She was trained by Matron Heather Napier, with whom she formed a lifelong friendship. When Heather returned to Sydney, Kath went with her and worked in hotel management. During this period, Kath was chosen for a Women's magazine spread. When her mother fell ill, Kath returned home to look after her parents. Ernie Friend came to Norfolk to take up the position of Agricultural Officer with the Administration. Through her brother Bill, Ernie met and later married Kath. In 1960 Ernie got a job with the Northern Territory Government and they moved to Darwin along with Kim, Robert, and Garry. Shortly after Stuart and Karen came into the world to complete the family. Kath was a talented, sport's loving, independent, strong and smart woman. She was a good tennis and golf player, playing tennis at the Methodist Courts and golf with Bill at the Golf course. In Darwin, Kath took on several jobs before becoming a successful business woman, owning six fashion dress shops in Darwin, Gove and Katherine. She was a leader in voluntary community works starting the Darwin Spastic Centre which acknowledged her efforts by naming a building in her honour. She ran the Spastic Association Miss Australia pageant for two years as well as a number of other fund raising events. Kath opened her house to her brother Stephen 'Brud' who worked in the Northern Territory as a bull dozer operator, as well as to many of her nephews and nieces, including Julie and Steven Adams dar for Gindie's, Wayne 'Doggy' Adams to commence a plumbing apprenticeship, Fla Adams who commenced nursing training at the Darwin Hospital, Kelvin Adams to do some years at high school and after their father passed away, Kelvin's younger sister Alison, who completed year 8 at Darwin High School with Robert and Garry. While Darwin was some distance from Norfolk Island this did not limit Kath from going home or from visiting her Aussie based brothers whenever possible. A year before Cyclone Tracy devastated Darwin, Ernie was transferred to a job in Bundaberg so the family left Darwin. Kath sold her businesses and after a short stay in Gove then Bundaberg, they moved again, this time to Brisbane where Kathy and Ernie lived until their retirement. Before leaving Darwin, Kath was named person of the month in the Darwin Newspaper and her community work and philanthropy was acknowledged by the Darwin community. Once they were settled in

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Brisbane Kath went back to work which included working in a Butcher shop in Indooroopilly and a gift shop in Yeronga before owning two florist shops in the City. They allowed her skills in design, colour and arrangement to come to the fore. One of the florist shops was located at the old Roma Street Railway Station, an area known to be a night time refuge for a number of homeless people. Each morning when Kath arrived to open the shop she would buy them a hot drink and toasted sandwich from the Café across the street. Occasionally a member of her Roma Street breakfast gang would be invited home for a hot meal, particularly at Christmas. Upon Ernie's retirement, Kath and Ernie built their house at Steele's Point and moved back to Norfolk. Here, she bought the Palm Court Café and for a period they managed Branker House as a restaurant. During this period Kim, Garry and Karen were also living on Norfolk and could assist Kath in her business ventures. She was a member of the Norfolk Island Hospital Management Committee and contributed greatly to its work. Living on Norfolk was a very enjoyable period of their lives. Kath was able to reconnect with Bill and Taggart and their families as well as many of her old friends. Sadly due to their health, Kath and Ernie had to move back to Brisbane although they returned to Norfolk as frequently as they could. To Ernie, their children Robert, Kim, Garry, Stuart, Karen and their children, Adam, Chris, Jack and Emily; to Kath's extended family and her many friends here and overseas, this House extends its sincere sympathy. May she rest in peace.

SPEAKER

Thank you Mr Evans, Honourable Members as a mark of respect I ask that all Members stand for a period of silence in their places.

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PETITIONS

Thank you Honourable Members. Petitions, are there any Petitions this morning.

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NOTICES

Notices, are there any Notices.

QUESTIONS WITHOUT NOTICE

Are there any Questions Without Notice this morning

MR NOBBS Thank you Mr Speaker a question for the Minister for Health, when does a person cease to be a member of the Healthcare Fund

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MS ADAMS Thank you Mr Speaker. Mr Speaker in anticipation of this might be a question today, I can advise the House. A person ceases to be an adult healthcare member when a) the person leaves Norfolk Island with the intention of not returning to Norfolk Island within the next 180 days and that intention is indicated by the person on the prescribed form or b) the person has been absent from Norfolk Island for a continues period for 180 days but notwithstanding that, a person who has so ceased to be an adult healthcare member may again become under section 8 an adult healthcare member. In subsection 9(1) the prescribed form means Form 8 in Schedule 1 to the Immigration Regulations 1984 or such other form as prescribed in regulations. Thank you Mr Speaker

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MR NOBBS Thank you Mr Speaker a question for the Minister for Environment in relation to rock. Given the increase in funding on infrastructure proposed in the upcoming budget, will there be rock available for the activities proposed

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MR WARD Thank you Mr Speaker and thank you Mr Nobbs for the question. The supply of rock has been an issue of some considerable concern to me

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for a while which is why I've put together a working group which was chaired by our fellow Member here Mr Porter, and they've done a lot of good work on identifying short and longer term issues. We will have the rock that's available in portion 44A and I have asked that there be a budget allocation which will be less than \$2000 to actually get a surveyor in and assess the quantities of rock that is on that site at this time. There was a previous survey done but the information would now be well and truly out of date and its worth our while knowing what quantities we have and what likely time frame that will give us. Thank you Mr Speaker

MR NOBBS Thank you Mr Speaker a question for the Minister for Immigration. I understand Minister that in 2011 the Norfolk Island Government and the Commonwealth Government's agreed to amend the Immigration Act and that amendments were made in 2012 to open up Norfolk Island's immigration. Is it correct that at the same time as the original agreement was made in September 2011 it was agreed that the Commonwealth would review the impacts of the amendments by 30th June 2014 including economic, environmental, land use and social cultural impacts

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MS ADAMS Thank you Mr Speaker. I think Mr Nobbs is referring Funding Agreement of September 2011 clause 11 in which, yes, it requires that 1. Norfolk Island will by 31 October 2011 amend any current restrictions to allow self funded retirees who are citizens to live within the Norfolk Island territory as part of the permanent population 2. by January 1, 2012 remove immigration restrictions or permanent residents arriving as tourists on Norfolk Island and 3. 30th June 2012 remove immigration restrictions on Australian citizens arriving and remaining on Norfolk Island to facilitate the extension of the Migration Act 1958 of the Commonwealth to the Norfolk Island Territory. This condition you are quite correct, is subject to the Commonwealth outlining an implementation plan for access to Commonwealth benefit schemes, including social security and Medicare and in addition to that, in relation to these reforms the Commonwealth will review their impact by 30th June 2014 including economic, environmental, including land use and social cultural impact. So that's exactly how it was and it remains today and in short the answer to your question is no.

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MR NOBBS Thank you Mr Speaker. Yes, that's the next question, that the Commonwealth hasn't...

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MS ADAMS That's correct. No. No.

MR NOBBS ...the Commonwealth hasn't advised the Norfolk Island Government. They have not.

MR NOBBS Next supplementary if I may, will the Minister be advising the Commonwealth that the review is expected and also asking among other things what is the process proposed for Norfolk Island community input during the review

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MS ADAMS Well, without having had any communication from the Commonwealth on their intentions I'm unable to give to you what the parameters would be that the Commonwealth would be working within. Yes, there has been discussion between the Chief of Staff and CEO about the fact that the Commonwealth has yet to review their impacts and this is a matter that we will be discussion with the Commonwealth during the Funding Agreement negotiations

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MR NOBBS The question really is, will you be asking the Commonwealth among other things, what is the process proposed for Norfolk Island community input during the report. This is very important

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MS ADAMS I will certainly be taking that into account during the discussions that will be had with the Commonwealth during the negotiations on the next Funding Agreement because just as we are required to do certain things, I think it's only reasonable that they too honour their commitments. Thank you

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MRS WARD Thank you Mr Speaker if I may have a supplementary on that question, is it a fact that the information which is called for in relation for the Commonwealth to do a review such as economic impacts and environmental impacts and social and cultural impact of a more open immigration system, is it a fact that the collection of that information is currently being done by the Administration

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MS ADAMS I'm not quite sure what you are asking here Mrs Ward

MRS WARD Well I'm asking how it is possible for the Commonwealth to review those impacts in those areas without us collating the information. It was my understanding that, that information was being collated so I'm asking if that is the understanding of the Minister that this information is being collated

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MS ADAMS Thank you Mr Speaker what I will undertake to do is to have that discussion with the Administration to find out exactly what they are doing towards this process because I don't have that information at my fingertips

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MR EVANS Thank you Mr Speaker a question to Minister Sheridan in relation to the fuel situation at the moment. Obviously those on the East side will have seen the tanker coming in so if the Minister could give us any idea when the restrictions will come off

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MR SHERIDAN Thank you Mr Speaker and thank you Mr Evans for the question, just an update on the fuel situation here on Norfolk Island, last week the last discharge from the Ball Bay tanks were delivered to the service stations but we were fortunate enough to have 30,000 litres arrive on the Norfolk Guardian which is approximately ten days worth of fuel. The tanker did arrive earlier this week at this time and up to when I left for work this morning, as I overlooked Ball Bay the tanker was not in the Bay discharging, but I have had since that time advise calling for a special meeting of EXCO tomorrow afternoon to revoke the fuel emergency and I've been informed by the service that the discharge of the fuel should be completed by today and overnight so it's depending on whether or not that tanker is discharged sufficiently then EXCO will be held tomorrow afternoon and the fuel emergency will be finished

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MS ADAMS Thank you Mr Speaker if I could just add to my earlier response please to Mrs Ward that I should have mentioned too in my response that as you are aware I brought to Members recently my concern of some of the impacts which are taking place at this time where people who have arrived on Norfolk Island under this provision which was put in place for holders of unrestricted entry permits and also residents under section 28(a) of the Immigration Act, are now applying for exemption from payment of the Healthcare Levy on the grounds of insufficient income being earned in a levy period and I have asked the Healthcare Manager to have discussions with the statisticians who are compiling the statistics which are to go up on line to include those provisions just so that, that's on the table. Thank you Mr Speaker

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MR PORTER Thank you Mr Speaker, for the Chief Minister, does the Chief Minister believe that all milestone payments that are available for this current financial year, will be gained by the end of the year

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MR SNELL Thank you Mr Speaker and thank you Mr Porter, for the question, hypothetical from advise given to me by the Administration Chief Executive Officer that they are working towards the satisfactory completion of most of the milestones, some may not be completed but they are doing their best to ensure that all possible will be done to effect a satisfactory result for the milestones that are outstanding

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MR PORTER Thank you Mr Speaker a question to the Minister for Finance, Mr Sheridan given that there may be some doubt about completing that, will that lack of funding be factored into the upcoming budget, reflected in the budget will be discussed at this House before the implementation in the new year

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MR SHERIDAN Thank you Mr Speaker, and thank you Mr Porter for the question, no, it actually won't be factored into the budget for the next financial year, as that \$4.4m is for the current financial year. The Appropriation Bill that we'll be looking at, at the next meeting will be for expenditure within the next twelve months. Now I realise that if all of those funding milestones aren't met, the full \$4.4m may not necessarily be received. This means that the Government will have to use reserves or what we would deem to be reserves in our revenue fund to meet that shortfall, which we are already doing because the financial year, the end is virtually upon us, and the last payment of \$1m would not be received until some time in the next financial year, so even if they payments were received, the \$4.4m they would not be fully received until after the end of the financial year, which means that we would have to use what funds we have in the revenue fund to carry out the expenditure that this House has approved some twelve months ago, and again back in March, so it is a concern but the non receipt of those funds will not impact upon the budget for next year

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MR PORTER Thank you Mr Speaker, a supplementary question, perhaps if there was a significant amount of money missing that would stretch our already depleted reserves to the extent that it would make life difficult I believe. Do you concur with that

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MR SHERIDAN Thank you Mr Speaker, yes Mr Porter is very correct in what he's saying, yes it will put pressure on our reserves if we do not receive the \$4.4m. Now those dollars were originally allocated to Norfolk Island for essential services in education, policing, health, and some public services wages and utilities. Unfortunately, if we do not get the \$4.4m those funds that have been allocated to those areas from the \$4.4m may mean that those areas may suffer to some degree. I don't believe that they will because I believe that the Service has indicated that they will complete the majority of the milestones, the question is whether or not the Commonwealth will then pay us funds that they haven't delivered prior because we haven't completed some of the milestones within a certain time frame. If we have since completed those milestones will the funds be forthcoming. We haven't been able to get a response to that and so we are working on the pretext that we will receive the majority of the money and for the next financial year with the allocation in the Federal budget of \$7.5m for the Norfolk Island Government we can only go into discussions on the Funding Agreement next month with the Commonwealth and go into our next meeting with the Appropriation Bill assuming that we will receive the full \$7.5m for what they call essential service delivery and this is what we'll be stressing to the Commonwealth, this is what the funds are then costed towards. It is the funding and the service provision of the services that the Norfolk Island residents must have

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MRS WARD Thank you Mr Speaker it is the same topic to the Chief Minister if I may. Given that at the last sitting of the House Members were made aware that the Chief Executive Officer of the Norfolk Island Administration had expressed his concerns at a number of issues regarding the Funding Agreement milestones, will the Chief Minister inform the House what exactly those concerns were and what the Chief Minister has done to address them

MR SNELL Thank you Mr Speaker, and thank you Mrs Ward for the question, it's overarching, the Chief Executive Officer, has expressed his concerns at some of the conditions relating to the Funding Agreements and I relate in particular to difficulties that they have experienced. For example, the Public Service Bill 2013. The Public Service Bill was a milestone in the December 2012 Funding Agreement between the Commonwealth Government and the Administration of Norfolk Island. This Funding Agreement sent obviously to the Assistance Secretary to the then Department of

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Regional Australia, Local Government, Arts and Sport, Miss Robyn Fleming, and it was completed and advised and the amount of \$100,000 was paid and received by the Administration for completing that milestone, but unfortunately, and this is a classic example of some of the difficulties that have been experienced by the Service, is that in October 2013 the Department advised that a number of issues relating to the Bill on 0th January 2014 wrote and addressed these issues, despite the Department advising completion of the milestone in August 2013, the Administration was advised that the Public Service Bill is inconsistent with the Australian Public Service standards and the need to adopt public sector values. So even though it was signed off, they have now been asked to complete other specific issues regarding the Public Service Bill, even though it was signed off, and these are what has been termed that they've been asked to design a bridge and now they've been asked to build it and it's becoming difficult and they are experiencing some difficulty in this area. That is just a classic example but we are working our way through it. We have addressed these matters in letters to the Minister, and hopefully we'll get some response in due course.

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MRS WARD Thank you Mr Speaker, a supplementary, isn't it also a fact that the Chief Minister stated in the April sitting that budget restraints are also a reason for the Government and the Administration failing to meet a number of Funding Agreement milestones and if so, what guarantee can the Chief Minister give that appropriate funds will be supplied in the 2015-16 budget to ensure that the next set of conditions are met

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MR SNELL Thank You Mr Speaker, I'll Have To Take That Question On Notice

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MR NOBBS Thank you Mr Speaker, a question for the Minister for Finance, Mr Sheridan, there's been a bit of promotion and dem tull, in relation to a new airline service for Norfolk Island, Norfolk Island Airlines I understand intends to commence a service a bit later in the year. Has the proposed air service by Norfolk Island Airlines received approval to land at the Norfolk Island airport

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MR SHERIDAN Thank you Mr Speaker, and thank you Mr Nobbs for the question, no request has been received from the operators of this proposed new airline to operate into Norfolk Island. Myself and the Chief Minister did have a meeting with Mr Preschelt some time ago in regards to his thought of where he would like to go and he indicated at that time that he was thinking of introducing a new airline into Norfolk Island later this year. At this point in time there's been no advise to the Norfolk Island Government that he officially intends to commence that service and no request has been received from him to land at Norfolk Island but just considering that question, under our legislation, there is nothing that we could do to facilitate his not landing here. If he complies with the requirements under the Airport Fees Regulations which is a bond of \$500,000 I think that's the only requirement of the Norfolk Island Government for somebody to operate a service into Norfolk Island. There is virtually nothing that we can do to stop an airline commencing. It is an open skies policy as Australia has, and if they tick all the boxes there would be nothing that we could do to facilitate the stopping of this

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MR NOBBS So what you are saying is that no request has been received and no approval has been given for, and we're looking at a different situation aren't we Minister, that we're not looking at a drop in and flippy flying out the next day, or what have you, we're looking at a complete service, a regular use of the airport and facilities, and is it correct that what you are saying that no request has been received and there is definitely no approval given

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MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs for the question, that is correct. There's been no request and no approval given at this time that I'm aware of

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MR NOBBS Thank you Mr Speaker a different question, to Minister Adams. I refer to the matter in relation to the Employment Conciliation Board, a little while ago and I seek an update. The Board in July last year recommended a rewrite of the Employment Act and immediate promotion for fair employment practices. What has been done in relation to that

MS ADAMS Thank you Mr Speaker. Mr Nobbs is quite correct. The Employment Conciliation Board Annual Report 2012-2013 from memory was tabled in this House back in November last year and back at that time I had, back in November, by email contacted Mr Massicks who had provided me with an advance copy of the report and advising him that it would be tabled in the House and at the time I did mention to Mr Massicks that I take note of the Board's conclusion that a complete rewrite of the Employment Act is well overdue. He raised a number of concerns with me when we met as a Board earlier in the life of this Assembly and I recall making the comment that there were consequential changes being flagged as a consequence of the passage of the Immigration Amendment No 2 Act 2012 and the following was subsequently identified. I don't know if you want me to go into all this detail at this time, I had planned to do it at the time of moving the motion for the appointment of Mr Massicks....

MR NOBBS No. I just want an update

MS ADAMS Okay. So what I was going to tell you at that time, was that a review of the Employment Act is on the 14th Legislative Assembly's Legislative Programme but at this point in time it's in a queue

MR NOBBS Thank you Mr Speaker just on the same subject actually but to the Minister for Finance, Mr Sheridan I think I asked him when the Public Service received their wage increase would he be looking at the basic wage situation here, he said, from memory and if I'm wrong Tim I'm sorry, but he was looking at it. Has there been any further action in relation to a basic wage increase

MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs for the question. I understand where Mr Nobbs is coming from. Employment is actually in Minister Adams area and it may be back in mine by the end of the week, but the intent was to look at the minimum wage. I think there was some legislation passed late in the previous Legislative Assembly which facilitated some external review of that, but the main item that we do need to be able to factor in an increase in the minimum wage is to access Norfolk Island's own Retail Price Index. At this time that is in a queue with the Service to be completed. Up to the last ACIL Tasman Report, the fellow who did that did a lot of work, or one of his offsidars did a lot of work on the Retail Price Index, he virtually made a new one for us which started at a new date and a new year and the problem with it is that our legislation needs to refer to the new starting date and the new system and those problems haven't been able to be worked out with the Service at this point in time. I'm aware that it is on the Service's agenda. When it comes to the top, I'm not aware of. I have chased this many a time but that is one of the main items that we would need to facilitate the increase in the basic minimum wage

MR NOBBS Thank you Mr Speaker a question for the Minister for Health, can you update the community on what is happening with the Norfolk Island Hospital. There was a Nexus Report put out about the possible closure of the Hospital, and we seem to have gone very quiet on it and I wonder what has actually happened to that recommendation and progression or otherwise of the report

MS ADAMS Thank you Mr Speaker it might seem to be silent on the face of it but it's not behind the scenes. Certainly there's a lot of discussion going on and I'm continuing in fact to receive submissions around the Nexus Report. Through the Chief Minister's office I have received letters from Dr McNamara, Dr Robbins, Dr Sexton, in recent times and I've sent those off to Minister Briggs at that time with an

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accompanying letter just explaining their concerns and the need, the ongoing need for proper consultation at community level and at hospital staffing level which did not happen with Nexus. By their own admission, they didn't have the time to do that consultation and just last Friday, the Director and I had a teleconference with a firm with whom the Director is looking to enter into a possible arrangement to come in the last week of June to undertake that process and I really can't give you any more of an update, to undertake the community consultation process and the Hospital process, there probably will be a questionnaire that's given to the community at the time, and out of that hopefully will come with a vision and a goal that the community has for its health going forward because I continue to hold the view that Norfolk Island has the potential to be a centre of health and wellbeing in the Pacific and that's one of my goals that I'm working towards. There's a lot of work still to be done and on my return from Sydney on the 6th June it is my intention to have a bit of a round table with a couple of Members of the Legislative Assembly here who have particular interest in this area to have further discussions before we go forward into the community consultation process. Thank you. I hope that is helpful!

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MR NOBBS Thank you Mr Speaker another one for Minister for Finance, Mr Sheridan, Minister I know you can't talk on the budget but can you give an indication whether the budget would include a salary for each actual permanent Member of the Administration staff for the next twelve months. Can you tell if there's provision there for every permanent Member

MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs for the question. As far as I'm aware there is no intention that those permanent members of the Administration would not be funded. Yes. So I would say yes, they will be funded

MR NOBBS That means, there are now two permanent members who are now on part time. Will that be taken into account to give them back their permanent full time position or not

MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs, if these people are part time then they do not hold a permanent position. I'm unaware of the situation you are talking about Mr Nobbs and I think it would be unwise of me to discuss the Public Service and its condition in this forum. If you have a question for me and if you have a particular example that you would like to point out to me, I advise you to come and visit me in my office and I will follow it up from there, but I'm not aware of any circumstances that you are talking about, so I'm unable to answer

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MR NOBBS Thank you Mr Speaker I've already brought it up with you before Minister but I'll certainly take the opportunity to speak with you

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MR SPEAKER Time for Questions Without Notice has expired now Honourable Members. We then move on to Presentation of Papers.

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MRS WARD Thank you Mr Speaker a question to the Minister for Finance, Mr Sheridan if I may. Given that the Commonwealth has committed to fund the deficit of the Norfolk Island Government's budget to the next financial year to the tune of \$7.5m, can the Minister give some clarification to the community on the question of whether it is intended that there will be major fiscal consolidation or restructuring of this budget or should the community expect to see more of the same in the next financial year

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MR SHERIDAN Thank you Mr Speaker and thank you Mrs Ward for the question. In regards to the budget no there won't be any major structural change. The structural change that will be factored in this financial year at some point is the introduction of municipal rates and that will be a huge change to our financial structural

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base. Other than that there will be no major structural changes to our finances, no, so you may say, and I know that people don't like to hear this, and maybe some Members around the table, but business as normal., They like to see a majority of changes. A lot of changes. But there are circumstances to dictate as to why we can't facilitate these changes at this point in time and one of them that comes to mind is the Deloitte's Access Economic Assessment that's going on at this point in time, which involves all of the Government's business activities and it would be unwise prior to receiving their report to make any determination as to which way those business activities would be going so no. All I can say is that yes, it would be much the same. Business as normal. The Service and the Norfolk Island Government will provide the services that the community expects from a Government and then we'll be working behind the scenes to ensure that our financial structure is improved over the next twelve months

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MR NOBBS Thank you Mr Speaker a question for Minister Adams if I may. Minister are you aware that the rural leases which have previously been available for renewal for a period of 99 years in KAVHA have now been reduced to 21 years and can the Minister explain such a dramatic change in policy and why the leaseholders were not advised, let alone consulted

MS ADAMS Thank you Mr Speaker and thank you Mr Nobbs for the question, because no, I'm certainly not aware of that and I'll be making an enquiry today.

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MR NOBBS Thank you Mr Speaker another one for the Minister for Finance, Mr Sheridan. Minister does Telecom have a current business plan and if so, is it available

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MR SHERIDAN Thank you Mr Speaker and thank you Mr Nobbs, yes, I'm aware that Telecom does have a Business Plan, I think it's a five or ten year plan and I'll check with the Telecom Manager who is on leave until Monday – doing a bit of rock and rolling with the country girls, I mean, the country music crowd – but I will ...

SPEAKER May I draw your attention to Standing Orders Minister Sheridan about identifying public servants and the context of such identification

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MR SHERIDAN Thank you Mr Speaker. I'll ask the Telecom Manager Mr Nobbs, when he returns from leave as to whether or not the publication is available. I would assume it would be

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MRS WARD Thank you Mr Speaker and a question to Minister Adams, in relation to the Immigration Review. The question is whether there are Terms of Reference associated to that Review and whether that's been made publicly available yet, so in other words, whether it's an open review which is going to seek community input or whether this is an in house Public Service Administrative Review, thank you

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MS ADAMS Thank you Mrs Ward for the question. That's a very good question which I will take on notice but certainly I guess it did start off as an internal immigration review on issues within Immigration. But I have no problem of bringing your question to the attention of the Manager of Immigration and the Immigration Review Team who are actually meeting for their second meeting today. Yes there are terms of reference. I have no difficulty with their being made available. No problem at all. But I take your point. Good point

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MRS WARD Thank you Mr Speaker if I may, a question to the Chief Minister. Chief Minister the Hon. Jamie Briggs who is the Assistant Minister for Infrastructure and has responsibility for Territories at the moment, has said in the House of Representatives on Thursday, the 27th March earlier this year under a ministerial statement, that the Prime Minister had asked him to develop a discussion paper on possible reform options including governance reform and a plan to extend mainland

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taxation and social security systems and he went on to say that he had requested or provided opportunity for everybody in the community to provide input to him. The question to the Chief Minister is whether the Chief Minister is in communication with the Hon Jamie Briggs to know whether or not he has in fact set himself a time frame for this discussion paper to go up to the Prime Minister of Australia

MR SNELL Thank you Mr Speaker. Interesting question. There has been some dialogue regarding this matter. We committed our progress reforms as outlined in the Norfolk Island Roadmap and Minister Briggs was intending to discuss that with us in early 2014 which he did and we have made some representation to Minister Briggs in regards to our reform process, details of that I don't have with me at the moment but I'll certainly try and get some clarification for Mrs Ward in due course

SPEAKER Further questions without notice? No. Then we are done with questions without notice. We move on

ANSWERS TO QUESTIONS ON NOTICE

We are at question on notice No. 60. Mrs Ward to ask the Chief Minister and Minister for Tourism

MR SNELL Thank you Mr Speaker. The question reads "What comfort can be given to the community that the Commonwealth funded Cascade Pier project is not lost given that a condition for Minister Briggs agreeing to the project proceeding is the development of a progressive rates implementation strategy for the Island?" I can assure Mrs Ward and the community that the Norfolk Island Government has not been given any indication that Commonwealth funding for the Cascade Pier project will be lost. The Administration of Norfolk Island is preparing a Rating Strategy for submission to the Commonwealth in accordance with the Funding Agreement on the 1 May 2014 the Norfolk Island Minister for Finance, the Hon Tim Sheridan provided a copy of the Policy Position Paper to the Hon Jamie Briggs, Assistant Minister for Infrastructure and Regional Development in which the Government agreed to various rating concepts for inclusion in the rating strategy that is currently being undertaken. Thank you, Mr Speaker

SPEAKER Question on notice No. 61. Mrs Ward to ask the Chief Minister and Minister for Tourism

MR SNELL Thank you Mr Speaker. The question reads "Will the Chief Minister provide to the House a list of apprenticeships, traineeships and related youth programs which are currently funded by the Norfolk Island Government? Mr Speaker, each year the Norfolk Island Government offers bursaries and scholarships to Norfolk Island students to enable them to continue their education elsewhere than on Norfolk Island. The following awards are available: 1. Higher School Certificate Bursary, - as the higher school certificate is available at the Norfolk Island Central School, this bursary is limited to applicants with special curriculum needs. 2. Tertiary Education Scholarship, is available to assist full time students undertaking a course leading to a tertiary qualification from a university or other tertiary institution. 3. Vocational Training Scholarship, this scholarship is available to assist persons wishing to undertake apprenticeships, technical or para-professional studies and/or training away from Norfolk Island. This year \$25,000 was budgeted for the award of bursaries and scholarships. In 2014, 21 students were successful in obtaining a Norfolk Island Government bursary or scholarship. The Norfolk Island Government also contributes a small amount each year to enable the awarding of Queen Victoria Scholarships. At the end of 2013 the Administration of Norfolk Island provided work experience for students from the Norfolk Island Central School. I am advised that this was the first time in many years that this has happened. Mr Speaker, other youth programs. There are currently two youths employed in programs which support traineeships, apprenticeships and cadetships. The Norfolk Island Airport has a Cadet who is engaged for two years until 5 November 2014.

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This Cadet has completed a Certificate II in Security Operations and a number of related courses or licences in order to undertake the role of an Airport Operations Officer. Norfolk Telecom also has a Telecommunications Trainee engaged for four years due for completion on 31 January 2017. This Trainee has completed a Certificate III in Technical Security and has almost completed a Certificate III in Telecommunications Cabling. Norfolk Telecom is currently investigating additional courses training which would be relevant for the business section that this Trainee can undertake for the duration of their program. Also of note Mr Speaker, that whilst it is part of the School programme, I would like to point out that during 2014, the Norfolk Island Central School offered Vocational Education and Training for senior students, Stage 6. This school based Vocational Education and Training opportunities were in Construction, Information Technology and Hospitality and were offered at Certificate II Level. In addition, Distance Education opportunities undertaken by senior students at the School during 2014 included Tourism, Aged Care, Children's Services, Hairdressing and Equine Studies. I table a copy of an information brochure that explains the Vocational Education and Training component at the School. Thank you Mr Speaker.

MRS WARD Thank you Mr Speaker a supplementary if I may. If I'm to read from that, that the Norfolk Island Government doesn't actually fund any apprenticeships at this stage, is that correct

MR SNELL Thank you Mr Speaker I would have to seek advice on that question

MR PORTER Thank you Mr Speaker, a supplementary on that. Given that the Administrator had offered funds for apprentices to cover their off island component and as late as I understood it, there was a residual amount that was still available, it would be interesting to know if the Administration had looked to take on apprentices to take advantage of those funds that I believe were still available as recently as a couple of weeks ago

SPEAKER You are directing that question to...

MR PORTER Thank you Mr Speaker, I direct that to the Chief Minister. Would he take that information on board if he's going to consult with the Administration

MR SNELL Thank you Mr Speaker yes there has been quite a number of communications between the Administration of Norfolk Island and the Administrator on certain aspects relating to apprenticeships in conjunction with the Administrator's office and from the Department and if necessary I'll give those to Mr Porter

SPEAKER Question on notice No. 62. Mrs Ward to ask the Minister for Cultural Heritage and Community Services

MS ADAMS Thank you Mr Speaker and thank you Mrs Ward for the question. The question reads "Will the Minister provide to the House the documented staff recruitment processes used by the management of the Norfolk Island Hospital Enterprise and include the process used by the 'Panel' in the recent recruitment of the Director? Thank you Mr. Speaker, the question is really in two parts and that's how I'll be addressing it. The first is 'Will the Minister provide to the House the documented staff recruitment processes used by the management of the NIHE to recruit staff at the NIHE. Mr. Speaker, I table the Norfolk Island Hospital Enterprise Recruitment and Selection Policy and in doing so, I'm going to read the Mission Statement for this Policy.

POLICY - RECRUITMENT AND SELECTION POLICY
The Norfolk Island Hospital Enterprise aim of assessing applicants for vacancies is to select the best person for the job.

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be interviewed; interviewed the nominated candidates; Assessed interview results; Recommended the preferred candidate to the Norfolk Island Hospital Enterprise Advisory Board." Thank you Mr Speaker,

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SPEAKER The final question on our Notice Paper is No. 63, Mrs Ward to ask the Minister for Finance

MR SHERIDAN Thank you Mr Speaker. The question reads "Given that the Electricity Working Group Report has been received by the Government; will a restructured electricity pricing regime be implemented by July 1, 2014? Mr Speaker I can say yes to that. Back in May I requested the Service to implement one of the recommendations and that was a group connection fee so the intent is that once this quarter is finished and the readings have taken place at the end of June, that the next quarter the first quarter in the next financial year the charges will be based upon a fee for connection to the grid and then a reduced unit fee for the usage of electricity. The price of that unit fee is yet to be determined and I've also requested under the Electricity Working Group Report that in the budget there will be some dollars made available for the purchase of some smart meters to be installed around the Island.

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SPEAKER Honourable Members we have concluded Questions on Notice. We move to Papers

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PRESENTATION OF PAPERS

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Are there any Papers for presentation this morning

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MR WARD Thank you Mr Speaker.

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I present the following documents, **Exposure Draft Community Title Bill 2014; and Explanatory Memorandum** relating to the Bill. These documents represent a further step towards the introduction of community titles and strata titles into Norfolk Island. Members will recall that in 2012 during the term of the 13th Legislative Assembly the University of New South Wales was retained to prepare a White Paper on the introduction of strata title in Norfolk Island. The White Paper was prepared by Professor Peter Butt and Senior Lecturer, Cathy Sherry, both whom are highly regarded Australian property lawyers with a particular interest in strata titles issues. The White Paper was table in the House by Mr Sheridan in April 2012. In September 2013 this Government issued a Position Paper in response to the numerous recommendations set out in the White Paper. The Government's position was broadly in agreement with most, if not all of the White Paper recommendations. Subsequently this Community Title Bill 2014 has been developed as an Exposure Draft for public review and comment. The Bill has been drafted using South Australian legislation as a model with modifications to reflect Norfolk Island's circumstances as well as the recommendations set out in the White Paper. The Explanatory Memorandum provides a fairly comprehensive outline of the operation of the Bill. Also included is a comparison of White Paper recommendations, Norfolk Island Government Position Paper responses and references and commentary as to the implementation of the recommendations within the Bill. I also foreshadow that Exposure Draft Community Title Regulations will likely be tabled at the next meeting of the House together with details of any consequential amendments that will likely be necessary to –

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the Planning Act 2002; the Norfolk Island Plan; the Land Titles Act 1996; and other related enactments. The Bill and supporting memoranda presented today, although fairly lengthy documents, are not presented as representing a concluded Norfolk Island Government position on the issues arising. Public comment is particularly sought on any issues or concerns arising and internal review within the public service is ongoing. I propose to forward the documents to the Commonwealth for any comments they might care to make. I so table the documents. Mr Speaker, I take this opportunity to thank the Crown Counsel for undertaking this mammoth task to achieve the tabling of this Exposure Draft today. Thank you Mr Speaker

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MS ADAMS Thank you Mr Speaker. I hadn't intended to do that today but the question earlier today regarding the Nexus Report has prompted me to table and partially read from my **Letter to Hon Jamie Briggs MP re NIHE and Health Services** in respect of health going forward.

"Norfolk Island Hospital Enterprise (NIHE) and Health Services

I refer to correspondence from you of 26 February 2014 and 10 April 2014 and mine to you of 25 March 2014. (...any my letter by the way is dated 30th April 2014).

It might be helpful if we can both reach an agreed position going forward that achieves the best outcome for the provision of health services on Norfolk Island that has both our governments support and the support of the Norfolk Island community. I hope that the following is viewed by you of my best intention in this regard.

It is an undeniable fact that you and I are both committed to working to improve health services on Norfolk Island and to ensure that those services reflect the needs of the community. (Your letter of 26 February and mine of 25 March 2014 reflect this).

I, like you, would like to see this improvement take place as speedily as possible. However, it is unfortunate that the Interim Report "*Review of Norfolk Island Health Legislation*" by Dr Tim Smyth was produced in June 2013, long before the final Calvert/Connolly "*Review of Existing Child and Family Support Services on Norfolk Island*" was available in late September 2013 and the draft "*Health Services Plan*" from Nexus Consultants not being received until the end of October 2013 without consultation being undertaken by Nexus with the doctors, the hospital staff and the Norfolk Island community. With respect, the Dr Smyth Review being undertaken in June 2013 was really a case of "horse before the cart"; a fact that I brought to the attention of the NIHE Advisory Board in my letter to them on 22 September 2013.

For the record a number of stakeholder organisations were invited to provide comment on the Nexus report which was posted on the internet shortly after it was received. However the broader community consultation is yet to be undertaken. I have attached correspondence in relation to the Nexus Report which has been received from Drs McNamara, Robbins and Sexton, medical practitioners who provide medical services to the Hospital. (...and may I say at this stage that I sought the permission of the Doctors that their letters be released).

Whilst it is regrettable that you have decided that the balance of funds advanced by the Commonwealth for Dr Smyth to complete his work could not be redirected to enable the broader community consultation to take place; the Director of the Hospital, the Minister for Finance and I are now in discussion as to how we might fund an independent and appropriately qualified facilitator to assist with this long overdue process.

The urgent need for the community consultation is further compounded by the recent ACHS Survey conducted at Norfolk Island Hospital Enterprise on 18-20 March 2014 and I quote from their High Risk Actions and recommendations at Action 1.10.3 Core –

ACHS Surveyor's recommendations

1. Progress the community consultation on the future of the NI Hospital and associated services.
2. In the interim develop and implement a clinical services capability plan to support the current scope of services being offered on the basis that this will better inform clinical staff requirements. This plan then be used to ensure appropriate, skilled and qualified staff are sourced to meet requirements.
3. Urgently review the requirements for a dedicated Director of Nursing role and implement same to ensure nursing staff are fully supported in their professional practice responsibilities.

These recommendations carry a "Risk Level: High".

As stated above recommendation 1 is under discussion and a clinical services capability plan is being developed as required in recommendation 2.

Recommendation 3 requires a minor amendment to the *Norfolk Island Hospital Act 1985* and I anticipate a Bill being introduced in the near sitting of the Legislative Assembly with a request that it be passed through all stages.

Now that the new Director of the Hospital has been appointed, I am confident that many of the outstanding issues will be resolved promptly. The Director is in regular contact by teleconference with Mr Mark Shepherd, Deputy Chief Executive of South Eastern

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Sydney Local Health District (SESLHD) on how we can build on the current pathways in place with SESLHD under the Memorandum of Understanding we have with them and Sydney Children's Hospital Network.

During a teleconference on 27 April 2014 between South Eastern Sydney Local Health District representatives, Departmental Officers Ms Robyn Fleming and Mr Paul McInnes, the Director of the Norfolk Island Hospital, the Acting Chair of the Norfolk Island Hospital Enterprise Advisory Board, Ms Maria Christian (Quality Improvement Co-ordinator) and myself, the issue of accreditation, and costs associated with meeting that accreditation, were discussed. The Hospital is committed to the accreditation process through the Australian Council on Healthcare Standards and is striving to achieve accreditation within the time frames that have been set. The Hospital is working through the issues that have been identified and with the assistance of SESLHD is confident that accreditation can be achieved.

For your information, with the support of the NSW Director General of Health Dr Mary Foley the interim Chief Executive of SESLHD, Mr Gerry Marr, has been appointed as a member of the Norfolk Island Hospital Enterprise Advisory Board.

I am sure you will agree there is much work to be completed and I look forward to ongoing discussions with you as we move towards providing the best health services for Norfolk Island into the future." And that letter is signed, myself. I think that is an important document to put into Hansard and earlier on today I had said that we are moving forward as rapidly as we can with the community consultation process. Thank you Mr Speaker

MR SHERIDAN Thank you Mr Speaker. Mr Speaker under section 32(b) of the Public Moneys Act 1979 I'm required to table directions in regards to transfers of expenditure between divisions. I therefore table the **Virements for part month of April and also part of May 2014**, and also Mr Speaker I table the **Revenue Fund Financial Indicators March 2014 which details any material departures from the Budget**

SPEAKER Any further Papers Honourable Members. No. We move to Statement Honourable Members

STATEMENTS

MR WARD Thank you Mr Speaker. **NI Pests and Diseases Survey – Potato/Tomato Psyllid**. On the 23rd of April I was advised that the Norfolk Island Pest and Diseases Survey had detected the presence of a pest insect, generally known as a tomato /potato psyllid. This insect is a known vector for a bacterial plant disease known as Liberibacter. Tomato / Potato psyllids have been confirmed now at three localities in low numbers. Mr Speaker the discovery of this disease carrier is a serious concern for our agricultural producers and for a community that relies heavily on this local produce. It appears we are extremely fortunate that the pest has been found while still in limited distribution and density, but the need for a quick and effective response is vital. Should the psyllids and the bacteria follow the pattern of incursion into other places, the ability to grow crops such as potatoes, tomatoes and capsicums will be prone to failure to the extent that crops such as potatoes may no longer be grown. There would be a dependence upon a strict crop management which could involve a broad range of range of chemicals and other processes to produce crops. Upon confirmation of the first detection, the Australian Dept of Agriculture assisted by sending us an officer for a few days to help determine and establish an appropriate response. Delimiting survey and data collection processes have been established in conjunction with the Norfolk Island Quarantine Service. A delimiting survey commenced in the first affected area, and has now progressed to other high risk areas. The Norfolk Island Quarantine Office is continuing to progress the survey work and reports. Survey work will continue to determine distribution and density of the psyllids infestations. The results of this fieldwork will provide the basis on inform decisions with regards to whether eradication is feasible, or whether other measures need to be put in place.

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All recommendations of the July and October 2013 and February 2014 Reports have been passed by the Legislative Assembly to the Norfolk Island Government for their deliberation and action. There has been no response from the Government to date other than recommendations related to Norfolk Island Culture and the South Pacific Commission.

Meetings of the Committee During Reporting Period

During the reporting period, the committee formally met on 5 occasions. Additional advice was received during informal discussions and written advice was provided to the committee.

During formal meetings 6 persons appeared before the committee. The committee wishes to record its appreciation of those who took time to appear before the committee and also those who contributed in other ways.

As reported in the last quarterly report the committee has commenced a more concentrated deliberation of issues within the private sector where previously its emphasis had been on issues of concern within what is roughly referred to as "Admin".

Issues of Concern

Whilst in no way comprehensive, the committee considers that from its deliberations during the past quarter the following are issues of major concern with readily available solutions. They are all directly related to progressing the committee's Terms of Reference. Issues which require some urgent attention are:-

1 Business Related Norfolk Island Legislation

There is a need to review all Norfolk Island legislation relevant to local business. It appears that were a review undertaken there would be shown major failings in the actual detail and enforcement of current local legislation.

Whilst some pieces of Australian legislation have been extended to include Norfolk Island, it is considered that special attention be placed, in this recommendation, on Norfolk Island legislation.

As one example of inadequacy in Norfolk Island legislation, the Australian Bankruptcy legislation does not extend to Norfolk Island so the island developed its own. This was possibly largely initiated in the belief that such legislation was required but probably would never be used. The latter summation was incorrect and the legislation has proven inadequate and an appropriate administrative structure was never initiated, thus the legislation and provision of administrative support, require urgent revision.

Other Norfolk Island Acts such as the Sale of Food Act also require urgent attention and there is a real need for proper regulation of professions such as Accountants, Lawyers, Financial Planners, Real Estate Agents etc. Whilst immigration controls may have been seen to afford some form of protection in the past, none exists under present arrangements.

Recommendation: A review of Norfolk Island Legislation relevant to business be undertaken and where necessary updated or new legislation enacted with appropriate administrative structure, as required, provided.

2 Implication of Australian Legislation currently extended to Norfolk Island

The implications of Commonwealth legislation related to business currently extending to include Norfolk Island need to be considered and potential impact on business development and investment documented. Where appropriate, discussions should be undertaken between the Norfolk Island and Commonwealth Governments.

As an example, the Foreign Investment and Take Overs Act 1975, a Commonwealth Act, has been extended to include Norfolk Island. Under the legislative framework created by the Act, a Foreign Investment Policy, administered by the Foreign Investment Review Board, has been developed.

There is a need for the Norfolk Island Government to identify and list Commonwealth legislation and attendant policies which have been extended to Norfolk Island that have potential to impact on business and investors who may wish to invest on Norfolk Island. It is essential the Norfolk Island Government is fully conversant with the impact of such

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legislation and attendant policies which may exist. Such information is essential in the government dealing with both business investors and the Commonwealth Government.

Recommendation: A review be undertaken of Commonwealth legislation currently extending to Norfolk Island which may impede business or investment. The process, to identify and document specific issues, could form the basis among other things of a Norfolk Island Government approach to the Commonwealth Government on issues of concern and it seeking some resolution.

3 New Inventions and Testing Facilities

The committee is aware of several proposals, from the private sector, related to the location on Norfolk Island of research and development projects (R & D projects). Whilst the committee also understands that there may be other R & D projects seeking to base themselves on Norfolk Island there appears no clearly established process for receipt of a proposal and subsequent action by government.

Each proposal appears to be handled on an ad hoc basis by the Norfolk Island Government and there is no clear policy on how each proposal is received or assessed and the subsequent involvement of the Government or its agencies. If the islands involvement in research and development is to be progressed a formal process is urgently required.

Recommendation: The Norfolk Island Government establish a clear path which provides for the formal lodgement, assessment and acceptance or otherwise of research and development projects which may seek to be established on Norfolk Island.

4 Competition in Contractual Arrangements

The issue of competition within contractual arrangements on Norfolk Island was raised as an issue with the committee and particularly where the public sector enters as a competitor. It appears the issue is made more complex given the actual size of the island, the small market in which contractors are operating where "big jobs" are relatively rare and in some areas the amount of equipment available. Further, it should be noted the committee's role is purely one related to process and impact of that process on business not as an arbitrator or judge on individual cases.

Concerns were raised with the committee as to competition between the public and private sector being open and equitable. As an example of equitability, it is often considered that the public sector has an ability to not include all costs in quoting thus creating an unfair advantage. The reality on Norfolk Island is that the Administration has in place a policy requiring all costs to be included in quotes it prepares. The Administration policy is based on the Commonwealth Government's "Competitive Neutrality Guidelines for Managers" and all quotes prepared are subject to an audit process. Further, the Administration takes any complaints against its operations very seriously and has an established complaints process which is confidential, includes an appeal mechanism and is readily available to any potential complainant. Incidentally, there is an assumption that the private sector would include all costs in all quotes, but there is no requirement for this to occur.

Recommendation: The Norfolk Island Administration be more proactive in promoting its policies related to competition in contracting, even to the extent of providing less complex policies than those on which it currently relies for guidance.

5 Construction Standards

Evidence was provided to the committee that the documentation of construction standards required for public works are incomplete.

Recommendation: That immediate action be taken to ensure construction standards for all public works undertaken by or on behalf of, the Norfolk Island Administration are documented and publicly available.

6 Public Facilities for Norfolk Island

Public facilities on Norfolk Island have been provided by a variety of processes from those provided solely by volunteers, to those funded by the Norfolk Island or Commonwealth Governments or some combination of the above.

There appears no document available which lists public facilities which are required to fulfil a perceived need on Norfolk Island, let alone one developed on the basis of needs analysis and having been subjected to community discussion and prioritisation. The current ad hoc arrangement should cease and the Norfolk Island Government, in consultation with the community, should immediately establish a prioritised list of

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required public facilities, currently identified. Such a list should then form the basis for any possible Norfolk Island Government funding and be available to the Commonwealth Government for consideration in any proposals involving Commonwealth funding.

Recommendation: The current ad hoc arrangements surrounding provision of proposed public facilities be replaced by a formal Norfolk Island Government approach. It is proposed that the government establish a list of facilities which are currently identified as "required" and following analysis on the basis of need and open community consultation, prioritise and publicise the list. Thank you Mr Speaker

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MR SNELL Thank you Mr Speaker. I move that the Report be noted

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MR SNELL Thank you Mr Speaker. I would like to make some comments on the Report as presented by Mr Nobbs and as a member of the committee. Mr Nobbs has quite rightly pointed out the deficiencies and in particular he has quite rightly so I believe given some slight criticism of the Government for the lack of progress in some areas. Mr Speaker this has generally been part of our problem of budget and it relates to an earlier question by Mrs Ward on some budgetary restrictions and the budgetary restrictions are mainly involved with staffing and I refer to the paper and Member around the table and the public would recognise that there is a need for more staff particularly in the Legal Services Unit area. A lot of these questions relating from this paper refer to the Legal Services Unit and they are under staffed at the present time. The Paper also has recommendations relating to the Economic Development Officer's position. Mr Speaker we were very fortunate I believe to have had the Joint Standing Committee here on Norfolk Island and on the 9th May I wrote to the Hon Jamie Briggs MP, Assistant Minister for Infrastructure and Regional Development seeking his assistance and I wrote regarding the enquiry into Economic Development on Norfolk Island and I thanked the Minister for requesting the Joint Standing Committee on the National, Capital and External Territories to conduct an enquiry into economic development on Norfolk Island and the Norfolk Island Government welcomed the opportunity to lodge a submission to the enquiry and to appear before the Committee on Tuesday 27th April 2014. Our submission outlined a number of opportunities to broaden and diversify the Island's economic base, separate to the aspirational goal of the Norfolk Island Roadmap which has a focus on the Island's principal industry of Tourism. The proposals submitted by the Norfolk Island Government are seen as opportunities to improve the revenue raising capacity of the Norfolk Island Government and the Norfolk Island Government contends that they would in the long term remove the need for the Commonwealth Government to continue to underwrite the Norfolk Island budget. The Norfolk Island Government considers that the first step in assessing and progressing any new proposals is the establishment of an economic development function which will be a key driver in economic recovery. Attachment A to our submission is a document and economic model for Norfolk Island prepared by the Administration of Norfolk Island. This document was sent under cover of a letter dated 17 April 2014 to the Hon Neil Pope, Administrator, by the Minister for Finance, Mr Sheridan seeking funding in the 2014-15 budget to establish this function. The Administration of Norfolk Island would welcome your support as a first step to the engagement of an Economic Development Officer to provide this most crucial support to the private sector. Mr Speaker, if he concerns as expressed in this Report by Mr Nobbs, can be addressed we need more staff and we need certainly an Economic Development Officer to assist in the process. Thank you Mr Speaker

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MR EVANS Thank you Mr Speaker, I don't want to go on too much about what Mr Nobbs has said but thanking the people who did come along to the Infrastructure and Business Development Committee, and as we are still formed I would like to invite anybody in the community in the private sector in particular, we had some very interesting presentations from some in the private sector, and it was very interesting to find out their views on what's going on in Norfolk Island with the changes, and so I just want to encourage anybody who is out there, who has a business that it is a good opportunity to come up and air their grievances and a very good opportunity for us to

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find out what we are able to legislate to change things to make things better for everybody so I just take this opportunity to invite any more people. We sometimes find it hard to get someone to come up and present to us, and I'm sure if you talk to some of the guys who came up here, they've never had the opportunity to come up to the Chamber and found out that it wasn't quite as daunting as what they thought how it would be but certainly it was enlightening to us as Members of the Legislative Assembly to find out what's going on in the community and find out how the private sector works and what their aspirations are from the Government. So thank you Mr Speaker and thank you Mr Nobbs for all the work you put in as Chairman.

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MR NOBBS Thank you Mr Speaker, and I would thank the last two speakers for their contribution. The issue may be considered that there was some criticism in there but the recommendations were on the basis of propositions in submissions put to the committee and usually in the areas where they have real problems and what the Chief Minister has said that areas like the Legal Section are definitely low on numbers and there are other issues really where it was hoped that by us highlighting these problems that it may galvanise a particular area to provide the support required for what was a suggestion in here or a recommendation, not a criticism, that's purely all. As far as what Mr Evans said, we would love to hear from anybody who wishes to come along. As you see there's no names, no pack drill and we try to word the recommendations so that people cannot be identified, but if anybody in the private sector in particular wishes to come along, please contact a member of the Committee or myself and we will certainly accommodate your concerns. Thank you Mr Speaker

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MS ADAMS Thank you Mr Speaker a quick question. Do the Reports of the I&BD Committee get published on info.gov.nf. If they don't I would ask please that they do. That they are, so that the community can access them, and when I can't find my copy I know where to go. Thank you

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MR NOBBS Thank you Mr Speaker, that's the reason we gave that and we'll be moving at the next meeting that this one goes to the Government. It's the Government's report then. It's the Legislative Assembly's report today but the Government's report next time.

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NORFOLK ISLAND LEGISLATIVE ASSEMBLY 14TH NILA HANSARD — 14 AUGUST 2013

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

PRAYER

Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this House, direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island, Amen.

CONDOLENCES

SPEAKER

Honourable Members Are there any condolences today. Mr Evans

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MR EVANS

It is with regret that this House records the passing of **Lynette May Sheridan** affectionately known as Bub. Born in March 1965 and raised on Norfolk Island, she was the daughter of Christine and Warren Sheridan. Lynette was the youngest of five children, sister to Deb, Tim, Martyn and Sam. As a child she was close to her older brothers and considered herself a tom boy, playing outside in their playground of Ball Bay, having adventures with their cousins and the animals and spending summers at the beach. Lynette loved horses and as a child she learned to ride well. She loved spending time with her dad and was happiest when feeding the animals. Lynette did well at school and enjoyed competing on Sports Day for her Norfolk House. By 1978 most of the older children had moved out of home and Lynette moved to Sydney with her Mother. They settled in the eastern suburbs and Lynette attended Randwick Girls High where she quickly made friends and developed her own independence. Lynette loved the fast life in Sydney but her heart brought her home many times. She had four children and they made her extremely happy. Ngairé first in 1982 then Jesse ten years later. He formed a close relationship with his Mother and became her rock. During one of her trips back to Norfolk she rekindled a childhood romance and was married and had her third child Jenna. This was one of the happiest times of her life. Finally Jonah came along with his kind eyes and big heart just like his Mother. Lynette was a wonderful aunty to seventeen nieces and nephews. She was generous and would give even, when she herself had little. In the course of her life Lynette had many jobs including working at the post office, cooking with her Mother and cooking at the hospital. Lynette battled many challenging life experiences. In 2001 she enrolled in TAFE to use her own experience to help others and became a drug and alcohol worker. She worked successfully in her career for many years and helped many people who suffered from similar problems as her. This is when her kind and compassionate nature was at its best. Lynette had a fun loving nature and she enjoyed spending the day at the beach and then going home to enjoy an evening with her many friends just as she also enjoyed having a good chat over a cuppa and many nights were spent with a pot luck dinner. Lynette always saw the best in people and formed many friendships over the years. She will be remembered as being young at heart, a caring, free spirited and loving daughter, sister, aunty, friend and mother. To Ngairé, Jesse, Jenna, Jonah, Christine, Deb, Tim and Sam and their families, and to her many friends, this House extends its deepest sympathy. May she rest in peace.

It is with regret that this House records the passing of **Joan Irwin**, a lady who has loved the Island since she and her late husband, Commander Peter Irwin, RN, Retired, came to live here in 1980. She was farewelled following a Requiem Mass conducted by Father Paul Hilder at the St. Philip Howard Catholic Church where Joan's three sons — Mark Whitmore and his wife Mary, David Whitmore with partner Jane, and Stephen Whitmore with partner Natasha, gathered with many friends. Joan was born in May, 1933 in Darlinghurst. She was the first born to Maghnus and Mabel Rankin and the elder sister to Clyde. She grew up in the family home in Earlwood, Sydney and attended St. Bridget's school in Marrickville. Joan was a blond bombshell and one of her claims to fame was that she was in the first intake of female lifesavers in Australia, based at Maroubra Beach. She loved dancing, and was a proficient ice-skater. She married Graham Whitmore in 1955, and they had three boys. As the wife of a builder, the family moved many times. Joan was always an active member of the community, beginning with the school tuck shop, and was heavily involved in the church youth group. Joan had a great interest in reading, and used her immense trivia knowledge to win a prize in the TV show, BP Pick-A-Box. She had a wonderful sense of humour and was not averse to pulling pranks. Joan and Graham separated and two years later she met and married Peter, a retired Commander in the Royal Navy. Peter introduced Joan to Norfolk. He was an avid lover of the island and Joan quickly shared his passion. They enjoyed a number of holidays here before finally relocating in 1980, to own and operate 'Impulse', a boutique in Burnt Pine. They gained permanent resident status as soon as they were eligible and built their dream house overlooking Ball Bay using a single Norfolk Pine from

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the property. It allowed Joan and Peter to indulge in their hobby for shell collecting and gardening and it provided plenty of room for their two dogs. The Island welcomed them and Joan often talked of their love for Norfolk and their new friends. Joan enjoyed gardening (they won a competition); cards (Bridge and Jarro); cooking and entertaining, reading and music. Their house was always full of music, be it from one of their organs or a musical soundtrack turned up loud. They were founders of the Norfolk Island Organ Society. She continued her life-long love of volunteering for the community, becoming involved with White Oaks and the Church Council. Joan loved her family and would take every opportunity to visit them in Sydney, travelling at least once a year. She was a gadget collector and was always on the lookout for the latest invention, be it an egg slicer, a mango corer or an avocado keeper, she just 'had to have it'! Joan is survived by her three sons Mark, David and Stephen, three grandsons Christopher, Scott and Matthew and an unborn great grandchild due in January. To her family and her many friends, this House extends its deepest sympathy. May she rest in peace.

SPEAKER Thank you Mr Evans, Honourable Members as a mark of respect I ask that all Members stand for a period of silence in their places.

Thank you Honourable Members. Petitions, are there any Petitions this morning. Notices, are there any Notices.

QUESTIONS WITHOUT NOTICE

Following a meeting of MLAs with the Immigration manager yesterday is it a fact that Australian and NZ citizen who have cash bonds being held by the Administration can immediately apply to have their money refunded?

Is there an administrative process in place for Australian and NZ citizens to follow in order to get back confidential information that was used to support their GEP applications under the old immigration regime? If there is no procedure in place, would the Minister ask for a procedure of this kind to be developed so that people can have their private information returned to them?

Given that the Minister has removed the Immigration Policy and guidelines motion from the Notice Paper and that she stated last month that "the more we look the more we find the more change we need", would the Minister spell out exactly what she thinks needs to be changed in either the act or the policy?

Given that by the 1st August the Minister is required to review Healthcare and medical evacuation levies will there be an increase on the 1st September and how much will it be?

Paper tabled; Minister for Cultural Heritage and Community Services, Ms Adams — Medivac Flights during January to 31 July 2013.

Given that the CM has said that the Chief of Staff position is something of an ongoing consideration would the CM advise the House whether or not he has made a decision will there be a CofS within this compound and if so, when will the position be advertised?

Would the CM provide to the House his understanding of how NI is affected by the Federal Government moving into caretaker mode?

Given that the CM responded to my QON about his government's vision, plan and legislative program, by saying that the document is not yet ready to be released however he looked forward to providing it to Members and the community, is the CM able to provide that to Members today?

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~~Given that the CM committed to seek assistance from the office of the Administrator to help make a list of the Cwlths support to the island since the signing of the Road Map and the dollar value, is the CM now able to do that?~~

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~~Question relates to divestment of government business enterprises given that the Commonwealth has completed its tender process and a Consultant has been appointed to carry out an assessment when can we expect to see this person or these persons on island?~~

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~~Is it a fact that the NIGTB has had its annual financial grant cut and if so, by how much and, where have the cuts been made and if the CM could refer to specific areas that would be helpful?~~

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~~Question relates to the Oceania Economic Development Corporation's would the CM assure the House that his Government remains committed to the Road Map reform program in addition to welcoming new private sector investment to the island?~~

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~~Given that a preferred applicant for the Administration CEO Position has been chosen, would the CM inform the House of his expectations of the new CEO?~~

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~~Question relates to the time it is taking for the NIA to comply with the FAG milestones is it a fact that the Regional dept has given the NIA an extension of time to comply with May milestones and if so, what is the deadline and what are the consequences if they fail to comply?~~

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~~We move to Papers Honourable Members~~

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~~PRESENTATION OF PAPERS~~

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~~MR SHERIDAN Thank you Mr Speaker I table~~

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~~Customs Duty Exemptions, "Daffodil Day" objects by Quota for \$98.40~~

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~~MS ADAMS Thank you Mr Speaker. Later this morning in statements I will be providing the House with an update on health and hospital initiatives. However in papers I now table the Report titled **The Review of existing child and family support services dated September 2012** which was published online on 22 July 2013 by the Department of Regional Australia, Regional development and local Government (DRALGAS). This Report which was prepared by Gillian Calvert AO and Marie Connolly Phd stemmed from a requirement at item 18 of the September 2011 Funding Agreement for Norfolk Island to work in partnership with the Commonwealth to further build its capability to provide children and family support services on Norfolk Island. The report now tabled is the outcome of the study undertaken to achieve this goal. Mr Speaker I move that the paper be noted. Mr Speaker, the terms of reference for the review were to Examine the current framework for family support and child protection services on Norfolk Island; Identify barriers and issues associated with the provision of effective children and family support services; Consider practices,~~

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~~procedures and resources within the Norfolk Island Government with direct responsibilities in this area, and also consider how the government and non-government organisation agencies might contribute to a more effective protection and support network; and Consider how the Norfolk Island Government can help to support children and young people to reach their potential and assist individuals and families who are at risk or in crisis. In considering the service needs of children and families living on Norfolk Island the consultants took the following approach in undertaking the review – A desk review of available documents relating to the demographics of the Norfolk Island community, service statistics, earlier reviews and reports relating to the provision of Norfolk Island services; A series of community meetings that included a public meeting and meetings with specific interest groups; Meetings with Ministers in the Norfolk Island Government and the staff of the Norfolk Island Administration; Meetings with service providers across the sector; and Individual meetings with young people and families.~~

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~~MRS WARD Thank you Mr Speaker. Review of existing child and family support services on Norfolk Island – This report came about as a result of the Road Map and funding agreements. If we think back to 1979 the NIG was to provide a comparable standard of services to its community. And as recently as 6 weeks ago, the NIG re-affirmed its commitment to provide mainland standard services in Education and Health (new FAG). The reality is that the NIG does not and can not deliver to its community the standard of services that are required to be delivered by State and Territory governments and we all know that and understand why. It was as a result of such issues that the previous government sat down and worked out a plan with the Cwlth on a revised way fwd for NI. The authors Marie Connolly and Gillian Calvert referred to people having multiple jobs and the effect that has on parenting. There is reference to families where someone had a disability or a mental illness, or where they were parenting alone and the challenge they faced and they noted that women had spoken to them of returning to work as soon as one week after giving birth. Perverse effects of the health insurance scheme (healthcare system that does not take into account someone's ability to pay) The authors noted – We have found the breadth, design and operation of the safety net and mutual obligation expressed through Norfolk Island's income support, taxation, health, and employment legislation and systems to be extremely limited by comparison to mainland Australia. This inadequate safety net is critically significant when seen in combination with the island's concentrated wage structure, high cost of living, increasing job insecurity, the absence of any social housing and the notably older age profile of Norfolk Island than that of the rest of Australia. Indeed the median age on Norfolk Island is 46, as compared to 37 in the rest of Australia. They also said – It was clear to us that Norfolk Island has a strong community spirit...” Several recommendations were made ... There were expected references to unhealthy levels of alcohol consumption, domestic violence and risky behaviour and what I noted was that during their time on Norfolk Island they heard of many instances of people feeling unsafe when they openly challenged issues. As a consequence we believe that informal hierarchies of power exist on the island that support cultures of intimidation and violence and that there is an atmosphere of fear that disables criticism. Unfortunately, this is something that I encounter on a regular basis and when I encourage people to stand up and say something they will not, because they fear retribution. That is why it is so important for Government and Administration to have their policies and procedures clearly identified so that there is not question of us and them – it is one rule for all and everyone understands what those rules are. I also note from reading the Report that a few people on the island expressed their doubts that families were in fact confronting real hardship. We can also read that a few people have expressed a view that introducing a stronger safety net for families could undermine the strengths of self-reliance and the strong work ethic that underpins many of the values of Norfolk Island life. We have heard those views expressed by one of our colleagues however am with the majority of people who expressed to Marie and Gillian the need to protect more vulnerable members of the Norfolk Island community in ways that are respectful of diverse needs, for example, ensuring humane responses when people lose~~

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~~their jobs, when they are affected by mental illness, or when they require specialist care. There are 7 recommendations but I will read – Recommendation 1. “Norfolk Island residents should within three years, become part of the same income security, employment, taxation, child support scheme and benefit systems as other Australian residents including eligibility requirements, processes and support and participation requirements. We recognise a staged implementation may be needed in some areas, for example, early childhood education and care.” – Delaying corrective action is likely to cause an exacerbation of the problems making them more difficult, and more expensive to solve in the future I do not intend to talk about the break down of what has or hasn’t occurred so far as a result of the recommendations. – What I will do is acknowledge the work of the Office of the Administrator and the work that they have done with local community groups. – The local community service group members and helpers are the unsung hero’s in what has been achieved to date in the area of social welfare, they sometimes very quietly to improve the lives of the most vulnerable people in our community and we should all remember our fate can change at any time and acknowledge those who are there to assist. – In closing Mr. Speaker, I think that it is an opportune time to thank the soon to retire from Federal politics, the Hon. Simon Crean our previous Minister responsible for Territories. I thank him for his efforts and his acceptance that the NI community and its welfare is ultimately the responsibility of the Federal Government. There have been many reports and surly this one will insight change and result in a more secure future for Norfolk Island?~~

~~MR SHERIDAN – Thank you Mr Speaker **Bookmakers and Betting Exchange Act 1998 – Report on statutory default**~~

~~MR SHERIDAN – Thank you Mr Speaker **Gaming Act 1998 – Licence for Interactive Gaming Entertainment Pty Ltd**~~

~~MS ADAMS – Thank you Mr Speaker **Immigration – Revocation of Policy**~~

~~MR SPEAKER – Thank you. Further papers.~~

~~STATEMENTS~~

~~MS ADAMS – Thank you Mr Speaker. **Health, hospital and community initiatives and the opening of DCA Safe House on 3 August 2013.** Earlier this morning I tabled the Report resulting from the review of existing child and family support services on Norfolk Island and of course this report cannot be considered in isolation of the Island’s 5-year Health Services Plan currently being crafted and referred to further on in this statement.~~

~~Members will recall that at the July 2013 sitting of the House I advised that a review had been commenced within the Administration on the provision of health and related services. – The review was raised as a point of interest at the July meeting of the Hospital Advisory Board with my giving an undertaking that the review would not be undertaken in isolation of the Norfolk Island Hospital Enterprise which is the Island’s healthcare facility. – The Hospital Enterprise is a corporate entity in its own right with its Vision being, and I quote –~~

~~“to work in partnership with the government and community of Norfolk Island to provide continuing improvement in the health of the community and the provision of sustainable, efficient and affordable health care”.~~

~~The Hospital Enterprise has as its Mission Statement –~~

~~“to promote, improve and care for the health of the Norfolk Island community including its residents and visitors”~~

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~~In my statement today Honourable Members I will endeavour to give a brief overview of key activities that are being undertaken by or on behalf of the Hospital Enterprise in partnership with both the Norfolk Island Government and the Commonwealth Government in order to achieve the aims set out in its Vision and Mission Statement.~~

~~In the December 2012 Funding Agreement the Hospital was required to meet a number of milestones which include -~~

~~a) _____ Commencing working towards a level of "Marked Achievement" in at least the '15 mandatory criteria of the Australian Council of Healthcare Standards (ACHS);~~

~~b) _____ Norfolk Island Government collecting health statistics and publish quarterly, commencing June 2013, using formats and standards of other Australian health statistics, as set out by the Department and informed by Indian Ocean Territories Health Service.~~

~~c) _____ Preparing a report that further examines what additional measures (legislative or operational procedures) might be implemented to enhance the efficient and effective delivery of health services on island, and~~

~~e) _____ Norfolk Island Government publishing for the first time, health statistics, using formats and standards of other Australian health statistics, as set out by the Department and informed by the Indian Ocean Territories Health Service.~~

~~In March this year the Commonwealth Government provided \$100,000 to the Hospital Enterprise which entered into a Funding Agreement with the Commonwealth to achieve the following:~~

~~1. _____ Delivery of the Island's five year Health Services Plan;~~

~~2. _____ Advancement of the critical pathway towards accreditation of Island Health Services; and~~

~~3. _____ Complementary adjustment to Norfolk Island Health legislation to achieve accreditation.~~

~~The Hospital Director has briefed me on how these projects are progressing.~~

~~**Accreditation of Island Health Services**~~

~~In December 2012 Ms Maria Christian RN, Quality Improvement Co-ordinator for the Hospital Enterprise conducted an Assessment of how the Hospital Enterprise currently measured against the Australian Council of Healthcare Standards (ACHS). The Hospital Advisory Board has received a report from ACHS on the results of the Self-Assessment NIHE conducted last December and work to attain the status of "marked achievement" in at least the '15 mandatory criteria of the ACHS are ongoing.~~

~~An educator with the ACHS visited between 8 and 12 July to conduct sessions with hospital staff on all the standards required in order to achieve a level of accreditation as required under the Funding Agreement. Support continues to be given weekly by the Clinical Governance Unit of South East Sydney Local Health District or SESLHD via teleconferences and emails.~~

~~A visit has been arranged through the Clinical Governance Unit of the SESLHD for a Clinical Nurse Consultant to visit for one to two weeks, possibly in September, to train clinical staff in aseptic techniques. This training is part of the process for meeting the mandatory criteria of the ACHS.~~

~~Health Service Plan for the Norfolk Island Hospital and Health Service~~

~~With the assistance of the SESLHD Planning & Population Health Unit a firm, Nexus Management Consulting, was engaged to develop the Health Services Plan. I had the opportunity to meet with the Nexus Consultants, Greg Masters and Jill Hardwick, at the end of their visit in the week 29 July to 2 August. During their visit they had broad ranging discussions with key personnel in the health service area on the Island across both government and community organisations. It is intended that the report furnished by Nexus Consultants will include a description of current services; detail of health services utilisation; list of issues affecting future health service delivery; recommendations for provision of services and a proposed plan for health services.~~

~~Complementary adjustment to Norfolk Island Health legislation to achieve accreditation~~

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Following discussions between the Hospital Enterprise, SESLHD and the Department of Regional Australia a Local Government, Arts and Sport, Dr Tim Smyth was engaged in late April 2013 by the Hospital Enterprise to undertake a review of the Norfolk Island Health legislation. Dr Smyth has provided the Hospital Advisory Board with his June 2013 interim report which outlines a number of key findings. The interim report is to be considered by the Hospital Enterprise and the Advisory Board in the first instance. The next step is for there to be a multi-jurisdictional discussion involving the Norfolk Island, Commonwealth and NSW Governments to guide the next stage of the review.

Look forward to receiving comment from the Hospital Enterprise and the Advisory Board and to be able to table at the September sitting of the House the interim report and advice received.

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Opening of DCA8 House

~~Mr Speaker there is another significant initiative which I wish to acknowledge — this time a community initiative — namely the DCA8 community supported and managed safe house which formally opened on Saturday 3 August 2013.~~

~~In opening DCA8 I paid tribute on behalf of the Norfolk Island Government to Mrs Vicky Jack, our Child Welfare Officer, who had the initial idea many years ago and has, with the assistance of so many generous, caring people, too numerous to mention, turned this idea into a reality.~~

~~Honourable Members this project is yet another demonstration of how this community can pull together in times of need to achieve great things when called upon to do. The Norfolk Islander in reporting on the opening used the following words in their report, and I quote—~~

~~**“DCA8 is a novel service, a local solution, meeting a need and providing a service which works here on Norfolk Island” and I am sure all Members here this morning join me in wishing the ongoing management team of volunteers tasked to manage this project well in their future endeavours.**~~

~~SPEAKER Thank you. No further debate. I put the question that the Report be noted~~

~~QUESTION PUT~~

~~AGREED~~

~~The ayes have it thank you.~~

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NOTICES

SPEAKER We move to matters of which Notice has been given.

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NORFOLK ISLAND HOSPITAL ACT 1985

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MS ADAMS Thank you Mr Speaker, I move that this House, in accordance with section 12A of the *Norfolk Island Hospital Act 1985*, resolve that Kim Olesen, Director of Nursing and Midwifery Services from the South Eastern Sydney Local Health District be appointed by the Minister as a deputy to the representative member of the South Eastern Sydney Local Health District on the Norfolk Island Hospital Advisory Board for a term of 12 months commencing on the date of gazettal of this appointment.

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

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MS ADAMS Thank you Mr Speaker. Mr Speaker Members will recall recently agreeing to the appointment of Mr Gerard Marr, Chief Executive of South Eastern Sydney Local Health District, as a member of the Norfolk Island Hospital Advisory Board. Under the Norfolk Island Hospital Act there is the power to appoint a Deputy for each Board member. At my invitation South Eastern Sydney Local Health District has recommended the appointment of Ms Kim Olesen who is the Director of Nursing and Midwifery Services from SESLHD to be the Deputy of the representative member from the South Eastern Sydney Local Health District on the Advisory Board for a period of 12 months. Ms Olesen just by way of interest, is usually a participant when there is a teleconference link up between the Director and the Quality Improvement Co-ordinator, Ms Maria Christian at the Norfolk Island Hospital and is fulfilling a very helpful role to Norfolk Island already and I look forward to welcoming her on to the Advisory Board with the agreement of the House and I commend the motion to the House Honourable Members.

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

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QUESTION PUT

AGREED

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The ayes have it thank you.

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

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MR SHERIDAN Thank you Mr Speaker. I move that under subsection 2B(4) of the Customs Act 1913, this House recommends to the Administrator that the goods specified in column 1 of the Schedule imported by the person specified in column 2, and on the conditions mentioned in column 2 of the Schedule, be exempted from duty -

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SCHEDULE

<u>Column 1</u>	<u>Column 2</u>
<u>Goods</u>	<u>Importer/conditions</u>

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<u>Goods purchased for Norfolk Island Commonwealth Games Team to give to fellow competitors</u>	<u>Norfolk Island Amateur Sports & Commonwealth Games Association</u>
<u>- amount of duty applicable \$367.20</u>	<u>Conditions: Nil</u>

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<u>12 x 6 man outrigger canoes</u>	<u>Norfolk Island Wa'a Outrigger Club Inc</u>
<u>- amount of duty applicable \$22,032.00</u>	<u>Conditions: During the period of 3 years after importation the canoes (a) may only be used for the purposes of the Norfolk</u>

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Island Wa'a Outrigger Club Inc; and (b) may not be re-exported from Norfolk Island.

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Thank you Mr Speaker. This is just our normal process for bringing to the House any items which attracts a Customs Duty of greater than \$200, there's a legislative requirement that this needs to come to the House. I don't think there's anything to mention in regards to the Commonwealth Games Team goods imported by the Amateur Sports. This comes around every four years when the team of these elite athletes from Norfolk Island go and participate with other competitors from around the world, and I'm sure the Amateur Sports Association appreciates not having to pay this duty. The other one is the forming of this Wa'a Outrigger Club and this is to facilitate them to commence their activities in Norfolk Island, the importation of these canoes and I note in the paper only last week they gave an update of how they are going and there were a couple of photos of these canoes being made in Fiji and I note that they're up for a couple more so this may not be the last exemption that comes to the House for this organisation but according to all reports this association, they are formed at the moment but they don't have any equipment, and this is the reason that the duty exemption has come to this table, as most non profit organisations that are on Norfolk Island particularly sporting bodies request the exemption and it is normally given for their equipment when its imported to Norfolk Island and its no different to this one. This Club seems to have some great plans for Norfolk Island, particularly commencing next year, and it's yet to be seen whether or not they can get it up and running and into the future years. I wish them luck Mr Speaker

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MR PORTER Thank you Mr Speaker, I declare a personal material interest in this matter. I'm a sponsor to one of these canoes and although I have no financial gain from it and no expectation of financial gain, I acknowledge that I am a sponsor to the organisation and I wish them well

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MR SNELL Thank you Mr Speaker, I endorse the words of Mr Sheridan. Mr Speaker this is a very important aspect to tourism on Norfolk Island particularly for the quiet latter weeks of January when they propose to hold these events. The events will probably run over a ten day period. It will attract according to the online response that have been so far indicated, there are apparently over a two day period they had over 5000 hits on the website and they intend to have film coverage of the events here on Norfolk Island and the marketing proposal for Norfolk Island is extensive, it is one f the new initiatives that we hope will promote our events marketing here on Norfolk Island and I certainly wish them well and I also declare a personal interest as my son is the President of this Club and I can only admire them for their initiative and I certainly give my support to those sponsors on the island who have raised over \$100,000 to make this event possible. A great achievement in this financial climate here on Norfolk Island and we certainly wish this event every success possible. Thank you Mr Speaker,

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MR EVANS Thank you Mr Speaker, I would also like to add congratulations and goodwill and a more interesting one in a year's time I think once young Norfolk Islanders have had the opportunity to train under a proper coach that gives Norfolk Island youth the opportunity to be able to get themselves involved in another great sport which not only is very sporty but also has cultural heritage there as well so yes, good luck and thank you

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

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QUESTION PUT

AGREED

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The ayes have it thank you. That motion is agreed

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

There is a motion Honourable Members which requires leave. The Employment Act 1988 - Appointment of Member to the Employment Conciliation Board. Is leave granted. Leave is granted. Minister Adams

MS ADAMS Thank you Mr Speaker and thank you Honourable Members. Mr Speaker, I move that for the purposes of subsection 65(2) of the Employment Act 1988, this House resolve to appoint Richard Graham Massicks being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period of three years commencing on the date of gazettal of the instrument of appointment. Thank you Mr Speaker, Mr Massicks has brought to the role of Member and Chair of the Employment Conciliation Board substantial experience in industrial relations and he has my thanks for agreeing to undertake a further 3 year term. Mr Speaker I take this opportunity to refer back to the 2012-13 Annual Report of the Board which was tabled in the House in November last year. I quote from their Report - "The Board feels that the time is well overdue for a complete rewrite of the Employment Act with consequent reshaping of the Standard Employment Contract and Guidelines. The Act no longer mirrors employment law in Australia and New Zealand, particularly in the areas of payment and management of entitlements, the lack of written contracts for residents, and dismissal." Mr Speaker for the record the review of the Employment Act 1988 is on the Government's legislative programme. I thank Mr Massicks and commend the motion to the House. Thank you Mr Speaker

MR SNELL Thank you Mr Speaker it goes without saying that the Norfolk Island Government appreciates anyone who puts up their hand to become a member of these voluntary boards, and we certainly appreciate the efforts that have been shown in the past by Mr Massicks in his duties on the Employment Conciliation Board and we hope that Mr Massicks will be able to certainly extend his three year appointment. Thank you Mr Speaker

MR SPEAKER Thank you Chief Minister. Any further debate. No further debate. Time to put the question. The question is that this Motion be agreed to.

QUESTION PUT

AGREED

The Motion is agreed.

IMMIGRATION (AMENDMENT) BILL 2014
IMAGRIESHAN (CHIENJEN) BIL 2014

MS ADAMS Thank you Mr Speaker. I present the Immigration (Amendment) Bill 2014, Imagrieshan (Chienjen) Bil 2014 and move that the Bill be agreed to in principle and I table the Explanatory Memorandum.

MR SPEAKER Thank you Minister. The question is that the Bill be agreed to in principle.

MS ADAMS Thank you Mr Speaker. Mr Speaker this Bill is Mr Speaker this Bill stems from a requirement of the Commonwealth at clause 19.3 of the June 2013 Funding Agreement between the Commonwealth of Australia and the Norfolk Island Administration. Clause 19.3 of that Funding Agreement reads – Amend the Norfolk Island Immigration Act 1980 to remove Section 28A(3) sunset clause for New Zealand citizens. To keep the amendment in context Mr Speaker I advise that currently

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paragraph 28A(1)(d) of the Act requires an applicant for residency under section 28A, if over the age of 18 years, to produce evidence of good character. Subsection 28A(3) however currently provides that paragraph 28A(1)(d) ceases to have effect on the date that is 10 years after this section becomes law. The amendment before us today changes that arrangement and 10 years after this section becomes law Australian citizens will no longer be required to produce evidence of good character. However New Zealand citizens will be required to continue to do so. Mr Speaker, whilst I am supportive of this amendment, I want to make the following comment. Mr Speaker as a member of the 13th and 14th Assemblies I have made it clear on many occasions that it is not appropriate for funding agreements to tell a Parliament how it should conduct its business – that it is an infringement of the independence and sovereignty of the Parliament to ask a Parliament to change a law.. Clause 19.3 in the current funding agreement does just that, - it tells the parliament to change a law. In the 13th Assembly I wrote on this very matter to then Federal Minister Simon Crean pointing out that the appropriate processes are prescribed in the Norfolk Island Act 1979. On this occasion I will support the Bill but we must be mindful to not allow this to happen again in future funding agreements. In conclusion Mr Speaker I advise that the Bill before the House today has been sent as a draft to the Federal Minister for confirmation that the Bill will, once passed, satisfy the funding agreement requirement to ensure that funds are received in appropriate timing. I commend the Bill to the House.

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MR NOBBS Thank you Mr Speaker I have concerns in supporting this proposal by the Minister. I would have thought that we would have had some indication by now from the Commonwealth on the review that's proposed to be finished in about five weeks time so I would have thought that they should have had a draft copy of their proposals at that time. Whilst I understand that it's a requirement of a Funding Agreement and we certainly have our hands pinned fairly significantly by that, I still want to make sure and I won't be voting in favour or against it Mr Speaker, I'm abstaining but as far as I'm aware they haven't even started their review of their immigration arrangements here and they definitely haven't consulted with the community in any way, shape or form. Thank you Mr Speaker

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MR SPEAKER Thank you. Any further debate. No further debate.
Minister Adams

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MS ADAMS Thank you Mr Speaker. I move that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of Sitting.

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MR SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of Sitting. I put that question to you Honourable Members.

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QUESTION PUT

AGREED

That motion is agreed. Thank you Honourable Members . We have completed Notices.

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FIXING OF THE NEXT SITTING DAY

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MR PORTER Mr Speaker I move that his House at its rising adjourn until Wednesday 11th June 2014 at 10.00 am

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MR SPEAKER Thank you Mr Porter. Honourable Members you will know that we have consulted about this and the Minister for Finance has indicated that we will require two sessions for the budgetary arrangements in June. This will be the first. It is projected as the first, the 11th June and it is also projected that following that on

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the 25th June, we will sit again. But that will be decided when we actually come together on the 11th June, but that is the overall plan. Any debate. I put the question.

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QUESTION PUT

AGREED

The motion is agreed.

ADJOURNMENT

MRS WARD Thank you Mr Speaker. I move that the house do now adjourn.

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MR SPEAKER The question is that the House do now adjourn. Is there any adjournment debate.

MR SNELL Thank you Mr Speaker. It was remiss of me not to acknowledge earlier in statements the funding assistance provided to Norfolk Island by the Commonwealth of Australia. Whilst I did place a media release, I would like to place on record here the Norfolk Island Government's appreciation for the financial assistance that has been received in the Federal budget. As we are all well aware Mr Speaker on Tuesday evening, the 13th May the Federal budget was handed down and Norfolk Island is to receive in excess of \$10m in a variety of measures, and we thank His Honour the Administrator for his efforts in securing this amount of money in regards to the benefit of Norfolk Island. As Members would be aware, \$7.5m for financial assistance to fund the project deficit, \$2m for ongoing governance reforms and funds to underwrite the air services to Norfolk Island. The amount provided to underwrite the air services is not for publication as negotiations with the service provider are commercial in confidence. The provision of these funds will enable the Norfolk Island Government to continue to fund essential services in the 2014-15 financial year and will now assist the Administration of Norfolk Island to prepare its annual budget with certainty. The Norfolk Island Government has written to the Hon Jamie Briggs MP Assistant Minister for Infrastructure and Regional Development, to express its sincere thanks to him, the Department of Infrastructure and Regional Development and the Administrator, the Hon Neil Pope, for their efforts in assisting Norfolk Island to secure this vital funding that will help to meet the costs of next financial year's forecast budget deficit of \$7.4m. there will be a Funding Agreement to outline the milestones to be met to receive the essential services funding and I have requested the Norfolk Island Government and the Administration of Norfolk Island receive an advance copy of the agreement so that due consideration can be given as to whether we have the resource to meet the milestone timeframes and to enable appropriate negotiations in this respect.

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I would also like to make mention Mr Speaker that this week Norfolk Island is experiencing the Country Music Festival. The Country Music Festival is celebrating its 21st anniversary and the 20th anniversary of the TransTasman Entertainer of the Year Awards which was won last night by New Zealand entrant Miss Anderson from the South Island of New Zealand and we congratulate her on that achievement. This is another event that's been going for a number of years, 21 years, which has promoted Norfolk Island to a large audience and has resulted in many visitors coming to Norfolk Island over that period and we thank all those within the community who have assisted in promoting this event, in assisting sponsorship and also to the visitors who have come to Norfolk Island to partake in the Island hospitality and also in the friendships that have been gained here, and of course, the fine music. We thank them for attending Norfolk Island. Thank you Mr Speaker

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MRS WARD Thank you Mr Speaker I would also like to acknowledge the ongoing contribution to Norfolk Island by the Federal Government but

unfortunately what it does is it helps us to maintain the status quo and that was part of my question to the Minister for Finance earlier, I cannot stress strongly enough and have it recorded that I will be pursuing the Chief Minister at every opportunity that I have to ensure that he is pursuing the Federal Government in reaching a decision on what Norfolk Island's future governance model is to be because until that is done, this Government has demonstrated that it does not have the capacity to make all these great reforms that my colleague here Mr Nobbs and Members of the community and other Members at the table through the Infrastructure and Business community have put forward and I will continue to put them forward and the trouble is that this Government does not have the resources or the capacity to pursue them. Not only that, in many areas around legislative reform, it is very difficult when you don't know what your direction is., When it doesn't know what your Governance model is and ultimately what the transfer payments will look like, it is very difficult for the Minister for Finance, to budget beyond twelve months. In terms of economic development and business moving forward, what is needed is certainty! A decision from the Federal Government so whilst I don't want to sound ungrateful, I certainly am. It will mean ongoing certainty certainly for people within the Public Service but it does very little for the private sector beyond the airline service. I'm not meaning to sound ungrateful, but until a governance model decision is made which then can be brought to this table and discussed with the Norfolk Island Government we will do nothing but to see same old same old into the next twelve months and that is unfortunately. Thank you Mr Speaker.

MR SPEAKER Thank you Mrs Ward. Any further adjournment debate Honourable Members. No. Then I will put the question that the House do now adjourn.

QUESTION PUT
AGREED

MR SPEAKER Honourable Members this House therefore stands adjourned until Wednesday the 11th June 2014 at 10.00 am.

1) Minister for Finance, Mr Sheridan — Update on Sporting activities during August 2013

MR SPEAKER As there are no Messages from the Office of the Administrator nor Reports of Standing Committees we move on

NOTICES

~~NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 — APPOINTMENT OF MEMBER AND CHAIRPERSON~~

MR SNELL Mr Speaker, I move that this House in accordance with section 4 of the *Norfolk Island Government Tourist Bureau Act 1980* recommends to the Minister that he re-appoint Michael Perkins to be a member of the Norfolk Island Government Tourist Bureau Advisory Board for the period of two years commencing 9 September 2013 and that he be Chairperson of the Tourist Bureau Advisory Board for that period.

SPEAKER Any further debate? I put the question that the motion be agreed to

QUESTION PUT

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AGREED

That motion is agreed to

~~NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 APPOINTMENT OF MEMBER~~

~~MR SNELL~~ Mr Speaker, I move that this House in accordance with section 4 of the *Norfolk Island Government Tourist Bureau Act 1980* recommends to the Minister that he appoint Anita Toni French to be a member of the Norfolk Island Government Tourist Bureau Advisory Board for the period of two years commencing 9 September 2013.

~~SPEAKER~~ Any further debate? I put the question that the motion be agreed to

QUESTION PUT

AGREED

That motion is agreed to

~~PROTECTION OF MOVABLE CULTURAL HERITAGE ACT 1987~~

~~MS ADAMS~~ Thank you Mr Speaker I move that in accordance with section 9 of the *Protection of Movable Cultural Heritage Act 1987*, this House recommends to the Minister that Beryl Phyllis Evans and Rhonda Evelyn Griffiths be re-appointed as members of the Norfolk Island Cultural Heritage Committee for the period 26 August 2013 to 25 August 2017.

Honourable Members the appointment of—

_____ Eve Semple
 _____ Rhonda Evelyn Griffith
 _____ Beryl Phyllis Evans and
 _____ Neil Tavener

Honourable Members the Protection of Movable Cultural Heritage Act deals with the protection of movable cultural heritage of Norfolk Island, namely, objects that are of importance to Norfolk Island for ethnological, archaeological, historical, literary, artistic, scientific or technological reasons. The Act categorises the objects which fall within the meaning of the Act.

The appointment of members of the Norfolk Island Cultural Heritage Committee under the Protection of Movable Cultural Heritage Act 1987 expires on 25 August and before speaking to the motion proper I would like on your behalf to thank Mr Neil Tavener for his years of community and voluntary service on the Committee. Mr Tavener is not seeking re-appointment at this time.

Honourable Members Mrs Semple is off Island at the moment and I have yet been unable to seek her agreement to re-appointment. I trust that she will continue in this valuable role.

In the meantime Honourable Members I have brought to the House this morning the re-appointment of Beryl Phyllis Evans and Rhonda Evelyn Griffith as members of the Norfolk Island Cultural Heritage Committee for the period 26 August 2013 to 25 August 2017 and seek your endorsement of their re-appointment.

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~~SPEAKER~~ Any further debate? I put the question that the motion be agreed to

~~QUESTION PUT~~

~~AGREED~~

~~That motion is agreed to~~

~~ANSWER TO QUESTION ON NOTICE NO. 19 RELATING TO IMMIGRATION~~

~~MRS WARD~~ Thank you Mr Speaker, I move I move that the House take note of Minister Adams' answer to Question on Notice (number 19) asked at the 17 July 2013 sitting of the House relating to the immigration website. The question related primarily to the need for Australian and New Zealand citizens to have onward air tickets. I will lead off by saying Mr. Speaker that this matter is in the process of being resolved however I felt that it was important to briefly speak to the motion in order to provide information to the listening community who is interested in immigration matters. It is important to me give the community an assurance that their elected representatives uphold the law and that the Minister will ensure that policy changes are implemented by the CEO of the Public Service and that if uncertainty exists, that it is clarified. Minister Adams has tabled a document titled "Discussion Paper on airline ticket policy, 13th August 2013". The first statement that the paper makes is this; "Currently there is a long standing requirement for persons other than residents to have means for onward travel from NI or to have lodged a cash bond in lieu." Question is, "should this requirement continue?" As I said this has been resolved now, but the problem was that this statement about an ongoing requirement for persons other than residents had been made null and void when the Immigration changes were assented to on the 24th of May and the changes were reflected in the New Policy and Guidelines Published on the 2nd of July. The change reflected at section 14A (4) of the Act clearly shows that "The holder of an unrestricted entry permit has the same rights under any enactment as the holder of a general entry permit...". That means that now — only a TEP (FN) needs to be considered for an onward ticket for travel out of NI. Australian and NZ citizens can travel to NI, just as we can travel to Australia or New Zealand on a one way ticket. Can I just note that any risks associated with that were analysed and identified to the Commonwealth officers last year. Where I first became aware that the changes were not being implemented was when the Immigration website went live at the end of July which led to my Question on Notice No. 19. We know that Minister Adams didn't need to bring this question to us — what she needed to do was insist that the changes were implemented based on clearly articulated and documented changes — both to the law and the policy — but the Minister did bring it to us and just so that the listening community is aware — there was strong support for the airfare issue to be clarified and that it should be removed — as is and was originally intended for Australian and NZ citizens. We have been assured by the Minister that DIAC will be update its Fact Sheet 59

~~TIM (ground handlers and travel agents)~~

~~Website will be update~~

~~people who are entitled to receive a cash bond refund will do so and I trust that this will happen.... there may be some time delay?~~

~~Coming back to the answer provided by Minister Adams to my Question on Notice No. 19. Clearly it was materially wrong but — I now trust that the Minister will see that the immigration department requirements are updated. So I hope that we have managed to clear a few things up, for everyone involved. In closing — if we believe that immigration, investment and growth are key elements in our economic recovery, then we must continue to do everything we can to remove barriers and create flexibility across the board and make the recovery happen and I appreciate that takes some change in thinking.~~

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~~MS ADAMS Thank you Mr Speaker~~

~~Paper tabled: Minister for Cultural Heritage and Community Services, Ms Adams
Immigration - Discussion Paper on airline ticket policy~~

~~SPEAKER Any further debate? I put the question that the
motion be agreed to~~

~~QUESTION PUT
AGREED
That motion is agreed to~~

~~ORDERS OF THE DAY~~

~~MARINE SAFETY (AMENDMENT NO 2) BILL 2013~~

~~SPEAKER Honourable Members we resume on the question
that the Bill be agreed to in principle and Mr Ward has the call to resume. Mr Ward~~

~~MR WARD Thank you Mr Speaker~~

~~SPEAKER Thank you. Further debate around the table. I will
now put the question that the Bill be agreed to in principle~~

~~QUESTION PUT
AGREED~~

~~The Bill is agreed to in principal. We move to the Detail Stage.~~

~~Is it the wish of the House to dispense with the Detail Stage. We so dispense. Minister
Ward I seek a final motion~~

~~MR WARD Thank you Mr Speaker I move that the Bill be
agreed to~~

~~SPEAKER Thank you Minister Ward. I put the question~~

~~QUESTION PUT
AGREED~~

~~The ayes have it. The Bill is agreed.~~

~~CUSTOMS (AMENDMENT) BILL 2013~~

~~SPEAKER Honourable Members we resume on the question
that the Bill be agreed to in principle and Mr Sheridan has the call to resume. Minister~~

~~MR SHERIDAN Thank you Mr Speaker~~

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~~SPEAKER Thank you. Further debate around the table. I will now put the question that debate be adjourned and resumption of debate be made an Order of the Day for a subsequent day of Sitting. I put that question~~

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~~QUESTION PUT
AGREED~~

~~That matter is so adjourned. Honourable Members we have concluded Orders of the Day.~~

~~FIXING OF THE NEXT SITTING DAY~~

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~~MRS WARD Thank you Mr Speaker. I move that the House at its rising adjourn until Wednesday the 18th September 2013 at 10.00 am.~~

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~~MR SPEAKER Thank you. Any debate.~~

~~QUESTION PUT
AGREED~~

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~~ADJOURNMENT~~

~~MR EVANS I move that the House do now adjourn,~~

~~MR SPEAKER Thank you. Any adjournment debate Honourable Members. No adjournment debate. Thank you, Honourable Members I put the question that the House do now adjourn.~~

~~QUESTION PUT
AGREED~~

~~MR SPEAKER Honourable Members this House stands adjourned until Wednesday the 18th September 2013 at 10.00 am.~~

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